



# WELSH PÉTANQUE ASSOCIATION CONSTITUTION, RULES & DISCIPLINE

## Amendments

Version	Date	Comments
3.0	25 <sup>th</sup> November 2014	New Version Adopted Part 1 & 2
3.1	10 <sup>th</sup> March 2015	Amendment to Part 1: Clause 10.1.7 Inclusion of Part 3 - Discipline
3.2	21 <sup>st</sup> September 2016	Amendment to Part 1: Clause 10.3 Inclusion of 10.3.2
3.2	21 <sup>st</sup> September 2016	Amendment to Part 1: Clause 10.3 Renumbered 10.3.2 to 10.3.3
3.2	21 <sup>st</sup> September 2016	Amendment to Part 1: Clause 10.3 Renumbered 10.3.3 to 10.3.4
3.2	21 <sup>st</sup> September 2016	Amendment to Part 2: Clause 2.1.1 Inclusion of 2.1.1.4
3.2	21 <sup>st</sup> September 2016	Amendment to Part 2: Clause 6.3 Inclusion of 6.3.1
3.3	11 <sup>th</sup> April 2018	Amendment to Part 1: Inclusion of Clause 10.7, Amendment to Part 2: Inclusion of Clause 4.7
3.4	15 <sup>th</sup> February 2019	Amendment to Part 2: Section 8 Transition Arrangements removed

3.5	16 <sup>th</sup> January 2020	Amendments to Part 1: Clause 12.2.5 updated. Clause 10.5.2 removed. Amendment to Part 2: Clause 1.3.2.1 updated.
3.6	19 <sup>th</sup> February 2021	Amendment to Part 2: Clause 6 deleted due to duplication with Clause 5. Subsequent Clauses renumbered.

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# Part One – Constitution

## 1. Name

The Association shall be called the Welsh Pétanque Association (WPA), hereinafter called the Association.

## 2. Objectives

The Objectives of the Association are to promote the game of Pétanque (hereafter called “the sport”) by:

- 2.1. promoting public awareness of the sport,
- 2.2. organising competitions and events, including participation in competitions and events organised by or on behalf of other recognised bodies of the sport in other countries and by organising the same for or on behalf of such other bodies in Wales, including the formation, preparation and support of Senior, Mens, Ladies, Veterans and Junior teams to represent Wales at all levels,
- 2.3. providing instruction in the sport,
- 2.4. promoting international links and affiliating to the Federation Internationale de Pétanque et Jeu Provençal. (FIPJP) and the Confédération Européenne de Pétanque (CEP),
- 2.5. seeking recognition for the Association from the relevant sports or governmental bodies such as the national governing body of the sport in Wales,
- 2.6. creating a disciplinary code, and establishing principles and policies for the development of the sport.

## 3. Registered Office

The registered office of the Association shall be at such address as the Executive Committee of the Association shall from time to time decide.

## 4. Definitions

### 4.1. Welsh Pétanque Association

The Association is recognised by the Fédération Internationale de Pétanque et Jeu Provençal (FIPJP) and the Confédération Européenne de Pétanque (CEP), as the sport’s governing body for pétanque in Wales.

### 4.2. Members

Members shall be persons who have paid the annual fee appropriate to their category as defined in Part 2 – Rules - Clause 6. Membership shall not be denied to any person on the grounds of gender, race, ethnicity, faith, politics, sexuality or disability.

### 4.3. Executive Committee

Executive Committee (EC), the managing body of the Association.

### 4.4. Affiliated Leagues

Affiliated Leagues shall be such Pétanque Leagues as are admitted to the Association in the manner described in the Rules.

#### 4.5. Registered Clubs

Registered Clubs shall be such Pétanque Clubs as are admitted to the Association in the manner described in the Rules.

#### 4.6. General Meetings

Annual (AGM), Extraordinary (EGM) and Ordinary (OGM).

#### 4.7. Communication

The requirement to publish and send communications, which may be met by the use of printed and or electronic media.

### 5. Executive Committee

The WPA shall be managed by an EC comprising both Elected and Appointed Officers.

#### 5.1. Elected Officers

- 5.1.1. The Association shall have the following elected officers: National President, National Secretary, National Treasurer, Director of Development and Director of Public Relations.
- 5.1.2. Each Elected Officer will have a term in office of two years. To provide continuity not all posts will become vacant at the same date.
- 5.1.3. The posts of National President, National Treasurer and Director of Public Relations will become vacant in odd numbered years, and the posts of National Secretary and Director of Development will become vacant in even numbered years.

#### 5.2. Appointed Officers

The Association will have other officers appointed by the EC to serve in roles or on commissions as required for the development and management of the sport.

### 6. Annual General Meeting

There shall be an AGM of members in each period of twelve calendar months convened by the EC for the purpose of presenting an Annual Report, Annual Accounts, changes to the Constitution and Rules, for the election of officers, for the determination of fees and subscriptions, and to consider motions, to appoint auditors, and to appoint arbitrators. The AGM must be held within 13 months of the previous AGM.

### 7. Ordinary General Meeting

There shall be OGMs of Members held at least three times during the year between the dates of the AGMs.

### 8. Extraordinary General Meetings

EGMs may be called upon the direction of the EC, upon a requisition signed by not less than 25 individual members, from at least 5 registered clubs or upon a requisition of 5 registered clubs, signed by an officer of each of those organisations.

Arbitrators may call an EGM where Clause 4.7, Part 2 - Rules has been instigated.

