



Bankton Mains Bowling Club

CONSTITUTION & BYE-LAWS

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Constitution

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CONSTITUTION:

C1.0 NAME

C1.1 The Club shall be called "**Bankton Mains Bowling Club**"

(Hereinafter referred to as the Club)

C2.0 OBJECTIVES & AIMS

C2.1 The objectives of the Club shall be to:-

- a) Promote the game of Lawn Bowls and be inclusive for persons of all levels and abilities, in accordance with the rules of the IBB, Bowls Scotland and other relevant bodies .
- b) To provide such facilities for the entertainment of the members as Management Committee may decide.
- c) The Club shall be affiliated to the BS, WLBA, WLLBA, WLYBA & Scottish Disability Sport.
- d) The Club is a non-profit making organisation. All profits and surpluses will be used to improve the Club's facilities

C3.0 MEMBERSHIP

C3.1 The membership of the Club shall consist of the following categories:-

C3.1.1 **Adult Bowling Members.** Open to persons aged 18 and over.

C3.1.2 **Senior Members.** Open to current and new Adult bowling members who are 60yrs and over before the 31st March at the relevant season.

C3.1.3 **Disabled Members.** As defined by equality in sport.com in compliance with Equality Act 2010

C3.1.4 **Junior Member.** Open to persons between the ages of 8-17. (*Scottish Young Bowlers Association rules apply*).

C3.1.5 **Honorary Members.** Members recommended by the Committee, and confirmed by the qualifying membership at a general meeting. This membership will recognise the special and material contribution of these persons to the overall well-being of the Club. Honorary members will be entitled to all the rights and privileges enjoyed by Adult Bowling members. Honorary members will not be liable for any subscriptions.

C3.1.6 **Temporary Members.** The Management Committee in their discretion may admit as temporary members without payment of subscription Bowlers who are members of a team representing a Bowling Club or Bowling Association and who are to take part in a representative match at the Club, or who the Committee have granted special permission to play. Notification of such a visit must be posted on the notice board prior to such a visit. Temporary members shall be subject to the rules of the Club - and shall have no voice in the management of the affairs of the Club nor shall they be permitted to introduce visitors or guests.

- C3.1.7 **Bowling visitors from outside the County.** The Committee may grant temporary playing membership of the Club to bowlers visiting from outside West Lothian County for any period and at a fee which reflects the time for which this facility is granted. This will not exceed a period of three months in any year. Any such visitor shall not be able to enter any Club competition but shall be able to play in any and all "HATS" events.
- C3.1.8 **Casual bowling visitors.** Only Qualifying members shall be able to invite visitors to play bowls on the green, maximum of three (3) visitors at a time, and to a maximum number of games not exceeding five per year, and one game per day. Bowling members may seek special permission from the Management Committee to exempt any visit or party from this stricture.
- C3.1.9 **Associate Members.** Persons aged 18 or over who accept and support the objects of the Club may, at the discretion of the Committee, be admitted as Associate members, the percentage/number to be set at AGM of qualifying members. Associate members will not have right to participate at any meeting of the Club nor will they be eligible for membership of the committee. They cannot participate in any Club bowling competitions. The number of Associate members will be restricted at the discretion of the management Committee.
- C3.1.10 **Concession Membership.** This membership is available to full bowling members who have attained the age of 80 years prior to 31 March at the relevant season and have been continuous full bowling members for a minimum of 5 years. The membership fee will be subject of a percentage reduction of the annual fee determined by the Club Treasurer and agreed by the membership at the Annual General Meeting. The membership will be offered to all full bowling members who qualify when annual fees are renewed in March each year. Concession members will retain the full privileges of a full bowling member.

(Members will retain their membership by payment of the annual subscription and any other competent charges for the section they qualify for).

(Qualifying members, as referred to in other parts of this document, shall be Adult bowling members, Senior member and Honorary Members. The total number of Qualifying bowling members and senior members combined will be restricted to 200 or any such number as may be decided by a general meeting of the Club).

