



DEVON PÉTANQUE REGION

CONSTITUTION & RULES

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1. Name and Scope

- 1.1. The Region shall be called the Devon Pétanque Region.
- 1.2. The scope of the Region shall be the County of Devon and areas of Somerset and Dorset not covered by other regions within Pétanque England.

2. Objectives

- 2.1. The Region's objectives are the advancement of amateur sport for the public benefit by promoting the sport of Pétanque in England and in particular:
 - 2.1.1. to promote, administer and encourage the development of, and participation in, the sport of Pétanque within the scope of the Region;
 - 2.1.2. to develop a competition programme and co-ordinate competition fixtures across the Devon Region;
 - 2.1.3. by setting up or encouraging the formation of Pétanque leagues;
 - 2.1.4. by encouraging and supporting the formation of affiliated clubs;
 - 2.1.5. to consult and co-operate with other organisations operating either within the Devon Region or other areas to promote and enhance the playing of the Sport where this might prove beneficial to the Region;
 - 2.1.6. to take such action from time to time as the Regional Management Committee or Membership may consider desirable for the benefit of the Sport and the members of the Region;

3. Registered Office

- 3.1. The official address of the Region shall be the address of the Secretary of the Region or such other address as the Regional Management Committee shall from time to time decide.

4. Definitions

- 4.1. **PE:** Pétanque England, being the governing body for the sport of Pétanque in England;
- 4.2. **Devon Pétanque Region:** Shall be the County of Devon and areas of Somerset and Dorset not covered by other regions within Pétanque England and hereinafter referred to as Devon Pétanque or the Region;
- 4.3. **Devon PE Voting Members:** Are Members who are 18 years of age and over on 1st January and who are recorded as Devon Region Members and Life Members on the PE Membership Database and have paid the Devon Precept.
- 4.4. **Devon PE Non-Voting Members:** Are PE recognised Clubs who have paid the PE subscription, hold a PE certificate of recognition and maintain PE's rules for being so recognised throughout the year of recognition and Junior Members under the age of 18 on the 1st January as recorded on the PE Membership Database.
- 4.5. **Regional Management Committee:** the management organisation of the Region;
- 4.6. **Club Committee:** the management organisation of a PE Registered Club;
- 4.7. **Membership Year:** A Member joining PE between 1st January and 31st December will be deemed to have been a member of PE and the Region for the whole of that calendar year.
- 4.8. **AGM:** The Annual General Meeting of the Region which shall be convened by the Regional Secretary within 14 months of the previous meeting and would usually be held in November of each year;
- 4.9. **EGM:** An Extraordinary General Meeting may be called by the Regional Management Committee or Devon PE Members in accordance with the provisions detailed in this Constitution to adopt specific proposals.

5. Membership

- 5.1. Individual Members, Clubs and other organisations admitted to Membership by PE shall be recognised by the Region as being Members of the Region subject to them complying fully with the Devon PE membership criteria (see Clause 4.3 and 4.4) throughout the Current Membership Year and either being resident or constituted within the boundaries of the Region, as defined by clause 1.2 above. Individual Members, Clubs and other organisations not being resident or constituted within the Devon regions Boundaries can only be admitted with the agreement of both the applicants current PE region (if any) and the Devon Region Management Committee.
- 5.2. Member's Voting Rights and Privileges:
 - 5.2.1. Each eligible Devon PE Voting member is entitled to one vote at an AGM or EGM unless otherwise specified.
 - 5.2.2. Devon PE Voting Members are entitled to the following rights and privileges:
 - 5.2.2.1. To receive notice of an AGM or EGM;
 - 5.2.2.2. To attend, speak and vote at any AGM or EGM;
 - 5.2.2.3. To propose resolutions for consideration at any AGM;
 - 5.2.2.4. To nominate a person for election as an Officer of the Region and Members of the Regional Management Committee;
 - 5.2.2.5. To compete in Regional competitions.
 - 5.2.3. Devon PE Non-Voting Members are not entitled to a vote at an AGM or EGM but may attend or be represented.
 - 5.2.4. Devon PE Non-Voting Members are entitled to the following rights and privileges:
 - 5.2.4.1. To receive notice of an AGM or EGM;
 - 5.2.4.2. To request an EGM if a recognised Club;
 - 5.2.4.3. To speak at an AGM or EGM if a recognised Club;
 - 5.2.4.4. To speak at an AGM or EGM as a Junior Member if 15 years of age or over at the end of the month prior to the meeting.
 - 5.2.4.5. For Junior Members to compete in Regional Competitions.