### 9. Membership

The classes and terms of membership of the Association shall be as specified in the Rules (Part 2 – Rules – Clause 6).

## 10. Powers and Duties

### 10.1. Executive Committee

The EC shall have the following powers and duties to:

- 10.1.1. be the managing authority of the Association;
- 10.1.2. promote and develop the sport in Wales and to further the objectives of the Association;
- 10.1.3. fill vacancies arising on the EC for a period ending at the following AGM;
- 10.1.4. appoint individual members and/or commissions for specified purposes and terms of reference;
- 10.1.5. establish, as and when required, disciplinary tribunals to hear and determine appeals in accordance with Part 1 – Constitution - Clause 13;
- 10.1.6. propose changes to the Constitution and Rules for the decision of the members at an AGM and/or EGM;
- 10.1.7. to propose rates of subscription for the decision of the members at the AGM.
- 10.1.8. hold and operate the funds of the Association;
- 10.1.9. determine the eligibility and value of honoraria for officers;
- 10.1.10. organise and run National and Qualifying Competitions and events, representational competitions and team formation, and the preparation and support for Welsh teams;
- 10.1.11. set standards for coaching and umpiring and to administer the same;
- 10.1.12. set standards and policies for the protection and safety of members and to administer the same.
- 10.1.13. seek all means of funding the sport in Wales including co-operating with the other national bodies where required.
- 10.1.14. act in the name of the Association and to enter into agreements and do all such things as are necessary for the effective operation of the Association save such as is required by statute or the Constitution & Rules to be done in an OGM.

### 10.2. National President

The National President shall:

- 10.2.1. act, when necessary, as the representative of the WPA at the FIPJP and CEP Congresses and other international meetings;
- 10.2.2. preside, when practicable, at meetings of the EC;
- 10.2.3. preside, when practicable, at AGMs, EGMs and OGMs of the Association and shall, ex officio, be a member of all standing commissions;
- 10.2.4. act as a counter-signatory in respect of any property or financial transactions on behalf of the Association.

### 10.3. National Secretary

The National Secretary shall:

- 10.3.1. convene, attend and keep minutes of all meetings of the Association;
- 10.3.2. make the Draft, and subsequently Approved, Minutes of all General Meetings and Executive Committee Meetings (which may be subject to redaction at the discretion of the E.C.) available to the Members by publication via the WPA's website within 14 days of the date of the meeting.
- 10.3.3. maintain the register of Members, Clubs and Leagues;

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- 10.3.4. maintain the definitive version of the Constitution, Rules, and all other documents required for the management of the Association.

### 10.4. National Treasurer

The National Treasurer shall:

- 10.4.1. Operate the Association's finances;
  - 10.4.2. Prepare the Books of Account for Accounts inspection or audit, as required by the EC ;
  - 10.4.3. Prepare and present true Accounts to each AGM of the Association;
  - 10.4.4. Prepare and present an annual budget as required by the EC.
- ### 10.5. Director of Development

The Director of Development shall:

- 10.5.1. Actively promote the sport, through the Association and the clubs, with the aim of expanding the geographic and demographic basis of the sport;
  - 10.5.2. Oversee all competitions held under the auspices of the Association;
  - 10.5.3. Deputise for the National President when they are not present or available.
- ### 10.6. Director of Public Relations

The Director of Public Relations shall:

- 10.6.1. Actively promote the sport, through the media, with the aim of expanding the public awareness of the sport;
  - 10.6.2. Ensure that the members are informed of all events being held by the Association and its constituent leagues and clubs;
  - 10.6.3. Assist national representative teams and clubs in the acquisition of sponsorship for events.
- ### 10.7. Arbitrators

Arbitrators:

- 10.7.1 Arbitrators are appointed under Clause 6 - Annual General Meeting and are called upon to undertake specified duties non-executive duties as defined in this constitution or non-specified duties as requested in writing by the EC.
- 10.7.2 Where a vote of no-confidence has been called against an individual member of the EC or members of the EC or the whole of the EC, the arbitrators shall have the following duties under this constitution.
  - i EC Member - A nominated Arbitrator maybe invited by the EC to assist them in the preparation of the vote of no-confidence.
  - ii EC Members - Nominated Arbitrators maybe invited by the EC to assist them in the preparation of the vote of no-confidence.
  - iii Whole EC - Duties as defined in Part 2 - Rules, Clause 4.7.

## 11. Finance

### 11.1. Fees

- 11.1.1. All fees relating to membership for Adult and Junior Members, Affiliated Clubs and Leagues, whether existing members of the Association or joining, shall be at a rate to be determined from time to time by an AGM;
- 11.1.2. The Association will pay an affiliation fee to the FIPJP, CEP and other national and international organisations.

### 11.2. Accounts

Proper Books of Accounts shall be maintained by the National Treasurer and shall be available for inspection by Members, with reasonable notice, at the Registered Office.

### 11.3. Expenses

Reasonable expenses may be reimbursed for costs incurred wholly and exclusively on behalf of the Association.

### 11.4. Bank Accounts

The Association shall maintain an account(s) with a UK Bank from time to time selected by the EC.

11.4.1. All account(s) require the joint signatures of the National Treasurer and one other authorised EC Member. The two cosignatories must authorise all expenditure for any of the Association's accounts.

11.4.2. Internet/Telephone banking facilities will be permitted but are subject to article 11.4.1 where practicable.

### 11.5. Grants

The Association may not make grants or donations to any person or organisation other than specifically for the achievement of the Objectives (Part 1 – Constitution – Clause 2).