C3.2 MEMBERSHIP APPLICATION AND ELECTION

- C3.2.1 Any person seeking to join the club shall submit an application to the Executive Committee. Members shall be refused admitted by the Executive Committee. Membership is open to all and no application for membership will be reassigned, on other than reasonable grounds. There will be no discrimination on grounds of age, disability, gender or marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation, political other opinion.
- C3.2.2 Members resigning from the membership of the Club should submit a formal letter of resignation and return any keys and fobs they may have been issued with. There will be no refund of any fees paid by members who resign during the season.

- C3.2.3 In respect of applications from those under 16 years of age, this will be in compliance with the "Children and Vulnerable Persons" legislation and policies of the Scottish Bowling Association. The Club will appoint a responsible person to hold the personal details of junior members under 16 years of age along with such details of medical records and next of kin as are required by the legislation and BS rules. The parents or guardians of each junior member must complete the required "Consent" form as laid down by the above legislation. These records will be held in a secure lock fast place, with access to this place and these records restricted to the nominated person.
- C3.2.4 Prior to submitting the application form to the Club Secretary, the applicant will have access to the Constitution and Byelaws of the Club by either accessing our website or by provision of the document by the club secretary and must acknowledge that they accept and agree to abide by them.
- C3.2.5 All bowling members are eligible to play at the Club whether or not they are members of another bowling Club. However, entry to competitions, which lead to qualification for Area, National or International competitions and selection for the Club, is restricted to members who will not be participating in these events at another Club.

C3.3 SUBSCRIPTIONS

- C3.3.1 The value of all fees and entry fees will be proposed by the Management Committee subject to acceptance or amendment by the membership at the Annual General Meeting.
- C3.3.2 All fees must be paid by 31 March. Failure to pay fees by this date will be taken as a defacto resignation by any member failing to comply with this rule. Fees can either be paid by Bank Transfer or at the Club
- C3.3.3 Suspended membership may be granted to any existing member, who is suffering from a long term illness. Any member granted this status will not be liable for any fees or subscriptions during this suspension, and shall be able to take up their membership upon their recovery to full health and on payment of any fees due. **The period of any suspension of membership will be made at the discretion of the Executive Committee**

C4.0 GOVERNANCE

- C4.1 These articles of this Constitution can only be amended at an Annual or Extraordinary General Meeting after due notice of any proposed alteration has been notified to all Qualifying members. Notice shall be considered served by posting the notice calling the meeting to the last known address or e-mail address of each qualifying member, or by the posting of the meeting notice on the notice boards in Clubhouse.
- C4.2 This Constitution may be changed following the submission of a properly proposed and seconded amendment made in writing to the Secretary and received by the secretary at least 21 (twenty one) days prior to the AGM. Only Adult bowling members, and senior members along with Honorary members may propose and second such amendments. These amendments will be voted on at the AGM or EGM and will only succeed where two thirds of those Qualifying members present or having cast a postal vote are in favour.

C5.1 MEETINGS

C5.1.1 Notices

The Secretary will give 21 (twenty one) days' notice to the members for the Annual General

Meeting, or EGM called. Notification may be by letter, e-mail, appropriate notices provided in the clubhouse or a combination of.

C5.1.2 Attendance

A register of those attending an AGM or EGM of the membership will be kept by the Secretary. All those attending a general meeting of the Club will be required to sign this register. Only those qualifying members who have signed this register will be allowed to vote at the meeting.

C5.1.3 Voting.

Only Qualifying members will have voting powers at any general meeting of the membership. Qualifying members who are unable to attend a General Meeting may cast a postal vote, providing that these votes are received at least seven days prior to the date of the General Meeting.

C5.1.4 Quora

The quorum for an AGM or EGM will be 25% of the qualifying membership, and at Management Committee meetings 50% of Committee members and 50% of the Executive.