6. Regional Management Committee

- 6.1. The Region will be administered by a Regional Management Committee. The Officers of the Committee are:
 - 6.1.1. The President;
 - 6.1.2. The Secretary;
 - 6.1.3. The Treasurer.
- 6.2. The Officers of the Committee will be elected to hold office for 3 years and may be nominated for a second period of 3 years after which they must stand down;
- 6.3. The election of the President and Secretary should be held on alternate years to maintain continuity whenever possible;
- 6.4. The Regional Management Committee will also consist of the following elected Members:
 - 6.4.1. Vice President;
 - 6.4.2. Membership Secretary;
 - 6.4.3. Regional Coach;
 - 6.4.4. League Secretary;
 - 6.4.5. Media Officer.
- 6.5. Elected Members will be elected annually at the AGM and can stand for re-election for no more than 5 consecutive terms;
- 6.6. The Regional Management Committee shall have no fewer than 6 Members and no more than 10 Members including any appointments made under Clause 9.2.1;
- 6.7. The Regional Management Committee is quorate if at least 1 Officer and at least 4 Elected Members are in attendance;
- 6.8. A meeting of the Committee can proceed if the meeting is not quorate but no votes or minutes can be taken;
- 6.9. The President will act as Chairperson at Regional Committee meetings. In the absence of the President the chair will be taken by the Vice-President. If neither of these members are in attendance the

meeting will elect a Chairperson from those attending subject to the meeting being quorate;

- 6.10. The Committee will hold a minimum of 4 meetings per year. A meeting will be considered valid if conducted face-to-face or via a telephone or video conferencing facility provided the meeting is held under a formal agenda;
- 6.11. All members of the Committee shall have equal voting rights with the exception of the President or Committee Chairperson who will also have a second casting vote if necessary;
- 6.12. Minutes will be taken at all properly constituted Committee meetings and distributed to all Devon PE Voting and Non-Voting Junior Members upon adoption by the Committee.

7. Roles of Regional Committee Members

- 7.1. Regional President: shall preside, when present, at meetings of the Regional Committee and at an AGM or EGM of the Region;
- 7.2. Regional Secretary: shall convene, attend and maintain accurate minutes of Regional Committee meetings, AGMs and EGMs of the Region. The Regional Secretary shall be responsible for the distribution of all documents by electronic communication or mail;
- 7.3. Regional Treasurer: shall maintain the Region's finances, prepare a financial report for each Committee meeting and present audited accounts at the AGM of the Region;
- 7.4. Regional Vice President: shall support and assist the President and shall chair any Regional meetings when the President is absent or unavailable;
- 7.5. Regional Membership Secretary: shall maintain an up to date record of the Region's members and clubs using the PE Membership Database and produce a contact list for the Regional Officers;
- 7.6. Regional Coach: shall be a qualified PE coach, providing coaching to all members and Devon PE Clubs within the Region. Assist PE in the recruitment and development of new coaches and shall actively co-

ordinate with the Region's Members and Clubs in the recruitment and development of young players;

- 7.7. League Secretary: shall administer all Leagues in accordance with the rules set by the Regional Management Committee;
- 7.8. Media Officer: shall endeavour to raise the profile of Pétanque in the Region through regular communication with all media outlets in the area. They shall also actively seek sponsorship for any of the Region's activities;
- 7.9. Specialist Roles: The Committee can appoint specialists to advise on their particular area of expertise. The specialists will be appointed on the basis of the special advice required by the Regional Management Committee and they need not be a PE or Devon Region Member.

8. Election of Officers and Committee Members

- 8.1. Nominations for election to the Regional Management Committee are open to a Devon PE Voting Member who has been both a member of PE and the Region for a minimum of 2 Membership Years at the closing date for nominations;
- 8.2. Nominations for President of the Region are open to a Devon PE Voting Member who has been both a member of PE and the Region for a minimum of 4 Membership Years at the closing date for nominations;
- 8.3. Nomination forms are issued by the Regional Secretary prior to the election and must be completed in writing and received by the Regional Secretary at least 28 days prior to the AGM;
- 8.4. A minimum of three current Devon PE Voting Members must support a candidate's nomination for it to be valid;
- 8.5. Nominees must consent in writing to being nominated and to serve if elected;
- 8.6. Devon PE Junior Members are not entitled to nominate or be nominated as members of the Regional Management Committee;

- 8.7. If there is only a single nomination for a particular office the AGM presiding officer can declare the nominee to be duly appointed;
- 8.8. Elections (if necessary) will be conducted at the AGM by the presiding officer where more than one nomination for a particular office has been submitted. A simple majority in favour of one nominee will secure their election.

