

Constitutional Proposals Arising From “C4”

Introduction

Following the controversy over the change to league rule C4 at the AGM EC consulted on seven suggested changes. In the light of the responses EC decided to proceed with the four suggestions below.

1.Proposers

Until 2014 the League Rules allowed any club member to propose a change to the League Rules. This did not cause any problems, largely because very few rule changes originate with clubs. The constitution did not specify who could propose other resolutions, including amendments to the constitution.

We are an association of clubs, and any proposals should either be by officers of the association or club representatives.

Any member of an affiliated club may attend a General Meeting. They will be deemed to be club delegates, unless (by inspection) a club has exceeded their limit on delegates of number of teams in the league plus one. As such they are entitled to vote and propose or second any resolutions arising on the day or amendments to proposals on the agenda.

The constitution does not specify who may make proposals on behalf of clubs for items to go on the agenda . In practice this has been taken to mean the Secretary (or equivalent for University). The resolution below seek to broaden this, and as far as possible, make the position of club delegates prior to meetings the same as at meetings.

Proposals from clubs may be made by:

- (a) Any club delegate. In the absence of duly notified club delegates the Secretary and team captains will be deemed to be delegates for this purpose.**
- (b) Any proposal designated “On behalf of XXXX club”**

Proposed: R.Richmond

Seconded: A.N.Walker (on behalf of EC)

2.Refer to AGM

Addition to article 9 of the constitution:

In exceptional circumstances the Rules Revision Meeting may vote to defer consideration of a proposed rule change to the next general meeting, such a vote requiring a 2/3rds majority

Proposed: R.Richmond

Seconded: A.N.Walker (on behalf of EC)

Ideally the league rules should be set by 31st May, before clubs enter teams for the coming season. However, except for C4 and B10 (number of boards per team) , changes to league rules are unlikely to affect club decisions on the number of teams to enter. However there is no compelling reason why the odd league rule cannot be considered at the AGM.

There are a variety of exceptional circumstances where the Rules Revision Meeting may wish to defer a decision on a proposed rule change – C4, drafting tangle at RRM (this has happened), a wish for further research. One option for dealing with meeting notification being a day late would for the RRM to go ahead and take straw polls, with formal ratification at the AGM.

There are currently two ways a proposed change can be considered at the AGM:

- (a) Temporarily suspend the constitution, requiring a 2/3rds majority.
- (b) The Chairman of the RRM, at his sole discretion, may “adjourn” rather than “Close” the meeting, provided it has lasted at least 2 hours. (Technically this would be a re-convened RRM, rather than part of the AGM itself)

Neither method was used with C4.

The proposal has the following advantages over the two methods above:

- (a) It transfers the decision to “refer” from the Chairman to the meeting
- (b) It is much more likely that meeting will remember it needs to do something if it does not wish to make a decision on the day.
- (c) It guarantees the matter will be discussed at the AGM, which may not be the case if it has to be preceded by a resolution to temporarily suspend the constitution.

The requirement for a 2/3rds majority applies the same standard to a decision to “refer” as a resolution to temporarily suspend the constitution at the AGM.

3. Number of clubs to Requisition an SGM

Proposal to amend article 8 of the constitution:

To replace “five” with one of “**three**”, “**four**” or “**at least one-quarter**” or “**at least one-third**”

This needs three votes:

Vote 1 – between a fixed number or minimum fraction.

Vote 2 - Depending on the outcome of vote 1 then a vote between three and four OR at least one quarter and at least one third.

Vote 3 - Change to the constitution (needing a 2/3rd majority) on the option approved in vote 2.

Proposed: B.Hayward

Seconded: R.Richmond

The threshold for calling an SGM is a requisition from 5 clubs. This probably dates back to the early days of the Association when there were fewer clubs - as late as 1960 there were only 8. At the

peak, in the 1980's the number was 28 so requisitioning an SGM required the support of only 18%. Today with only 12 clubs this has increased to 42%.

The general considerations in setting the limit are:

- (a) A SGM is an inconvenience, and the threshold should be reasonably high.
- (b) On the other hand it should not be so high that in practice it is impossible to requisition an SGM
- (c) It is the Secretary who calls General Meetings, including Special General Meetings. In practice the Secretary will work under the guidance of Executive Committee (EC). So an SGM will very likely be against the collective wishes of EC – otherwise they would take over the process and make it happen.

The survey showed there was support for the principle of reducing the threshold.

Fixed number or minimum fraction – A minimum fraction has the advantage of automatically adjusting with the number of clubs. On the other hand a specific limit is simpler and in line with current practice. The number of clubs has not changed for over a decade and the prospects for the foreseeable future are for no significant change. If a minimum of one-third was approved that would be four with current numbers, but an increase of just one club restores the threshold to five.

4. Fully Elected Executive Committee

Proposal to amend article 2 of the Executive Committee Standing Orders to:

The membership of the Committee shall be the President, Secretary, Treasurer and **four elected members**.

Change in bold and underlined. This replaces “two elected members and two co-opted members invited by other EC members”

Proposed: R.Richmond

Seconded: B.Hayward

EC was set up in 2006 with a membership of President, Secretary, Treasurer, Representative of LMC and 3 Co-opted members. In 2014 this was amended to President, Secretary, Treasurer, 2 elected members and 2 co-opted members.

In practice the change in 2014 has made no difference to who serves on the Committee. A fully elected EC would be more democratic. It would also remove the inconvenience of the co-option process – there would be a fully functioning EC in place immediately after the AGM. The initial reason for co-options was the fear that the “right” individuals would not be elected. These fears have eased.

Robert Richmond, 20/4/2016