C5.1.5 Decision Making

- a) A decision reached at any AGM or EGM may be overturned at a subsequent AGM or EGM, providing that two thirds of those Qualifying members attending, and those who have cast a postal vote, are in favour of the change, and also providing a quorum is present. This will not apply to the fixing of the annual subscriptions which can be changed by a simple majority of those qualifying members attending or having cast a postal vote.
- b) Management Committee decisions can be changed by a simple majority of those present at any meeting, provided that there are sufficient members to meet the requirements of a quorum.

C5.1.6 Extraordinary General Meeting

The Management Committee may call an EGM at any time providing a majority of two thirds of the Committee vote in favour of such a motion.

C5.2 Annual General Meeting (AGM)

C5.2.1 The Club shall hold an Annual General Meeting in the month of January to:-

- a) Approve the minutes of the previous year's AGM
- b) Receive reports from the President & Secretary
- c) Receive a report from the Treasurer and approve the annual accounts
- d) Receive a report from the Auditor(s) / Independent Examiner(s)
- e) Consider changes to the Constitution.

- f) Consider changes to the Bye-Laws.
- g) Elect the Executive members
- h) Elect the remaining members of the Management Committee.
- i) Appoint Auditors(s) / Independent Examiner(s) for the Club's accounts.
- j) Agree the annual subscription fees for all categories

k) Deal with other relevant issues.

C5.2.2 Nominations for The Executive of the Club and other members of the Management Committee shall be submitted in writing, signed by 2 (two) Qualifying Members and the nominee, to the Secretary no later than 21 (twenty one) days prior to the AGM.

C5.2.3 In the event there are no written nominations then nominations may be taken from the floor on the day of the meeting.

C5.2.4 Having received all nominations and proposed alterations the Secretary shall arrange for this information to be circulated and/or displayed on the Club notice board at least 7 (seven) days prior to the meeting.

C5.3 Extraordinary General Meeting (EGM)

C5.3.1 An Extraordinary General Meeting will be convened by the Secretary within 21 (twenty one) days of a request stating the reason and signed by at least 12 (twelve) members being submitted to the Secretary.

C5.3.2 No business shall be transacted at the EGM other than business of which due notice has been given.

C6.0 DISSOLUTION

C6.1 The Club shall not be wound up or dissolved except with the consent of two thirds of the qualifying members present and voting at a general meeting called for that purpose.

C6.2 If, upon the winding up or dissolution of the Club there remains after the satisfaction of all the club's debts and liabilities any property whatsoever, the same shall be given or transferred to some other organisation or organisations having objects (that is, aims and activities) similar to the objects of the Club, such organisation or organisations to be determined by the members of the Club by Resolution passed at a General meeting at or before the time of the dissolution, and in so far as effect cannot be given to such provision then to some charitable objects.

C6.3 "No portion of the income and property shall be paid or transferred directly or indirectly by way of dividend, distribution, bonus, honoraria or otherwise howsoever by way of profit to the members".

We would also expect that the role of trained Welfare and child protection officer is enshrined in the governance document and the appropriate policy linked to.

BYE-LAWS :

BL1.0 MANAGEMENT

BL1.1 The Club will be managed by a Management Committee elected from the qualifying members of the Club and formed as follows :-

The Executive Committee i.e.

President

Vice President

Club Secretary

Treasurer

Management Committee members who will be a maximum of eight in number.

BL1.2 The Executive Committee will be elected for a period of 2 (two) years, and at the end of that period are eligible for re-election for a further two year period.

BL1.3 The Management Committee members shall serve a term of 2 (two) years with 4 (four) retiring each year, and at the end of that period are eligible for re-election for a further 2 (two) year period.

BL1.4 There will be no restriction on the number of terms any office bearer may serve.

BL1.5 In the event of a motion of no confidence being carried against any of the Executive Members of the Club, an EGM must be called to replace the official/s concerned.

BL1.6 The Management Committee will meet at least once every calendar month, and meetings may be convened at any time at the instance of any two members or the President, whom failing the Vice-President.