9. Authority and Powers of the Committee

- 9.1. The Region shall have the power to run its own affairs including setting a regional precept, determining its boundaries and name, holding funds and assets separately from PE, organising Pétanque competitions and leagues and publishing a playing calendar provided they are not repugnant to PE's objects, articles or rules;
- 9.2. The Regional Management Committee shall have the following authority and powers:
 - 9.2.1. To appoint or co-opt replacement Committee members or other officers as deemed necessary for the good governance of the Region in accordance with Clause 6.6;
 - 9.2.2. To appoint sub-committees and / or specialist advisors as deemed necessary and to set the terms of reference for sub-committees and appointed specialists to include purpose, duration and quorum;
 - 9.2.3. Sub-committees and appointed specialists are not Regional Management Committee members and are not authorised to incur costs, enter into contracts either written or verbal on behalf of the Region or use Regional funds or assets without the consent of the Regional Management Committee;
 - 9.2.4. Sub-Committees and appointed specialists do not have a vote in that capacity at a Regional Committee meeting, AGM or EGM;
 - 9.2.5. To reimburse expenses of sub-Committee members and appointed specialists in carrying out their duties in accordance with the rules governing the Regional Management Committee payments;

- 9.2.6. To combine roles or functions where it is deemed to improve efficiency or close a vacancy;
- 9.2.7. To change the role description of Committee Members to ensure they comply with modern practices or legal requirements;
- 9.2.8. To produce, update and maintain Regional Policy documentation and to consult Devon PE Voting members where applicable;
- 9.2.9. To promote and develop the game of Pétanque within the Region;
- 9.2.10. To set rules for, organise and run Regional Competitions or to work with other Regions to organise and run Inter-Regional events;
- 9.2.11. To appoint an official or officials to adjudicate at designated events and act in the role of an umpire;
- 9.2.12. To encourage the establishment of PE qualified coaches within the Region;
- 9.2.13. To encourage the establishment of PE qualified umpires within the Region;
- 9.2.14. To establish as and when required Complaint Investigations in accordance with the Region's Complaints Policy;
- 9.2.15. To propose rates for the Regional Precept for adoption at an AGM;
- 9.2.16. To propose changes to the Constitution and Policies of the Region for adoption at an AGM or EGM including the introduction of new policies;
- 9.2.17. To propose expense rates for Committee Members or other Members when conducting Regional business or attending meetings or attending an AGM or EGM in an official capacity;

- 9.2.18. To hold and manage the assets and the funds of the Region for the benefit of the Members including the holding of banking accounts and use of electronic banking;
 - 9.2.19. To attend meetings of PE as and when required or to send Members to specialist meetings when invited and if deemed appropriate;
 - 9.2.20. To nominate candidates for posts within PE, when entitled;
- 9.3. In the event of a significant force majeure where the Government, Local Authority, Police or Armed Forces impose restrictions on society then the Regional Management Committee will assume powers to amend or cancel all or part of the Constitution to ensure the regional administration can function throughout the force majeure and without requiring the approval of an AGM or EGM. The Regional Management Committee will relinquish these powers and reverse any changes made to the Constitution at the earliest opportunity. Any actions taken will be in the best interests of the members to protect their health, safety and wellbeing as far as practicable.

10. Finance

- 10.1. The Financial Year of the Region shall be from 1st November to 31st October every year;
- 10.2. The Regional Precept shall be at a rate determined from time to time by the AGM of the Region and should be set at a rate sufficient to cover the anticipated expenditure of the Region;
- 10.3. Proper books of account shall be maintained by the Treasurer and audited prior to the AGM. The audited accounts to be approved by delegates at the AGM;
- 10.4. The Auditor will be appointed by the AGM and will remain in post until resignation. Devon PE Voting Members can submit nominations to replace the Auditor at any AGM or EGM called for the purpose. The Committee reserves the right to appoint an Auditor between AGMs in the event of a retirement to ensure audited accounts can be submitted to the AGM;

