Western Province Bowls

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5 February 2025

WP BOWLS CIRCULAR 2025-05

WESTERN PROVINCE BOWLS ASSOCIATION SPECIAL GENERAL MEETING – MOTION TO CHANGE THE WPBA CONSTITUTION AND BYE-LAWS

The Executive Committee of WP Bowls would like to convene a Special General Meeting of Council as follows:

Date: Saturday, 8 March 2025
Time: 09h30
Venue: Western Province Cricket Club Bowls Clubhouse

Notice of Motion

The Motion for consideration at the SGM is set out below to provide Club Presidents with sufficient time to gain their necessary mandates. Should any member object to the notice time being 4 weeks, instead of the prescribed 6 weeks, please indicate your objection in writing to the President of WPBA through the WP Bowls office on admin@wpbowls.co.za before 3pm on Friday, 7 February 2025.

It should be noted that only Council Members (Club Delegates) may vote at the SGM on behalf of their Club. Club Presidents should, therefore, discuss the motion with their respective club members and gain the required mandate.

Motion: Proposed Changes to the Constitution

Following on from the recent disciplinary process, the Executive Committee undertook to review the current WP Bowls Association Constitution and propose changes for adoption at a Special General Meeting.

The changes proposed by the Executive Committee are as follows:

12.1. The Executive, on production of satisfactory proof and after due investigation and process, shall have the power to reprimand and / or discipline a player or Member Club, to disqualify a player or Member Club from further participation in any WPB or other competition or championship for a period not exceeding two full seasons after the current season, to suspend the membership or affiliation of a player or Member Club for a period not exceeding two full seasons after the current season, or to terminate the membership of a player or Member Club.

12.2 Disciplinary action may, at the discretion of the Executive, be instituted in respect of the following:

12.2.1. Any player who has played in any team knowing that an ineligible player has been included;

Western Province Bowls Association | NPO 080-192
President: G van Milligen | **Vice:** T Harland | **Treasurer:** J Calvert | **Executive:** E Douglas, G Rightford, M Kirsten, M Gibbs, N Taljaard
Administration & Finance: D Phillips | **Competitions**: P Dockendorff | **Membership & Marketing Manager:** T Bright

12.2.2 Any player who has played in any team knowing that the number of players allowed by the modus operando for the competition or championship has been exceeded;

12.2.3 Any player who has entered any WPB competition or championship but fails to play without a valid reason;

12.2.4 Any player or Member Club who has wilfully committed a breach of the Constitution and/or Bye-Laws and/or Laws of the Game of Bowls South Africa and/or the Association;

12.2.5 Any player or Member Club who has wilfully disobeyed any directive or regulation of the Association;

12.2.6 Any player or person, being a member of an affiliated club, who has conducted himself or herself, whether verbally or physically, on or within the precincts of any green of any member club, on or in any public platform or place, in a manner considered to be contrary to the interests of bowls, the accepted norms of bowling behaviour, or which is considered to bring the Association or its Officers into disrepute.

12.3 Any disciplinary process or action shall be conducted and implemented in accordance with the Disciplinary Procedure Bye Law of this Constitution.

12.4 Any person or Member Club subjected to disciplinary action in terms of the above shall enjoy the rights of appeal as set out in Clauses 11.4 and 11.5 of this Constitution.

Motion: Proposed Changes to the Bye-Laws

DISCIPLINARY PROCEDURE BYE LAW

When a situation or incident envisaged in Clause 12 of this Constitution (together with its sub-clauses) comes to the attention of the Executive and should the executive after careful consideration and in its sole discretion be of the opinion that disciplinary action is warranted, such disciplinary action shall be implemented in accordance with this Disciplinary Procedure.

1. Appointment of Disciplinary Committee

1.1 The Executive shall, within 7 days of the situation or incident coming to its attention, appoint a Disciplinary Committee consisting of at least one and not more than three persons. The Disciplinary Committee shall be as independent as possible, and it will make the recommendations to the Executive regarding findings as well as recommendations as to the appropriate sanction.

1.2 The Disciplinary Committee does not have the authority to impose a sanction on a player or Member Club. The Disciplinary Committee's function is to ensure that the correct procedure is followed and that where applicable an appropriate sanction is recommended to the Executive. The members of the Disciplinary Committee need not be members of any club or the WP Bowls Executive or Council and should be appointed on an ad hoc basis with a view to qualifications and experience in matters of this nature.

2. Notice

2.1. The Executive shall issue a written Notification of Disciplinary Hearing ("notice") to the accused player or Club, informing them of the relevant charges or allegations and calling on them to appear before the Disciplinary Committee, such Disciplinary Hearing to be held within 10 days of the Disciplinary Committee being formed.

2.2. The notice shall inform the player or Member Club of their rights in the process and hearing that is to follow.

2.3. Where deemed necessary the Executive may in the notice suspend, without prejudice, the player or Member Club from any or all of the benefits and advantages of the relevant membership or affiliation until such time as the disciplinary process had been completed.

3. Disciplinary Hearing

The Disciplinary Committee shall hold a Disciplinary Hearing. During this hearing, the procedure shall be:

3.1. The person laying the charge/s or a delegated member of the Executive, as appropriate, will lead evidence and may call witnesses;

3.2. The player or Member Club (represented by a duly delegated member) may question such witnesses;

3.3. The player or Member Club may present their response to the charge/s and call witnesses;

3.4. The person laying the charge/s or a delegated member of the Executive may question the witnesses;

3.5. The Disciplinary Committee may ask questions of any parties for clarification.

4. Outcome of the Disciplinary Hearing

4.1. Within 3 (three) business days of conclusion of the Disciplinary Hearing the Disciplinary Committee shall present a written determination of guilt to the Executive, which determination shall immediately be conveyed to the player or Member Club.

4.2 In the event of a guilty determination and before making any recommendation as to appropriate sanction, the Disciplinary Committee shall consider any submissions by the player or Member Club in mitigation of sanction or any submissions by any complainant in aggravation of sanction.

4.3 After presentation of its determination of guilt the Disciplinary Committee shall have the sole discretion to reconvene the Hearing to hear oral submissions in mitigation and aggravation of sanction from the relevant affected parties, or to invite the parties to make such submissions in writing.

4.4 Within 3 (three) business days of having heard or received the submissions in aggravation and mitigation, the Disciplinary Committee shall present a written recommendation as to the appropriate sanction to the Executive. The Executive shall thereafter inform the player or Member Club of its decision as to sanction within a further 3 (three) business days.

5. Appeal

Any person or Member Club subjected to disciplinary action as envisaged in the Bye Law shall enjoy the rights of appeal as set out in Clauses 11.4 and 11.5 of this Constitution.

Regards,



Gerrit van Milligen
WP President
On behalf of the WP Executive