BL1.7 The Management Committee will be endowed with powers sufficient to ensure the full and efficient management of the Club. All decisions, rules and bye laws shall be binding on all members unless and until set aside or amended by the qualifying membership in general meeting.

BL1.8 The Management Committee may sue and be sued on behalf of the Club in the names of the President, Vice-President, Secretary and Treasurer.

BL1.9 The Executive Committee will have the authority to fill vacancies occurring during the year and to co-opt additional members for specific purposes to cover the period up to the next AGM.

BL2.0 CLUB MANAGEMENT

BL2.1 Any Qualifying member may be nominated for the Executive or Management Committee providing that the nominated member has been a Qualified member for at least 1 (one) full year.

BL3.0 MEETINGS

- BL3.1 The Secretary will make all arrangements for all Management Committee meetings, and general meetings of the membership.
- BL3.2 The President, whom failing the Vice-President will chair these meetings, and the chair shall have both deliberative vote, and a casting vote when necessary.
- BL3.3 In the event that neither the President' or Vice President is present, then the Secretary should chair these meetings provided the necessary Quorum is met
- BL3.4 The Vice President shall have equal powers in absence of the President.
- BL3.5 The Secretary shall have equal powers in the absence of the President and the Vice President.
- BL3.6 The Secretary will send out all notices of meetings, or otherwise ensure that all Management Committee members are made aware of the dates of such meetings.
- BL3.7 The Secretary shall reply to and distribute all correspondence received by the Club and will prepare minutes of each annual, general/committee meeting which will be submitted for approval at the next meeting.
- BL3.8 All qualifying members have a right to view minutes from Management Committee meetings. An abbreviated version of these minutes will be published on the club website for all to see.

A full version of the minutes can be seen by qualifying members by submitting a request to the Management Committee through the club secretary.

Management Committee meeting minutes are deemed the property of the Bankton Mains Bowling Club. The minutes are published or otherwise are not to be removed or copied from the club website or noticeboards.

Any member found to be removing or copying Management Committee meeting minutes shall be expelled from the club.

- BL3.9 The Treasurer will receive all monies due to the Club and make all payments. The Treasurer will keep an accurate record of all transactions and will submit regular financial statements of income and expenditure to the meetings of the Management Committee. The Treasurer will also prepare a full and comprehensive annual financial statement to the AGM; that statement having been previously approved by the Club's appointed auditor.
- BL3.10 The Management Committee has the authority to purchase items regarded as necessary to ensure the effective running of the Club and to dispose of them when appropriate. This will be limited to £6,000 for any one item or project within the current financial year. Expenditure in excess of this needs the approval of the membership at a general meeting. The Committee will propose budgets, and seek permission for any such expenditure on all items expected to cost more than this limit to the AGM.
- BL3.11 The Management committee has the devolved authority to enter a leasing agreement with West Lothian Council and share jointly with them responsibility of keeping to the leasing agreement. This will not be subject to the restriction as stated in BL3.9 above.
- BL3.12 The Gents, Ladies and Senior Match Secretaries will be responsible for arranging and controlling the playing of all club competitions. They shall chair the Selection Committee for the Gents, Ladies and Seniors' sections, and will be responsible for the team selection in their relevant sections. The Match Secretaries will ensure that all scores for regional and national competitions are transmitted to the proper authorities within the required timescales.

- BL3.13 The Greens Convenor will be the link between the Club and the Green-keeper and will report to the Management Committee on the state of the green and any planned work on a monthly basis.
- BL3.14 The Social Convenor will have responsibility for all Club Associate activities and will chair the Social Committee. The Convenor will report monthly to the Management Committee on all events during the month and will prepare an annual calendar of events to optimise the earning capacity of the Club facilities.
- BL3.15 The Bar Convenor is responsible for ensuring that the bar is staffed with sufficient skilled staff, ensuring that the profit from the bar is optimised and stock levels maintained at an efficient level. This person is also responsible for ordering delivery processes.

