

“Following comments received and for clarification proposal 1 has been split into its component parts each with a rationale. Therefore, each proposed change can be debated and voted on separately.”

Proposal 1

Title E.S.M.B.A. RULES AND CONSTITUTION

Remove the Rules Aspect. Title to be **E.S.M.B.A. CONSTITUTION.**

Rationale - the document is the Constitution of the Association, the Rules have their place in the rule book. The constitution needs to stand alone.

Mention of Rule/Rules in Appendix should be removed.

Proposal 1a

3) Membership

Additional paragraph to be inserted after d) to clarify the position of counties with insufficient affiliated members. To read:-

- (e) Any recognised County Association not registering any players for three consecutive years will be deemed to no longer be members and will need to re-apply.**

Rationale - It seems fair to have a county not affiliate members for a year, but a time schedule needs to be in place for prolonged absence. 3 Years feels a reasonable time for a county to restructure. There are County Associations who have not registered players for some time, e.g. Lancashire, yet still retain membership status. The proposal enables the E.S.M.B.A. to remove member associations it deems to be inactive.

The 3-year period will come into force from the date of this AGM if the proposal is passed.

Subsequent paragraph in 3) members will need re-numbering 3e becoming 3f, 3f becoming 3g etc.

Proposal 1b

3) Membership sub paragraph f

- f) County Associations must notify the E.S.M.B.A. General Secretary in writing of any changes to their County Association constitution and provide a copy of the revised constitution for the E.S.M.B.A. records within 140 days of the changes. Failure to do so may result in the suspension of the County Association until the revised constitution is submitted to the E.S.M.B.A General Secretary.

Additional sentence to allow greater transparency regarding auditing of county constitutions. To read:-

- f) County Associations must notify the E.S.M.B.A. General Secretary in writing of any changes to their County Association constitution and provide a copy of the revised constitution for the E.S.M.B.A. records within 140 days of the changes. Failure to do so may result in the suspension of the County Association until the revised constitution is submitted to the E.S.M.B.A General Secretary. **The E.S.M.B.A. reserve the right to request and approve county constitutions as deemed necessary.**

Rationale - in today's ever-changing world it is felt that apart from the initial submissions and any changes no reviews are conducted, constitutions should be audited for the members benefits. This proposal enables the E.S.M.B.A. to request a copy of a County Association's Constitution to ensure it holds the latest version on file. This helps the E.S.M.B.A. with its governance arrangements making sure current guidance and legislation is included. It also supports the E.S.M.B.A. disciplinary and appeal processes.

Proposal 1c

3) Membership sub paragraph k

- (k) All counties must have a valid Public Liability Insurance cover as a condition of membership to the E.S.M.B.A. A copy of the valid relevant certificate is required to be produced to the E.S.M.B.A. unless cover is via the E.S.M.B.A. Insurance scheme.

For the benefit of members welfare an additional point needs including. To read:-

- k) All counties must have a valid Public Liability Insurance cover as a condition of membership to the E.S.M.B.A. A copy of the valid relevant certificate is required to be produced to the E.S.M.B.A. unless cover is via the E.S.M.B.A. **recognised Insurance scheme. County Associations must ensure clubs also have similar insurance cover.**

Rationale - The scheme is not an E.S.M.B.A. scheme it is via a third party and recognised but not run by the E.S.M.B.A. It is of paramount importance that counties and clubs have adequate insurance to provide for their members. The aim of this proposal is to re-enforce the E.S.M.B.A. stance on insurance and to pass on this obligation to County Associations to ensure their member clubs are insured.

Proposal 1d

5) Administration and Structure sub paragraph j

- (j) The Management Committee shall meet as often as the business of the Association requires. The Chairman shall be empowered to call all such E.S.M.B.A. Management Committee meetings, of which not less than 21 days' notice must be given. Alternatively, an E.S.M.B.A. Management Committee meeting may be called on special request of not less than six of its members.

Change of time schedule. To read:-

- (j) The Management Committee shall meet as often as the business of the Association requires. The Chairman shall be empowered to call all such E.S.M.B.A. Management Committee meetings, of which not less than **7 days'** notice must be given. Alternatively, an E.S.M.B.A. Management Committee meeting may be called on special request of not less than six of its members.

Rationale - the original 21 days does not allow for a prompt reaction with the introduction of media meetings it seems logical to reduce the time needed to call the meeting to more proactive.

Proposal 1e

6) Annual and other general meetings sub paragraph c) number vii

- vii. The approval of the yearly subscription for member associations, clubs and individual players for the year commencing 1 September of the year following the AGM.

Removal of the word clubs and of the year. To read:-

- vii. The approval of the yearly subscription for member associations and affiliated players for the year commencing 1 September following the AGM.

Rationale - Removal of the reference to clubs as clubs do not pay a subscription fee and are not members of the Association.

It is felt to be more practical for any fee increases to be implemented in the same year they are set instead of waiting one year.

Proposal 1f

6) Annual and other general meetings sub paragraph e

- e) Both general meetings shall be open to all County Associations, their member clubs and individual players. All bona-fide County Associations, Clubs and players may submit notices of motions, amendments to motions and nominations for office.

To again remove clubs as they are not members but introduce members as they are. To read:-

- e) Both general meetings shall be open to all County Associations and their registered members. All bona-fide County Associations and registered members may submit notices of motions, amendments to motions and nominations for office.

Rationale - it is the Association members who submit motions.

Proposal 1g

6) Annual and other general meetings sub paragraph g

- (g) A Special General Meeting may be called at any time by the E.S.M.B.A. Management Committee. A Special General Meeting must also be called by the General Secretary within 56 days of the receipt by the General Secretary of a request for such a meeting supported by at least ten-member County Associations. The request for such a meeting must state the purpose of the meeting and any motion which is to be discussed. No other business shall be transacted at such a meeting. The voting procedures for such a meeting shall be as specified in 6(e) and 6(f).

To clarify the level of membership from member Associations to full member Associations. To read:-

- (g) A Special General Meeting may be called at any time by the E.S.M.B.A. Management Committee. A Special General Meeting must also be called by the General Secretary within 56 days of the receipt by the General Secretary of a request for such a meeting supported by at least **ten Full Member** County Associations. The request for such a meeting must state the purpose of the meeting and any motion which is to be discussed. No other business shall be transacted at such a meeting. The voting procedures for such a meeting shall be as specified in 6(e) and 6(f).

Rationale - Full members have the vote so it goes without saying that voting members should call the meeting. This proposal strengthens the current clause by ensuring it is only full member County Associations that can call an EGM and not counties with "affiliate designate" status or registered players.

Proposal 1h

Appendix Constitution Amendments

Additional Bullet point to be added.

- **The proposer, seconder or nominated person of a proposal must attend the Meeting where the proposal will be discussed/voted on.**

Rationale - Proposals have in the past not been discussed due to no proposer or seconder being present, this may be detrimental to the Association. Members should be aware of this requirement. This proposal makes it clear that the proposer or seconder must attend the AGM for their proposal to be debated.

If the 2020 proposal is passed this proposal will be withdrawn.