- 10.5. Reasonable expenses will be reimbursed for costs incurred wholly and exclusively on behalf of the Region. Such costs must be duly authorised in advance by two members of the Regional Management Committee;
- 10.6. The Region shall maintain accounts in the name of the Region with a bank as selected by the Regional Management Committee. Signatories to the account will be the President, Vice-President, Secretary and Treasurer. These accounts shall operate under the joint signatures of any two of the signatories;
- 10.7. The Treasurer may maintain electronic banking accounts to allow the electronic transfer of funds into and out of any of the Region's bank accounts and shall report such transactions to the Regional Management Committee. Each designated signatory shall be responsible for maintaining the security of their own passwords or access codes or other security required by the bank;
- 10.8. Neither the Regional Management Committee or a Devon PE Voting or Non-Voting Member may borrow advances of money or enter into a contract either written or verbal without the membership agreeing to a proposal at an AGM or EGM. Anyone doing so will be solely responsible for any liability arising from such acts;
- 10.9. Neither the Regional Management Committee or a Devon PE Voting or Non-Voting Member may make grants or donations to any person or organisation without the membership agreeing to a proposal at an AGM or EGM and then only specifically for the achievement of the Objectives as defined in this Constitution. Any Devon PE Voting or Non-Voting Member doing so will be responsible for reimbursing the Region for any loss incurred;
- 10.10. No Regional Management Committee Member shall receive any personal remuneration or benefit in any kind from the funds or assets of the Region save for the repayment of approved expenses or expenditure previously authorised by the Regional Management Committee and supported with receipts;
- 10.11. The financial liability of Regional Management Committee Members and Devon PE Voting Members shall be limited to the value of the cost of their PE Membership regional precept.

11. Annual General Meeting (AGM)

- 11.1. An Annual General Meeting of Devon PE Members shall be convened by the Regional Secretary within 14 months of the previous AGM;
- 11.2. The Annual General Meeting shall be held in the month of November or such other month and at such place as the Regional Management Committee may from time to time determine;
- 11.3. The Regional Secretary shall, at least 49 days before each AGM, notify all Devon PE Voting and Devon Non-Voting Members in writing either by electronic communication or mail, with the date, time and place of the meeting;
- 11.4. Those entitled and wishing to put proposals or nominations to the AGM shall submit their proposals or nominations to the Regional Secretary at least 28 days prior to the meeting other than the Regional Management Committee who will have 21 days;
- 11.5. The Regional Secretary shall, at least 14 days prior to the meeting, provide in writing, either by electronic communication or mail, all Devon PE Voting and Devon PE Non-Voting Members a formal notice of the meeting, the agenda for the meeting, details of any proposals submitted and nominations received in accordance with this Constitution;
- 11.6. The basic agenda for the AGM is set out in Appendix 1 and may be modified to suit the business of the meeting by the Regional Management Committee. The Regional Management Committee shall decide the order in which the proposals will be considered and may consolidate proposals;
- 11.7. The quorum for an Annual General Meeting shall be the 3 Regional Officers, 3 elected officers and 6 Devon PE Voting Members of the Region;
- 11.8. Voting will be by attendance in person and eligibility to vote will be verified at the meeting. Only those eligible Devon PE Voting Members meeting the requirements set out in clause 4.3 will be authorised to vote;
- 11.9. All Devon PE Voting Members are entitled to one vote at every occasion during the AGM where a vote is called for. The Presiding

Officer shall be entitled to a second casting vote where a vote is tied or may call for a poll of all Devon PE Voting Members.

12. Extraordinary General Meetings (EGM)

- 12.1. An EGM will be convened by the Regional Secretary by direction of the Regional Management Committee or:
 - 12.1.1. upon written requests signed by the President and Secretary from a majority of the Region's Non-Voting PE Clubs who have met the Devon membership conditions for Clubs set out in clause 4.4 at the date of submitting their request;
 - 12.1.2. upon written requests from a third of the eligible Devon PE Voting Members;
- 12.2. The meeting shall be held at such place as the Regional Management Committee shall decide;
- 12.3. The Regional Secretary shall, not less than 28 days before the date of the EGM, provide in writing, either by electronic communication or mail, to all Devon PE Voting and Devon Non-Voting Members a formal notice of the meeting stating the date, time and place of the EGM and the purpose for which it is convened;
- 12.4. A properly convened EGM can continue to business in the absence of all the Regional Management Committee Members provided the meeting elects a Presiding Officer and a Secretary who will minute the meeting. Any decisions arising will be binding on the Committee provided the conditions of clause 12.6 have been complied with;
- 12.5. An EGM shall not be competent to transact any business other than that specified in the notice convening it;
- 12.6. No EGM shall proceed to business unless:
 - 12.6.1. A representative from not less than two thirds of the Region's Non-Voting PE Clubs requesting the meeting are present within half an hour of the notified time of start and;

- 12.6.2. A minimum of a quarter of the Devon PE Voting Members are present within half an hour of the notified time of start including Committee Members;
- 12.7. Voting will be by attendance in person and eligibility to vote will be verified at the meeting. Only those eligible Devon PE Voting Members meeting the requirements set out in clause 4.3 will be authorised to vote;
- 12.8. All Devon PE Voting Members are entitled to one vote at every occasion during the EGM where a vote is called for. The Presiding Officer shall be entitled to a second casting vote where a vote is tied or may call for a poll of all Devon PE Voting Members;
- 12.9. Should the Regional Secretary not convene an EGM within 36 days of receiving a duly constituted request then those requesting the EGM may convene the meeting and shall have a claim upon the Region for all expenses reasonably incurred in convening it provided those expenses do not exceed the financial assets held by the Region. Any expenditure above the value of any funds and assets held by the Region will fall on those requesting the EGM.