### 11.6. Borrowing

The Association may not borrow advances of money at rates in excess of 7% above LIBOR and in any event may not borrow in excess of ten times its last audited annual income.

### 11.7. Financial Year

The financial year of the Association shall run from 1<sup>st</sup> January to 31<sup>st</sup> December of the same year.

## 12. Privileges

### 12.1. General

Individual Members, Affiliated Leagues and Registered Clubs shall be covered for third party liability insurance by the Association and shall be entitled to the following privileges of membership:

### 12.2. Individual Members

Individual Members shall:

- 12.2.1. receive a membership card on payment of the annual subscription;
- 12.2.2. have their particulars recorded in the Register of Members;
- 12.2.3. have the right to attend, participate and vote at OGMs EGMs and AGMs;
- 12.2.4. have the current copy of the Constitution & Rules and the Rules of National Competitions made available to them;
- 12.2.5. have the right, subject to any competition-specific condition as published in the current Playing Rules for that competition, to compete in the Association's competitions at national level and in international competitions if qualified or selected;
- 12.2.6. have the right to purchase Association approved sale goods and publications;
- 12.2.7. have the current Official Rules of the Game of Pétanque made available to them;



- 12.2.8. have the right to participate in the requisition for an EGM.
- 12.2.9. have the right to participate in the requisition for a vote of no-confidence against an individual member of the EC or members of the EC or the whole of the EC.

### 12.3. Affiliated Leagues

Affiliated Leagues shall:

- 12.3.1. receive a certificate of annual registration;
- 12.3.2. have its particulars recorded in the Register of Leagues;
- 12.3.3. have the current copy of the Constitution & Rules and the Rules of national competitions made available to them;
- 12.3.4. receive Notice of OGMs, EGMs and AGMs
- 12.3.5. have the right to purchase approved sale goods and publications of the Association on behalf of individual members.

### 12.4. Registered Clubs

Registered Clubs shall:

- 12.4.1. receive a certificate of annual registration;
- 12.4.2. have its particulars recorded in the Register of Clubs;
- 12.4.3. have the current copy of the Constitution & Rules and the Rules of National Competitions made available to them;
- 12.4.4. receive Notice of OGMs, EGMs and AGMs;
- 12.4.5. have the right to submit motions to the AGM;
- 12.4.6. have has the right to enter a team for the Welsh Cup for Clubs;
- 12.4.7. have the right to purchase approved sale goods and publications of the Association on its own behalf or on behalf of individual members;
- 12.4.8. have the right to participate in the requisition for an EGM.
- 12.4.9. have the right to participate in the requisition for a vote of no-confidence against an individual member of the EC or members of the EC or the whole of the EC.

## 13. Discipline

The Association will establish disciplinary procedures to handle matters referred to the EC, as set out in the Rules (Part 3 – Discipline).

## 14. Alterations to the Constitution

### 14.1. Method

The Constitution of the Association may be rescinded or altered by vote of two-thirds of the Members present and voting at an AGM or EGM called for that purpose and which has the required quorum.

### 14.2. Proposals

Proposals to amend the Constitution may be submitted by the EC or Registered Clubs.

### 14.3. Time Limit

No proposal to amend the Constitution which has been defeated, nor any of like effect, shall be permitted until a period of two calendar years has elapsed from the date of the AGM or EGM at which the original proposal was made.

## 15. Dissolution

- 15.1. The Association may be dissolved at an AGM, or at an EGM called for that purpose, by consent of a majority of members voting in a ballot of the Membership of the Association.
- 15.2. Funds and assets can be transferred to successor bodies on their formation and on dissolution of the Association.
- 15.3. If upon the winding up or dissolution of the Association there remains, after the satisfaction of all its debts and liabilities, any property whatsoever the same shall not be paid to or distributed among the Members of the Association but shall be given or transferred to some other institution or institutions having objects similar to the objects of the Association, such as an institution or institutions to be determined by the Members of the Association at or before the time of dissolution and insofar as effect cannot be given to such provisions then to some charitable object.

All previous or earlier versions of the constitution are revoked and have no further currency.

The Constitution of the Welsh Pétanque Association as amended was adopted at its Meeting held at the Cardiff Yacht Club on the 22<sup>nd</sup> day of March, 2016.

Amended on 21<sup>st</sup> September 2016 at the Association's AGM (new version numbered v3.2)

Amended on 11<sup>th</sup> April 2018 at the Association's AGM (new version numbered v3.3)

Amended on 15<sup>th</sup> February 2019 at the Association's AGM (new version numbered v3.4)

Amended on 16<sup>th</sup> January 2020 at the Association's AGM (new version numbered v3.5)

# Part Two – Rules

## 1. Structure

### 1.1. Member

Individual members may be members of clubs or unaffiliated (have no club affiliation).

### 1.2. Club

To register for the first year of registration, a constituted club shall have at least 3 members who are adult members of the Association and which shall have as a minimum as its officers a Chairperson or President, Secretary and Treasurer. For subsequent years of registration a club shall have at least 6 members of the Association and all the officers and committee shall be members of the Association.

Each club shall adopt its own constitution or a modified version of an Association standard constitution, provided that the result is not repugnant to the Constitution and Rules of the Association.