BL4.0 FINANCE & ACCOUNTS

- BL4.1 The financial year ends 31st October and the AGM will be held the following January.
- BL4.2 The Treasurer shall be responsible for the preparation of annual accounts of the Club.
- BL4.3 The accounts shall be audited /examined by an independent accountant elected annually at the Annual General Meeting.

BL5.0 DISCIPLINARY PROCEDURE

- BL5.1 If the conduct of any member either in or out of the premises used by the Club, or within the sphere of social media, e-mail, internet (chat rooms etc), is in the opinion of the Executive Committee found to be injurious to the character or interest of the Club, it will be in the power of that Committee, to suspend such a member who will not, thereafter be allowed to enter any premises occupied or used by the Club, until such time as a disciplinary panel has been formed to adjudicate on the matter.
- BL5.2 The Executive Committee will within 14 (fourteen) days of any such suspension or written complaint, afford the person complained about, an opportunity of giving an explanation in person for his or her conduct.
- BL5.3 Members will be informed in writing of the complaint against them and will have the right to be heard by a disciplinary panel appointed by the Executive Committee.
- BL5.4 In the event the Executive Committee find against the person complained about, the member may be immediately expelled from membership of the Club, or suspended from membership for a period to be decided by the Committee. If satisfied with the explanation given, the Committee may reinstate the person into the same grade of membership as at the time of the initial complaint.
- BL5.5 Any member found to be in breach of the Club rules and suspended after the disciplinary meeting, may not hold a position on any Committee until the expiry of a period of three years from the end of the suspension.
- BL5.6 An application for re-admission by a member who was expelled shall not be entertained until the expiry of a period of 12 (twelve) months from the date of their expulsion and shall only be considered by the full Management Committee.
- BL5.7 In line with WLBA regulations the Secretary will inform all other Clubs in the district

of any such suspension or expulsion of playing members.

- BL5.8 **Right of Appeal:** A grievance or appeal, which is a formal expression of dissatisfaction or allegation of unfair practice by the Club in connection with disciplinary action taken against them, can be made. The appeal must be in writing and registered with the Club Secretary within 14 days from the date of the notice. The reason for the appeal must be stated in the correspondence to the Club Secretary.
- BL5.9 An Enquiry Panel, independent from those who made the original decision, will be set up by the Club to consider the grievance

BL6.0 LICENSING LAWS

- BL 6.1 The Club is fully constituted and run in accordance with the Licensing (Club) (Scotland) Regulations 2007
- BL6.2 No member of the Management Committee or any Club Member or employee shall have any personal interest in the sale of alcoholic liquors therein, or in the profits arising from such sales.
- BL6.3 The sale of alcohol in the Club premises shall be under the sole jurisdiction of the Club in accordance with the Licensing Scotland Act 2005 and amended by all subsequent legislation.
- BL6.4 The hours of opening will be displayed prominently throughout the Club.
- BL6.5 Other than when an occasional licence has effect, any visitor to the Club, who has attained the legal age for consumption of alcohol, shall only be supplied with alcohol on the invitation of and in the company of a Qualifying member and only after the visitor's name and address and the name of the member introducing him/her has been entered in the Visitor's Book. Members signing in visitors accept sole and full responsibility for that visitor. Should the member have to leave the Club premises, the visitor must also leave the Club premises.
- BL6.6 No alcohol will be sold to or supplied to any person less than the minimum age stipulated in the Licensing Laws applying at the time.
- BL6.7 Any alcohol sold or supplied for consumption outwith the Club premises must be done so in compliance with the Licensing Scotland Act 2005.
- BL6.8 Any person taken on as bar staff should be appropriately trained as per the Licensing Scotland Act 2005.

BL7.0 INTERPRETATION OF CONSTITUTION & BYE-LAWS

- BL7.1 In all cases of disputes the laws of Scotland shall apply.
- BL7.2 All disputes shall be referred to the Management Committee and their decision shall be final and accepted by all parties.