



Western Province Bowls Association

Proposed Changes to the Constitution

At the last WP Bowls Council meeting, the Executive Committee undertook to review the current WP Bowls constitution and propose changes for adoption at the Annual General Meeting.

This document outlines the changes proposed by the Executive Committee.

Table of Contents

Table of Contents.....	2
A. Gender bias changes.....	3
B. Vacancy on the Executive	4
1. Removal of Clause 7.1.5.....	4
2. Amendments to Clauses 7.3 to 7.3.3	4
C. Other Changes	6
1. Amendments to Clauses 3.1.1 and 3.1.2	6
2. Amendments to Clause 6.2.4.....	6
3. Amendments to Clause 7.2.2.3.....	7
4. Removal of Clause 7.7.5.....	7
5. Amendments to Clause 9.3.....	7
6. Amendments to Clause 13.1.....	8
7. Amendments to Clause 13.2.....	8
8. Amendments to Clause 14.1.....	9
9. Amendments to Clause 14.2.....	9
10. Amendments to Clause 14.3.....	9
11. Amendments to Clause 14.7.1.....	10
12. Amendment to Clause 15.1	10

A. Gender bias changes

These changes were all approved at the Annual General Meeting on Saturday 14 August 2021.

1. Clause 6.8.2 states:

- 6.8.2 At all Meetings of Council, the President, or in his or her absence, the Vice President, shall preside. In the absence of both the Meeting shall elect a Chairman from among the remaining Executive or delegates present.

The Executive proposes that this should read:

- 6.8.2 At all Meetings of Council, the President, or in his or her absence, the Vice President, shall preside. In the absence of both the Meeting shall elect a **Chairperson** from among the remaining Executive or delegates present.

2. Clause 7.2.1 states:

- 7.2.1 Nominations shall be made by the Member's Club where he has paid his Bowls South Africa and WP levies and shall be in writing on the official Association nomination form, together with the written acceptance of the nominee, which shall be lodged with the Association on or before the first day of July of every alternative year.

The Executive proposes that this should read:

- 7.2.1 Nominations shall be made by the Member's Club where he **or she** has paid **their** Bowls South Africa and WP levies and shall be in writing on the official Association nomination form, together with the written acceptance of the nominee, which shall be lodged with the Association on or before the first day of July of every alternative year.

3. Clause 7.4.1 states:

- 7.4.1 At the Annual General Meeting, the incumbent President shall present the badge of office to the incoming President. The incoming President shall immediately present the badges of office to the remaining incoming Executive. The new President and his Executive Committee will take office immediately until the next succeeding Annual General Meeting.

The Executive proposes that this should read:

- 7.4.1 At the Annual General Meeting, the incumbent President shall present the badge of office to the incoming President. The incoming President shall immediately present the badges of office to the remaining incoming Executive. The new President and **his** Executive Committee will take office immediately until the next succeeding Annual General Meeting.

4. Clause 7.5.4 states:

- 7.5.4 The President, or in his or her absence, the Vice-President, shall be chairman of all Executive Committee meetings. In the absence of both the President and Vice-President, the Executive members present shall elect a chairman.

The Executive proposes that this should read:

- 7.5.4 The President, or in his or her absence, the Vice-President, shall be **chairperson** of all Executive Committee meetings. In the absence of both the President and Vice-President, the Executive members present shall elect a **chairperson**.

B. Vacancy on the Executive

As became apparent in 2020, there are three different clauses in the constitution that deal with a member of the Executive resigning or being otherwise removed from the committee. This did cause some major confusion and healthy debate. The following proposed changes are to remove any ambiguity going forward.

1. Removal of Clause 7.1.5

Clause 7.1.5 states:

If a position becomes vacant on the Executive through any of the reasons as stated in paragraph 7.2.4, the Executive may co-opt another member in such position for the rest of the team.

The Executive proposes that:

Clause 7.1.5 be removed from the constitution.

Reason for the proposed change:

The proposed changes to 7.3 deal with vacancies on the Executive. It makes more sense to have all the clauses related to this in the same place.

2. Amendments to Clauses 7.3 to 7.3.3

Clauses 7.3 to 7.3.3 state:

7.3. Casual Vacancies

- 7.3.1 Should a vacancy on the Executive occur prior to 31 January in any year, the Association shall call for nominations from Member Clubs to fill such vacancy. If only one nomination is received by the stipulated closing date for nominations, that nominee shall be declared elected at the first following Council Meeting. If more than one nomination is received by such date, the names of all nominees shall be circulated to all Member Clubs on the day following the stipulated date and a ballot shall be conducted at the first following Council Meeting.
- 7.3.2 Nominations of candidates to fill casual vacancies shall be of the appropriate gender.
- 7.3.3 Should the President's position become vacant in any year, and the Executive resolve not to fill the vacancy, the Vice-President shall assume the function and duties of the President until the next Annual General Meeting.