### 1.3. Executive Committee

#### 1.3.1. Elected Officers

- 1.3.1.1. The Association shall have the following elected officers: National President, National Secretary, National Treasurer, Director of Development and Director of Public Relations.
- 1.3.1.2. Only elected members of the EC shall be entitled to vote at its meetings. Appointed members may be called to attend and have the right to speak, but not to vote at meetings of the EC.
- 1.3.1.3. Should an elected Member of the EC fail to attend three consecutive meetings of the EC then the remaining members of the EC can assess the reasons for non-attendance and if appropriate dismiss the Official from the position they hold on the EC. The dismissed Official cannot then re-apply for any position for a minimum of two calendar years.
- 1.3.1.4. The EC will then call an EGM in order to elect a replacement for the dismissed Elected Officer. The replacement Elected Officer will be elected to complete the dismissed Officers period of tenure.

#### 1.3.2. Appointed Officers

- 1.3.2.1. Appointed Officers may comprise: National Coach, National Umpire, Youth Development Officer, Competition Organiser, WPA League Secretary, Medical Officer and Child Protection Officer. The National Coach and National Umpire will be responsible to the EC. The Medical Officer and Child Protection Officer will be responsible to the National President. The Youth Development Officer, Competition Organiser and WPA League Secretary will be responsible to the Director of Development; and the Press Officer will be responsible to the Director of Public Relations.
- 1.3.2.2. Officers appointed by the EC to serve in roles or on commissions are to be drawn from suitably qualified or experienced persons who may not necessarily be members of the Association, but if they are not must agree to be bound by its Constitution, Rules, Policies and Procedures.
- 1.3.2.3. Appointed Officers will be invited to attend meetings of the EC, but will only be required to attend when they are to provide a report to the EC.
- 1.3.2.4. Appointed Officers cannot participate in any votes taken by the EC.

## 2. Annual General Meeting

### 2.1. Elections

#### 2.1.1. Nomination of Elected Officers

- 2.1.1.1. Nominations for the position of an Elected Officer must be received on the prescribed form at least 21 days prior to the AGM see 2.2.2.
- 2.1.1.2. All members nominated must consent in writing to be nominated and to serve if elected, must be paid up members at the closing date for nomination and must be nominated by at least 3 other members.
- 2.1.1.3. At the AGM nominations on the day can only be accepted for positions for which there has been no prior nomination, or for a vacancy that has occurred since the issue of the notice, and must be submitted on the prescribed form prior to the commencement of business.
- 2.1.1.4. Elected Officers eligible for re-election shall declare their intention to either re-stand for, or to stand-down from, their current position prior to the issuing of the Preliminary Notice of the AGM, this declaration to be included in the Preliminary Notice of the AGM.

#### 2.1.2. Election procedure

If there are no more nominations than vacancies for a particular office then the Presiding Officer at the AGM shall declare that member to be elected. If more than one member is nominated for a national office then a ballot of all members present at the meeting and entitled to vote will be conducted.

### 2.2. Procedure for the Annual General Meeting

#### 2.2.1. Date and Place

The AGM shall, subject to Part 1 – Constitution - Clause 6, be held in the month of March or such other month and at such place as the EC may from time to time determine.

#### 2.2.2. Preliminary Notice

At least 36 days before each AGM, the National Secretary shall publish the date, time and place of the meeting and also the Elected Officer posts becoming vacant. Those entitled and wishing to put proposals to the AGM shall submit their motions and nominations for office to the National Secretary at least 21 days before said AGM.

#### 2.2.3. Notice

At least 14 days prior to the AGM the National Secretary shall provide to each Registered Club and Affiliated League notice of the meeting, the agenda of the business to be transacted, and details of any motions submitted, together with received nominations for office and vacant positions in accordance with the Constitution and Rules.

#### 2.2.4. Agenda

The agenda shall be to:

confirm the date of notice of meeting.

receive apologies for absence.

approve the minutes of the previous AGM and any subsequent OGM.

receive the President's Report.

receive and, if so resolved, adopt the Association's accounts and the Auditor's and Financial reports.

determine the rates of registration fees and subscriptions.

consider and, if so resolved, approve motions submitted in accordance with the Constitution and Rules

- a) proposed by the EC
- b) proposed by Registered Clubs
- c) The EC shall decide the order in which motions will be considered and may recommend the consolidation of motions.
- d) to declare the election of National Officers.
- e) to appoint an Auditor or Auditors.
- f) to appoint Arbitrators
- g) to consider such other business as the Presiding Officer may admit.  
No vote to be taken.

### 3. Ordinary General Meeting

There shall be OGMs of Members held for the purpose of receiving progress reports from National Officers and considering motions proposed by Registered Clubs or the EC, and to discuss other appropriate business. Decisions made will become effective at the close of the meeting, unless otherwise agreed.

#### 3.1. Date and Place

The OGMs of Members shall be held at such times and places as the EC may determine.

#### 3.2. Preliminary Notice

At least 14 days before each OGM the National Secretary shall publish the date, time and place of the meeting. Those entitled and wishing to put proposals to the meeting shall submit their motions to the National Secretary at least 3 days before the Meeting. The National Secretary shall inform the National President of the proposed agenda.

#### 3.3. Agenda

The agenda shall be to:

receive apologies for absence.

receive Officers' Reports.

consider and, if so resolved, approve motions from Clubs and Affiliated Leagues submitted in accordance with the Constitution and Rules.

hold an open forum.

consider such other business as the Presiding Officer may admit. No vote to be taken.

### 4. Extraordinary General Meetings

#### 4.1. Convening

An EGM may be convened as defined Part 1 – Constitution – Clause 8.

