

Southern Tasmanian Bowls Association Inc.

Trading as:

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President: *Peter Kirby* Secretary: *Rob McGuire*



Minutes of the special Board meeting held at the Buckingham Bowls Club on Monday 27 March 2017 commencing at 4.30 pm.

Present: Peter Kirby (President), Shirley Hay (Deputy President), Ailsa Milburn, and Rob McGuire.

Authority: It was agreed to consider BTS' position in regard to the Anti-Discrimination Hearing and the BT Constitution at this special meeting – if a quorum is not present, it was agreed that the decisions made by those present will be endorsed and ratified at the next BTS Board meeting.

Matters Arising:

Anti-Discrimination Hearing – Rod Pursell and Saturday Pennant Action Group:

The Anti-Discrimination Commissioner has ordered the parties back to a further conciliation meeting on Thursday 6 April 2017. It is not understood why this has happened at the parties have already gone through this process previously.

It was agreed that the BTS' position in regard to this matter is as follows:

- BTS position is the same as it was for the previous hearing and which is outlined in the BTS letters dated 8 August 2016 and 18 November 2016 to the Anti-Discrimination Commissioner.
- BTS is also prepared to amend Conditions of Play such that selection priority must be given to any player who only plays Pennant once a week. In other words, any such player must be selected before any player who plays Pennant more than once a week.
- BTS is further prepared to go to Clubs seeking their advice on withdrawing from participation in Thursday Pennant State Finals. If this happened then men and women would only have one chance to participate in Saturday Pennant State Finals.

It was further agreed that the Secretary should accompany the President at the Anti-Discrimination Hearing.

Changes to BT Constitution:

Changes to the BT Constitution submitted from the BT Constitution Sub-Committee have been circulated to Board members for comment.

It was agreed that the BTS position on amendments suggested by the BT Constitution Sub-Committee is as follows:

- Amendment 1 – Agreed.
- Amendment 2 – Agreed.
- Amendment 3 – Agreed.
- Amendment 4 – Agreed.
- Amendment 5 – Agreed.
- Amendment 6 – Agreed subject to the word “second” in last sentence of the proposed change be changed to “third”.
- Amendment 7 – Agreed.
- Amendment 8 – Agreed.

- Amendment 9 – Agreed subject to sighting and agreement of the proposed rotational terms before the Special General Meeting at which the changes to the BT Constitution will be made.
- Amendment 10 – Agreed subject to the words “the next” in second last line of the proposed change be changed to “the third”. This change will only be agreed if wording of Clause 19.1 Casual Vacancies be changed such that any casual vacancy which is for more than 50% of the current term be considered a full term.
- Amendment 11 – Agreed.
- Amendment 12 – Not Agreed. It is recommended that the proposed change be “Appointed Directors may be appointed by the elected Directors under this Constitution. Any such appointments will cease after the conclusion of the next Annual General Meeting.”
- Amendment 13 – Agreed subject to the removal of the word “full” from the second line of the proposed change.
- Amendment 14 – Agreed.
- Amendment 15 – Rejected.
- Amendment 16 – Rejected.
- Amendment 17 – Agreed.
- Amendment 18 – Rejected (Clause 30.1).
- Amendment 18 – Rejected (Clause 31)
- Amendment 19 – Agreed but it needs tidying up as there is still a problem with terminology in the clause.
- Amendment 20 – Rejected but it needs tidying up as there is still a problem with terminology in the clause.
- Amendment 21 – Rejected. BTS tried unsuccessfully to put this in its Constitution and its Clubs voted unanimously not to allow this to happen. Accordingly BTS does not have the support of its Clubs to permit this to happen.
- Amendment 22 – Agreed but need clarification why a region must present a copy of its Constitution to BT every year, surely this should only be if the region changes its Constitution.
- Amendment 23 – Rejected – the rationale does not make sense and is not applicable.
- Amendment 24 – Agreed.

It was further agreed that further amendments are required to be made to the BT Constitution as follows:

- Section 5.3.1 (a) talks about “uniformity” when this is not the case and does not need to be. BTS believes that the word “uniformity” should be replaced with the word “leadership”.
- The Constitution requires Regional Authorities Constitutions to conform to BTAS and Bowls Australia’s Constitutions and this need not be the case.
- The President must be appointed from Elected Directors and not from Appointed Directors. This would then mirror the Bowls Australia Constitution.
- The power for Bowls Australia to veto the BTAS Constitution has been removed – but not the power for BTAS to veto Regional Authorities Constitutions (Rule 39.2.3). As has been previously discussed and backed up with legal advice, this power is unconstitutional and must be removed from the BTAS Constitution.
- In addition the BTAS Constitution requires that Regional Authorities must amend their Constitutions to conform to any amendments made to then BTAS or Bowls Australia Constitutions (Rule 8.4.2). This power is also unconstitutional and must be removed from the BTAS Constitution.

- At the end of a director’s maximum term on the BT Board there must be a break of three Annual General Meetings before that director becomes eligible for appointment as either an elected or an appointed director.

General Business:

Anomaly with Saturday Pennant State Finals:

Concern was raised that BTS clubs are being unfairly treated in that every time State Pennant Finals are played on the North West Coast and in Launceston BTS Clubs have to play two games on the Sunday.

When Bowls North West travel to Hobart for State Pennant finals its Clubs have to play both their games on a Sunday.

Bowls North Clubs never have to play both games on the Sunday and therefore have a distinct advantage, particularly in the lower divisions where many elderly players play.

It was agreed to lodge formal appeal with BT under the Objects of the Association in that BTS believes that it has not been treated equally or uniformly with Bowls North in the allocation of the Sunday double-headers re Saturday Pennant State Finals. It was agreed to request that the current schedule for 2017 be changed so that Bowls North clubs play both their games this weekend on Sunday rather than the current schedule.

If the allocation of games is not changed so that Bowls North clubs play a double-header this coming weekend, in accordance with Section 31 of the BT Constitution, it was agreed that BTS should request that a Judiciary Panel be formed to resolve the anomaly.

As happened with the recent appeal from Taroona, due to the timeframe of this matter, it was further agreed to request that the BT Governance Committee issues a temporary order to change the schedule of games this weekend so that Bowls North Clubs plays both their games on the Sunday.

Meeting closed at 6.55 pm.

Confirmed President: // 2017