The Executive proposes that these should read:

7.3. Executive Vacancy

- 7.3.1 Should the President's or Vice President's position become vacant in any year, the Executive shall appoint a current member of the Executive to fill that position for the remainder of the year, and elect a replacement member to the Executive as per 7.3.2 and 7.3.3.
- 7.3.2 Should a vacancy on the Executive occur on or prior to 31 January in any year, the Association shall call for nominations from Member Clubs to fill such vacancy. If only

one nomination is received by the stipulated closing date for nominations, that nominee shall be declared elected at the first following Council Meeting. If more than one nomination is received by such date, the names of all nominees shall be circulated to all Member Clubs on the day following the stipulated date and a ballot shall be conducted at the first following Council Meeting. The person so elected shall serve until the next Annual General Meeting.

- 7.3.3 Should a vacancy on the Executive occur after 31 January in any year, the Executive may co-opt another member in such position until the next Annual General Meeting.
- 7.3.4 Nominations of candidates to fill casual vacancies shall be of the appropriate gender.

C. Other Changes

These changes were all approved at the Annual General Meeting on Saturday 14 August 2021.

1. Amendments to Clauses 3.1.1 and 3.1.2

Clauses 3.1.1 and 3.1.2 state that functions of WP Bowls include:

- 3.1.1. to affiliate to and be a District of BOWLS SA, to participate in its activities and affairs and to accept the benefits and be subject to the obligations that such affiliation entails;
- 3.1.2. to be the official channel of communication between this Association and Bowls South Africa.

The Executive proposes that these should read:

- 3.1.1. to affiliate to and be a District of the Western Cape Provincial Bowls Association (WCPBA) and BOWLS SA, to participate in their activities and affairs and to accept the benefits and be subject to the obligations that such affiliation entails;
- 3.1.2. to be the official channel of communication between this Association, the WCPBA and Bowls South Africa;

Reason for the proposed change:

The National structure of Bowls in South Africa has changed, and WP Bowls is now a District of the WCPBA.

2. Amendments to Clause 6.2.4

Clause 6.2.4 states:

The name of the delegate and of the alternate shall be lodged with the Association before the commencement of the Annual General Meeting. A substitute delegate or alternate appointed by a Member Club for any Meeting of the Council shall also be a member of the Committee of the Club, and his or her appointment shall be notified to the Association in writing before the commencement of any meeting of Council which he or she attends.

The Executive proposes that this should read:

The name of the delegate and of the alternate shall be lodged with the Association before the commencement of **any Council Meeting**. A substitute delegate or alternate appointed by a Member Club for any Meeting of the Council shall also be a member of the Committee of the Club, and his or her appointment shall be notified to the Association in writing before the commencement of any meeting of Council which he or she attends.

Reason for the proposed change:

Delegates and alternates attend all Council meetings, including the Annual General Meeting. This will align the constitution with what happens in practice.

3. Amendments to Clause 7.2.2.3

Clause 7.2.2.3 states:

No person may serve on the Executive for more than a total of 8 (eight) years which will be calculated from the date the person commenced with office irrespective of the date upon which the Constitution is adopted.

The Executive proposes that this should read:

No person may serve on the Executive for more than a total of **12 (twelve)** years which will be calculated from the date the person commenced with office irrespective of the date upon which the Constitution is adopted.

Reason for the proposed change:

This will align the WP Bowls constitution with those of Bowls SA and WCPBA.

4. Removal of Clause 7.7.5

Clause 7.7.5 states:

A member of the Executive who fails to attend three consecutive meetings without having been granted leave of absence shall cease to be a member of the Executive Committee.

The Executive proposes that:

Clause 7.7.5 be removed from the constitution.

Reason for the proposed change:

This clause is an exact duplication of Clause 7.2.4.1

5. Amendments to Clause 9.3

Clause 9.3 states:

All accounts shall be passed by the Executive and all payments shall be made by electronic fund transfers signed or released by the Secretary and countersigned or released by the President, Vice President or Treasurer and in their absence by a member of the Executive. All officials authorized to release payments are to be issued with personalized password codes.

The Executive proposes that this should read:

All accounts shall be passed by the Executive and all payments shall be made by electronic fund transfers signed or released **by the two of the three authorised signatories, the authorised signatories being the Treasurer, and two other members of the Executive.** All officials authorized to release payments are to be issued with personalized password codes.

Reason for the proposed change:

This is to bring the constitution in line with current practice as per the functionality of online banking.

6. Amendments to Clause 13.1

Clause 13.1 states:

No Member Club shall accept as a member any bowler who does not, together with his or her application for membership, produce a Bowls SA Clearance Certificate from his previous Club or Clubs to the effect that he or she left that or those Clubs in good standing. No Member Club may refuse to issue such a Clearance Certificate where the member concerned is in fact in good standing. The right of the issuing Member Club to endorse its comments on a Clearance Certificate is entrenched. Breach of this rule will render the Member Club concerned liable to suspension of its membership of the Association.