#### 4.2. Location

The meeting will be held at such a time and place as the EC shall decide.

#### 4.3. Failure To Convene

Should the National Secretary not convene an EGM within 36 days of receiving a duly signed requisition, the requisitioners may convene the EGM and shall have a claim upon the Association for all expenses reasonably incurred in convening it.

#### 4.4. Notice

The notice convening an EGM shall be provided to every Affiliated League and Registered Club not less than 28 days before the date of the EGM, stating the date, time and place thereof and the purpose for which it is convened.

#### 4.5. Quorum

No EGM shall proceed to business unless 20 members, or more, representing at least five registered clubs are present within half an hour of the notified time of commencement of the EGM.

#### 4.6. Business

An EGM shall not be competent to transact any business other than that specified in the notice convening it.

#### 4.7. Vote of No-Confidence

A vote of no-confidence shall be convened as per clauses 4.1 to 4.6, above. However, where a vote of no-confidence has been called against the whole EC, the Arbitrators shall have the following additional responsibilities:

4.7.1 Location - The meeting will be held at such a time and place as the Arbitrators decide.

4.7.2 Failure to Convene - Should the Arbitrators fail to convene an EGM within 21 days of receiving a duly signed requisition, the requisitioners may convene the EGM and shall have a claim upon the Association for all expenses reasonably incurred in convening it.

4.7.3 Notice -The notice convening an EGM shall be provided to every Member and Registered Club not less than 14 days before the date of the EGM, stating the date, time and place thereof and the purpose for which it is convened. 4.7.4 Quorum - As per Clause 4.5, above. 4.7.4 Business - An EGM called specifically for a vote of no-confidence shall not transact any business other than that specified in the notice convening it. If the vote is carried, using the simple majority rule, the whole EC will immediately be discharged of their Powers and Duties as defined in Part 1 Constitution, Clause 10.

The Arbitrators shall then convene an EGM for the sole purpose of the election of a new EC as defined in Part 1 - Constitution, Clause 8.

## 5. Ballot of Members

A ballot of members will be held for contested elections, or on questions put at the direction of the EC, or on a motion of dissolution. The EC may direct that such a ballot be by post.

5.1. Each individual member as recorded in the Register of Members on the date that the EC approves the ballot will be eligible to vote.

5.2. Normal Ballot

Where a ballot is taken at a meeting this will normally be by way of a show of hands for each proposition.

### 5.3. Postal Ballot

- 5.3.1. Where the EC directs that a postal ballot is appropriate, the ballot form and supporting papers will be posted to each eligible member at the address listed in the Register of Members.
- 5.3.2. The Association or an independent organisation may run the ballot process.
- 5.3.3. A guidance paper will be issued with each ballot form and notice of the convening of the OGM, EGM or AGM at which the ballot will be taken. This will give instructions on the completion of any ballot paper and a timetable for the issue of forms, last date of return of forms and date of declaration of the result.
- 5.3.4. For security each returned ballot form must bear the member's membership number and signature in order to be counted as valid.
- 5.3.5. Each member may only vote once although a duplicate form may be obtained in the event of errors.
- 5.3.6. The completed voting form(s) should be returned to the address and by the date designated in the voting guidance issued with the forms.
- 5.3.7. The designated scrutineers of the postal vote, including the verification and counting of votes cast, will be a panel of not less than three of the existing Arbitrators of the Association nominated by the National President.
- 5.3.8. Should there be insufficient Arbitrators available to form a panel then the National President will nominate suitable individual members to carry out this task.
- 5.3.9. The result will be published within 2 days of the count.
- 5.3.10. The Arbitrators will be responsible for hearing any appeals relating to the outcome of the voting process.

## 6. Membership

- 6.1. Individuals, Clubs and Leagues shall complete the application or renewal form for the time prescribed by the Association and shall have paid the appropriate fees.
- 6.2. Individual Membership shall be in the following categories:
  - 6.2.1. Adult Members shall be players aged 18 or over on 31st December of the current year.
  - 6.2.2. Junior Members shall be players aged under 18 on 31st December of the current year.
  - 6.2.3. Honorary Life Membership may be given at the discretion of the EC in recognition of services to the sport. A maximum of two may be awarded in any one year.
- 6.3. Registered Clubs shall be such Pétanque Clubs as are admitted to the Association having a Constitution and Rules, which does not conflict with the

Association's, and registered club bank account. All the Officers and Members of such clubs shall be, and remain members of the Association.

- 6.3.1. Upon application to the WPA Executive by a Registered Club, a temporary resident holding a valid licence recognised by the FIPJP will be able to represent the Registered Club as a player, but will not be eligible to enter National Championships or represent Wales in any capacity. Such dispensation from holding a WPA licence shall not exceed a period of 12 consecutive months.
- 6.4. The WPA Executive's decision will be final and without appeal.
- 6.5. Affiliated Leagues shall be such Leagues as are admitted to the Association having a Constitution and Rules, which do not conflict with the Association's.
- 6.6. Notice of the refusal or acceptance of an application shall be sent to the applicant within 28 days and in the case of refusal shall give the reasons and procedure for appeal.
- 6.7. Transfer between the Association and any other National Association is covered by rules laid down by the CEP in their Bye-Laws.

## 7. Alterations to Rules

### 7.1. Method

The rules of the Association may be rescinded or altered by vote of two-thirds of the Members present and voting at an AGM or EGM called for that purpose and which has the required quorum.