13. Changes to the Constitution

- 13.1. Proposals to change the Constitution can only be submitted to an AGM or EGM by, and in accordance with, the procedures for constituting such meetings set out in Paragraphs 11 and 12 of this Constitution;
- 13.2. The Constitution may be rescinded or altered by a vote of two-thirds of the Devon PE Voting Members present at an AGM or at an EGM called for that purpose;
- 13.3. A defeated proposal to rescind or amend the Constitution or another proposal with similar effect shall not be proposed again within a period of two calendar years from the date of the meeting defeating the proposal.

14. Code of Conduct and Complaints Procedure

- 14.1. Devon PE Voting Members will be expected to conduct themselves in accordance with the PE Code of Conduct;
- 14.2. The Regional Management Committee will, in addition, be expected to conduct themselves in accordance with all of the relevant PE Codes of Conduct;
- 14.3. A complaint may be raised by a PE Regional Club or Devon PE Voting Member, a non-PE Club or Club Member, a member of the public or an organisation we have dealt with;
- 14.4. The Regional Complaints Policy sets out the methodology for managing complaints.

15. Dissolution of the Region

- 15.1. The Region may be dissolved at any time by the consent of a simple majority of Devon PE Voting Members voting in a ballot conducted by electronic communication or mail or at an AGM or EGM convened for that purpose as determined by the Regional Management Committee;
- 15.2. In the event that the Region is to be dissolved then a simple majority of the Devon PE Voting Members voting in the ballot, AGM or EGM may resolve to either:
 - 15.2.1. transfer the funds and assets of the association to the remaining Devon PE Voting Members to be shared equally between them;
 - 15.2.2. transfer the funds and assets of the association to a registered charity or organisation proposed, seconded and approved by a simple majority of members taking part in the ballot, AGM or EGM as applicable;
- 15.3. The Region may also be dissolved by default when:
 - 15.3.1. Individual Devon PE Members are not forthcoming to stand for election as a Regional Officer and those roles cannot be filled by other means;

- 15.3.2. Individual Devon PE Members are not forthcoming to stand for election and take on the roles of the other members of the Regional Management Committee such that the Committee cannot ever be quorate;
- 15.3.3. There are insufficient Devon PE Voting Members to make an AGM quorate;
- 15.4. In the case of any of the above scenarios coming to pass or in the event of any other scenario that leaves the Region without a constitutional mandate to operate then the remaining signatories to the bank account are authorised to allocate the funds and assets of the Region in accordance with the option set out in Paragraph 15.2.2.

APPENDIX 1

Devon Pétanque AGM [Year]

Confirmation of Notice of meeting to be held at [Venue including address and postcode] on [day & date] at [start time]

Registration of voting rights and issuing of voting cards will commence [30 minutes] prior to the start of the AGM

AGENDA

1. Apologies for Absence
2. Approval of Minutes of the AGM held in [Month & year]
3. Matters arising
4. Regional President's Report:
5. To receive and, if so resolved, adopt the Region's accounts, the Auditor's and Regional Treasurer's reports.
6. Determination of:
 - a. Regional Precept (if applicable)
7. Regional Officer's Reports: (Delete any not relevant)
 - a. Vice President
 - b. Membership Secretary
 - c. Regional Coach
 - d. League Secretary
 - e. Media Officer
 - f. Safeguarding Officer
 - g. Other Specialist advisors
8. Proposals submitted in accordance with the Constitution to change or amend the Constitution document (List individual proposals)
9. Proposals submitted in accordance with the Constitution for consideration by the meeting (List individual proposals)
10. Election of Regional Officers and Members of the Regional Management Committee
11. Appointment of Auditors (when necessary)
12. To receive comments from the meeting relating to other matters for consideration by the Regional Management Committee
13. Formally close the meeting

Note: The Regional Management Committee shall decide the order in which the proposals will be considered and may consolidate proposals.



DEVON PETANQUE REGION CONSTITUTION

Declaration:

Devon Pétanque Region hereby adopts and accepts this constitution as a current operating guide regulating the actions of members

Signed:

Date: 31st December 2023

Name: Gerald Barton Devon Region President

Signed:

Date: 31st December 2023

Name: Chris Bigmore Acting Devon Region Secretary