The Executive proposes that this should read:

No Member Club shall accept as a member any bowler who has previously been a member of any other Bowling Club in South Africa who does not show as *In Transit* on the Bowls South Africa database. Member Clubs are responsible for submitting Resignation Advice details to the WP Office of any member who resigns from their Club, noting on the Resignation Advice form whether or not the member is in good standing. No Member Club may refuse to issue such a Resignation Advice where the member concerned is in fact in good standing. Breach of this rule will render the Member Club concerned liable to suspension of its membership of the Association.

Reason for the proposed change:

The changes in database administration at Bowls South Africa have removed the need for Clearance Certificates to be issued and the new procedures have already been implemented in practice.

7. Amendments to Clause 13.2

Clause 13.2 states:

Clubs, when registering a member who has previously been a Bona Fide member of another Club or Clubs shall submit a valid Clearance Certificate to the Association. Should they fail to do so, the Club shall be informed that the said application is invalid and shall remain so until a Clearance Certificate is submitted to and recorded by the Association.

The Executive proposes that this should read:

Clubs, when registering a member who has previously been a Bona Fide member of another Club or Clubs shall confirm that the member has been marked as *In Transit* on the Bowls South Africa database. Should they fail to do so, the Club shall be informed that the said application is invalid and shall remain so until the member has been marked as *In Transit* on the Bowls South Africa database.

Reason for the proposed change:

The changes in database administration at Bowls South Africa have removed the need for Clearance Certificates to be issued and the new procedures have already been implemented in practice.

8. Amendments to Clause 14.1

Clause 14.1 states:

The Association shall create and maintain a register of members and shall make available to clubs the necessary forms for registration of members.

The Executive proposes that this should read:

- 14.1. The Association shall maintain the register of members on the Bowls South Africa database and shall make available to clubs the necessary forms for registration of members.

Reason for the proposed change:

The Clause pre-dates the Bowls SA online membership database and there is no longer a need for WP Bowls to maintain their own, duplicate database.

9. Amendments to Clause 14.2

Clause 14.2 states:

The register shall comprise the identity number, surname, full initials, full first names, preferred name, address, telephone numbers, club(s) and umpire and coach badge numbers of members. Where applicable, the date from which a member commenced playing bowls will also be recorded.

The Executive proposes that:

Clause 14.2 be removed from the constitution.

Reason for the proposed change:

WP Bowls no longer needs to maintain a database separately from Bowls SA, so there is no need to define what information should be included in that database.

10. Amendments to Clause 14.3

Clause 14.3 states:

A printout of Club members' details will be furnished to the Membership Officer or the Club Secretary of their Club at the beginning of August each year. Each Club shall on or before 20 September of each year reply to the District Office by way of completing an Amendment Advice form, the amendments to the print-out of its members received in August.

The Executive proposes that this should read:

A breakdown of the number of members will be furnished to the Membership Officer or the Club Secretary of their Club at the beginning of August each year. Each Club shall on or before 20 September of each year reply to the District Office by way of completing an Amendment Advice form, the amendments to the print-out of its members received in August.

Reason for the proposed change:

The Clause pre-dates the Bowls SA online membership database and Clubs can now check their membership names and other details themselves instead of needing this information to be provided by the WP Bowls office.

11. Amendments to Clause 14.7.1

Clause 14.7.1 states:

An individual who participates in a game of bowls at an affiliated club on a regular basis, whether socially or otherwise, for a period exceeding three months shall be regarded as a bona fide member of that club and is liable to pay subscriptions and shall become a registered member of Bowls South Africa through their district.

The Executive proposes that this should read:

An individual who participates in a game of bowls at an affiliated club for more than 3 hours a week, whether socially or otherwise, for a period exceeding **twelve** months shall be regarded as a bona fide member of that club and is liable to pay subscriptions and shall become a registered member of Bowls South Africa through their district.

Reason for the proposed change:

This Clause was initially based on a clause in the Bowls SA constitution, but it is no longer included in that constitution. The intent appears to have been to prevent people who wanted to bowl, being able to join Clubs as Social Members to avoid paying affiliation fees. However, the unintended effect has been to make it difficult to get new Social Members interested in bowls. The intent with the proposed change to this clause is to allow new Social Members to have time to learn our sport and want to play more competitively.

12. Amendment to Clause 15.1

Clause 15.1 states:

The Executive shall appoint a Manager for any side or team or players representing the Association.

The Executive proposes that this should read:

The Executive **may** appoint a Manager for any side or team or players representing the Association.

Reason for the proposed change:

While the reason for this Clause is clear and admirable, the reality is that financial constraints have prevented this from happening in practice for some time. There is often one Team manager for several touring sides, or even no Manager at all.