### 7.2. Proposals

Proposals to amend the rules may be submitted by the EC or Registered Clubs.

### 7.3. Time Limit

No proposal to amend the rules which has been defeated, nor any of like effect, shall be permitted until a period of two calendar years has elapsed from the date of the AGM or EGM at which the original proposal was made.



# Part Three – Discipline

## 1 Discipline

The Association will establish appropriate disciplinary tribunals or bodies and procedures to handle disciplinary matters either as a general disciplinary matter, as a playing disciplinary matter or grievances against volunteers, and these procedures shall form part of the terms and conditions of membership of the Association. They shall also form part of the terms and conditions of participation in those tournaments, competitions, leagues and other events organised by or sanctioned by the Association or in which an individual member or registered club is representing the Association.

## 2 The Disciplinary Codes and How They are Intended to Operate.

2.1. Nothing in the Association's disciplinary codes shall be in contradiction to the Rules of Pétanque as published from time to time by the FIPJP or CEP and including for the avoidance of doubt any rules or codes to which players in competitions or associations are required to adhere, such as anti-doping, Olympic or other regulations of like effect where they apply. The Association itself may from time to time publish its own rules which are intended to clarify or supplement but not displace or conflict with the rules published by the FIPJP or the CEP. Rules published by the Association shall also form part of the Disciplinary Codes where appropriate.

2.2. Each member of the Association is responsible and accountable for his or her own conduct in connection with the playing of the sport of pétanque and is expected to conduct themselves while playing the sport or taking part in organised sporting events in accordance with the required standards of disciplined and sporting behaviour and the Rules of Play and such rules of competition entry and of play as published from time to time by the Association.

Any conduct that falls below those requirements or standards or breaches the relevant rules or which brings the sport of pétanque or the Association into disrepute may become subject to the disciplinary procedures of the Association.

2.3. Any such matter may first be referred to the Director of Development for his or her preliminary consideration, acting on his or her own motion, or on referral of a complaint or from a third party. Additionally, Umpires and Association competition organisers may refer matters contravening the Official Rules of the Game of Pétanque (FIPJP) or any other National or international rules (CEP) to the Director of Sport Development.

2.4. However, the Association shall not require the Director of Development to consider every complaint or referral from a third party on an equal standing, and he or she has the right to decline to investigate further any matter which he or she reasonably believes has already been satisfactorily disposed of within the existing Codes or the Association's procedures, or which in his or her reasonable view does not otherwise merit further use of the Association's resources, or where he or she reasonably believes or suspects the complaint or referral has no proper or sufficient basis to warrant further enquiry.

2.5. The Codes and procedures of the Association recognise and the Association accepts that the Rules of Pétanque provide adequate and proportionate means

of disposing of the majority of playing issues or disputes which arise during the course of competitions and sports events, and that the first recourse of players or members should be to those provisions of the rules of play for pétanque.

- 2.6. The Association's disciplinary procedures are therefore intended to deal with more serious matters or ones which are not covered or not adequately covered in the ordinary playing rules.

### 3 In the Event of a Complaint or Referral.

In the event of a complaint or referral being made as described in 2 above, the Director of Development shall, subject to 4.2 below, carefully and promptly consider what further action, if any, is required and respond accordingly, and make an appropriate report to the EC where necessary.

- 3.1. If the Director of Development considers that further action is required then he or she shall consider the appropriate procedure to apply, and shall take all necessary steps to set that procedure in motion, and shall thereafter monitor and report on its progress as appropriate to the EC.

### 4 Disciplinary Procedures.

#### 4.1. Playing Matters.

- 4.1.1. Upon his or her consideration as described above the Director of Development shall appoint a Disciplinary Committee to investigate the matter and make any appropriate recommendations. The Director of Development or his or her nominee shall chair the Committee and the Director of Development shall appoint at least two members of the Association in good standing, and who have no conflict of interest in the matter being investigated, to be members of the Committee. The Committee shall, with the assistance of the EC, carry out the enquiry. The EC shall meet to consider the report and any recommendations of the Committee, and promptly make its decision known to the member(s) and Club(s) concerned.

If a member of the EC has a conflict of interest in the complaint or referral, then that member will not have any participation with the generation of the report produced by the Disciplinary Committee.

- 4.1.2. The nature of the charge shall be communicated to the individual, Secretary of the league or club at least 14 days before the date of the meeting.
- 4.1.3. Any individual, league or club so charged may submit an answer to the charge in writing to the EC as well as attend the meeting to do so and to call witnesses. Leagues or Clubs may be represented by a duly authorised Officer of the League or Club. If they wish to attend the meeting then it will proceed as a Disciplinary Hearing, see 8 below.
- 4.1.4. The EC shall promptly advise any member(s) or Club(s) the subject of a disciplinary procedure of the penalty or sanction to be imposed and of the right of appeal, and of the procedure to be followed in the event of an appeal being made. Otherwise the decision of the EC is binding on the member(s) and Club(s) concerned from the date of its notification to the member(s) or Club(s) concerned.

#### 4.2. Other Matters.

- 4.2.1. If the Director of Development considers that the matter does not constitute an issue which it is appropriate to deal with pursuant to the

procedure described at 4.1, or it is a matter which has been referred directly to the EC, and which the EC considers is not appropriate to be dealt with under the Rules at 4.1, then the following procedures shall apply.

- 4.2.2. In place of the Disciplinary Committee described in 4.1.1 above the EC shall under the direction of the Secretary form an EC Disciplinary Committee, which may include Appointed Officers or members in good standing if appropriate or necessary under the chairmanship of the President or an EC Officer nominated by the President. The remaining terms and provisions of 4.1.1, 4.1.2, 4.1.3. and 4.1.4; and of 5.1 and 5.2 shall then apply.

## 5 Appeals

- 5.1. Any appeal must be made in writing and addressed to the Secretary of the Association at the Registered Office address for the time being of the Association; and must be made by the member or members individually, or by an authorised Officer of a League or Club where the League or Club is the subject of disciplinary procedures, and must set out the grounds for the appeal. A mere statement that they wish to appeal the decision is insufficient; there must be substantive grounds for the appeal. The letter of appeal must be received by the Secretary within 10 working days of the date shown on the notice of the EC's decision to the member(s), League(s) or Club(s).
- 5.2. The Secretary on receipt of a letter of appeal shall inform the EC and shall make appropriate arrangements for the hearing of the appeal to take place as soon as may be convenient and to notify the appellant(s) accordingly. Reasonable steps shall be taken by the Secretary to accommodate the appellant(s) in the event that a change of appeal hearing date has to be made.
- 5.3. An Appeal Panel will be convened of not less than three members of the Association in good standing, who have no conflict of interest in the matter being investigated and who were not involved in the original decision.
- 5.4. The Investigating Officer, EC representative, the individual, Secretary of the league or club and their representative will be given at least 14 days notice of the date of the Appeal meeting. If any party wishes to attend the meeting then it will proceed as a Disciplinary Hearing, see 8 below.
- 5.5. The decision of any appeal hearing is final and no further appeal shall be allowed.

## 6 Sanctions

An Individual Member, Affiliated League or Club, subject of disciplinary procedures may if the complaint or referral is upheld be suspended from some or all of the privileges of membership or, and only in the case of the most serious matters, expelled from membership of the Association by a vote of two-thirds of the members of the EC at a meeting of the EC called for that purpose.

## 7 Grievance and Disciplinary Procedures for Volunteers

These procedures apply to all volunteers working for or within the Welsh Pétanque Association (WPA). These procedures have been put in place to protect the interests of volunteers and to ensure that everyone is treated fairly. The existence of these

procedures does not indicate any contract of employment with volunteers, as none exists.

## 7.1. Volunteer Grievance Procedure

The Welsh Pétanque Association aims to create a constructive atmosphere in which volunteers feel comfortable at work and have a positive relationship with other volunteers and staff. It is important that volunteers feel that their rights and responsibilities are respected. We also hope that volunteers will feel comfortable about both querying things they're not sure about and challenging things they find unacceptable.

### 7.1.1. Informal Procedure

Complaints where possible should be dealt with informally by discussion between:

- A. The volunteers concerned, or
- B. The complainant and a member of the WPA Executive e.g. the National Coach.

Such informal discussions will not be officially recorded and it will be clear that they do not form part of the official or formal grievance procedure.

### 7.1.2. Formal Grievance Procedure

- 7.1.2.1. If a volunteer has a grievance they have been unable to resolve they should in the first instance raise the matter orally with the Secretary of the WPA for referral to the WPA President or to a member of the Executive if the grievance is against the President. The Secretary should respond orally within two weeks of the matter being raised.
- 7.1.2.2. If the volunteer is unhappy with the response from the Secretary, they should raise the grievance again in writing. This should be done within 2 weeks of the Secretary's initial response. The Secretary should respond both orally and in writing within 2 weeks of receiving the written grievance.
- 7.1.2.3. If the volunteer or employee is still unhappy with the written response they may appeal to the WPA Executive which will normally appoint a three person panel to hear the appeal. The appeal should be made in person and the volunteer may nominate a colleague to accompany and support them. The appeal should be arranged within 2 weeks and no more than one week should pass before the appeal panel advises of its decision, which will be final. This does not affect any statutory rights that a volunteer may have to take the matter further.
- 7.1.2.4. Where the person raising the grievance is the WPA President, paragraphs 2 and 3 above are amended in that the President will raise the matter with the Chair of the management committee(?). If the matter then goes to appeal the panel shall comprise three EC members but not including the President.

## 7.2. Volunteer Disciplinary Procedure

### 7.2.1. Informal Procedure

It is recognised that it is very rare that volunteers' behaviour will result in disciplinary action and that most instances of inappropriate behaviour will be of a minor or passing nature that can be dealt with orally and informally. It is also recognised that instances may indicate that there is a need for the volunteer to undertake further training and the WPA is committed to continually developing volunteers to ensure that they are equipped with the knowledge and skills needed to perform their task well and appropriately.

If any volunteer has a problem with the way another volunteer is behaving or actions taken by them they should speak to them or ask a member of WPA Executive to do so.

#### 7.2.2. Formal Disciplinary Procedure

- 7.2.2.1. Where a matter requiring possible disciplinary action arises the President should arrange a meeting with the volunteer to discuss and hopefully resolve the matter.
- 7.2.2.2. If the volunteer is unhappy with the outcome of stage 1 above, they should inform the President in writing and state their reasons. This should be done within 2 weeks of the initial meeting. The President should arrange a further meeting within 2 weeks at which both the President and the volunteer may be accompanied by a colleague. The outcome of this meeting should be recorded in writing and provided within 2 weeks of the meeting.
- 7.2.2.3. If the volunteer remains unhappy with the outcome of stage 2 above, they may appeal to the EC who will appoint a three person panel to hear the appeal. The volunteer may be accompanied by a colleague to support their appeal. The appeal should be heard within two weeks and the outcome advised within a week of the appeal hearing. The outcome of this appeal meeting will be final. This does not affect any statutory rights that a volunteer may have to take the matter further.
- 7.2.2.4. Where the person being disciplined is the President, the disciplinary process outlined in items 1 and 2 above will be carried out by the Chair of the Disciplinary Panel. If the matter then goes to appeal the panel shall comprise three EC members but not including the President.
- 7.2.2.5. Disciplinary action may take various forms from oral warning, written warning, final warning, a period of suspension and/or departure from the WPA as a volunteer. For minor and less serious matters an oral warning should be sufficient. This would be followed by a written warning if there is a repeat offence and a final warning if there are yet further offences. After a final warning the next step would usually be the dismissal of the volunteer from the WPA.
- 7.2.2.6. Where a serious breach of discipline has occurred it may be necessary to proceed immediately to a suspension (for example, while further investigation takes place) or in extreme cases instant dismissal. In any event the volunteer will have a right of appeal.

## 8 Procedure for Disciplinary Hearings

The nature of the charge shall be communicated to the individual, Secretary of the league or club at least 14 days before the date of the meeting. It is expected that all parties provide any written evidence they wish to rely on to the EC at least two days prior to the meeting, and similarly confirmation of their attendance, if they wish, name of their representative and witnesses to be called.

- 8.1. If the individual, Secretary of the league or club indicate that they want to attend the meeting it will then take the form of a disciplinary hearing. A note taker will be present.
- 8.2. If the individual, Secretary of the league or club or their representative cannot attend the hearing, they should inform the Chair (or nominee) immediately and an alternative time will be arranged. The individual, Secretary of the league or club must make every effort to attend the hearing, and failure to attend without good reason may be treated as misconduct in itself.
- 8.3. Where the individual, Secretary of the league or club and his/her representative fails to attend the disciplinary hearing without good reason which has been notified to the Chair by the start of the hearing, the Hearing Officer will make a

decision, taking into account the reasons provided by the individual, Secretary of the league or club or his/her representative, whether to proceed in their absence. If an individual, Secretary of the league or club is unable to attend because of illness or other substantial reason, which is accepted by the Hearing Officer, the hearing may be adjourned for a period of up to four weeks at the request of the individual, Secretary of the league or club subject to the disciplinary hearing. If the individual, Secretary of the league or club remains unable to attend then he/she may provide a written statement for consideration and can be represented in their absence.

- 8.4. The Investigating Officer, will report the findings of the disciplinary investigation and will call witnesses, as appropriate, to give an oral account of their evidence.
- 8.5. At the Disciplinary Hearing, the Hearing Officer will go through the allegations against the individual, Secretary of the league or club and the evidence that has been gathered.
- 8.6. The individual, Secretary of the league or club subject to the Disciplinary Hearing and/or his representative will be entitled to put questions to the Investigating Officer and/or any witnesses who attend the Disciplinary Hearing, and the Hearing Officer will also have an opportunity to ask such questions.
- 8.7. Each witness will withdraw having given their evidence and been questioned on such.
- 8.8. The individual, Secretary of the league or club or their representative will then have an opportunity to confer, respond to the disciplinary allegations and may call witnesses (in addition to previously submitted written witness statements) to support that response.
- 8.9. The Hearing Officer will be entitled to put questions to the individual, Secretary of the league or club and any of his or her witnesses.
- 8.10. The individual, Secretary of the league or club or their representative should be allowed to address the hearing to respond to any views expressed at the hearing.
- 8.11. The representative does not, however, have the right to answer questions on behalf of the individual, Secretary of the league or club, address the hearing if the individual, Secretary of the league or club does not wish it or prevent the Investigating Officer from explaining their case.
- 8.12. The Investigating Officer, the individual, Secretary of the league or club and their representative will then withdraw.
- 8.13. The Disciplinary Committee will consider the evidence and representations put forward by both parties before reaching a decision regarding the appropriate outcome of the disciplinary proceedings.
- 8.14. The Disciplinary Committee may recall the Investigating Officer and the WPA member subject to the disciplinary hearing, and/or his/her representative, to clear points of uncertainty on facts already given. If recall is necessary both parties are to return.
- 8.15. The Disciplinary Committee will be entitled to adjourn the disciplinary proceedings to allow sufficient time to properly consider all relevant matters and will in any event adjourn the proceedings if they require clarification of any points which cannot be resolved by the Hearing itself. The individual, Secretary

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of the league or club will be given a reasonable opportunity to consider any new information obtained before the hearing is reconvened.

- 8.16. Upon reaching their decision, the Disciplinary Committee will notify the individual, Secretary of the league or club subject to the Disciplinary Hearing in writing, within 5 working days, and the decision shall specify:
  - 8.16.1. Which, if any, disciplinary allegations have been substantiated;
  - 8.16.2. The disciplinary penalty to be imposed;
  - 8.16.3. In the case of a warning, that the warning is a written warning, or final written warning, and the duration of the warning. The decision shall also specify that upon the expiry of that warning it will be disregarded for the purpose of any subsequent disciplinary proceeding.
  - 8.16.4. The individual, Secretary of the league or club's right of appeal and conditions which relate to exercise their right of appeal.

The Rules, Part 3 – Discipline of the Welsh Pétanque Association as amended were adopted by the Association at its AGM held at Llanhennock Village Hall on the 10<sup>th</sup> day of March, 2015.

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