

BOWLS WELLINGTON REGULATIONS

Updated as at August 2014

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REGULATIONS

OF

BOWLS WELLINGTON INCORPORATED

1. Definitions

The words and phrases used in these Regulations shall have the same meaning as defined in the Constitution of Bowls Wellington, unless otherwise specified in these Regulations.

In addition the following words and phrases used in these Regulations shall mean as follows:

“**Centre Board**” means the Board of Directors of the Centre as defined in the Constitution.

“**Centre Constitution**” means the Constitution of the Centre.

“**Centre Board Member**” means a member of the Centre Board of the Centre.

“**Club Cluster**” means a group of clubs in a geographical area as defined by the Board.

2. Commencement Date

- 2.1 Under Rule 30 of the Centre Constitution, the Centre Board has determined that these General Regulations shall come into force on 11th day of August 2014
- 2.2 The Centre Board has also determined that all previous by-laws, regulations, rules or policies of the Centre are revoked with effect from the commencement of these Regulations and from that date shall have no force or effect.

3. Roles and Tasks of the Board of Bowls Wellington

3.1 Key Tasks of the Board.

- 3.1.1 Defining Bowls Wellington’s purpose, direction and priorities.
- 3.1.2 Developing a governance policy ‘umbrella’.
- 3.1.3 Specifying key outcomes and approving the availability of resources.
- 3.1.4 Appointing, supporting, evaluating and rewarding the CEO.

- 3.1.5 Establishing a framework for assessment and risk,
- 3.1.6 Regular scanning of the environment beyond Bowls Wellington.
- 3.1.7 Gaining Bowls Wellington's stakeholders' input into determining direction and goals and maintaining communication with them.
- 3.1.8 Ensuring the Board complies with statutory and contractual requirements and with the Board's own policies.
- 3.1.9 Setting standards and evaluating the Board's own performance.
- 3.1.10 Ensuring there is appropriate succession planning.

3.2 **The Role of the Chair.** The Chair's primary role is to provide assurance of the Board's governance integrity via the effective management of governance processes. In particular the Chair's role is to:

- 3.2.1 Ensure consistency with internal and external rules.
- 3.2.2 Chair meetings with the commonly accepted power of the position.
- 3.2.3 Ensure meeting discussion focuses on those issues which clearly belong to the Board.
- 3.2.4 Ensure Board discussions are timely, fair, orderly, thorough, efficient and to the point.
- 3.2.5 Observe recognised 'rules of order' process for Board discussions.
- 3.2.6 Ensure the Board Manual is maintained and updated.
- 3.2.7 Act consistently with agreed governance policies and processes.
- 3.2.8 Avoid making independent operational decisions which are the prerogative of the Chief Executive Officer or the Bowls Wellington Operations Committee.
- 3.2.9 Not directly supervise or direct the Chief Executive Officer other than to provide support.

3.3 **The Role of the President.** While the President is a full and active member of the Board the primary responsibility is to carry out representative duties and to be the 'face' of the organisation. They are to:

- 3.3.1 Take a full part in Board activities.
- 3.3.2 Represent the Board at all Bowls Wellington events.
- 3.3.3 Represent Bowls Wellington at all representative events where Wellington teams are participating.
- 3.3.4 Take all opportunities to further the image of the Board, Bowls Wellington and the Sport of Bowls whenever possible.

- 3.3.5 Participate in all internal and external public relations opportunities.
- 3.4 **The Role of the Vice-President.** The Vice-President is a full and active member of the Board, but is also an understudy to the President and deputises for the President in activities where the President cannot be present.
- 3.5 **The Role of the Chair of the Operations Committee.** The Chair of the Operations Committee is a full and active member of the Board but also has the delegated responsibility to Chair the Bowls Wellington Operations Committee. They are to:
- 3.5.1 Take a full part in the Board activities.
 - 3.5.2 Act as Chair of the Bowls Wellington Operations Committee.
 - 3.5.3 Ensure that the Operations Committee operates within the delegated authority of the Board.
 - 3.5.4 Ensure that the Operations Committee operates within the policies and priorities promulgated by the Board.
 - 3.5.5 Briefs the Operations Committee on the activities of the Board.
 - 3.5.6 Brings the Operations Committee recommendations to the Board for decision, and/or ratification.
 - 3.5.7 Briefs the Board on the activities and decisions of the Operations Committee.

4. Board Protocols

- 4.1 This document sets out a protocol for members appointed to Bowls Wellington. It would be virtually impossible to devise specific rules to cover every situation which Board members may encounter. Therefore many of the principles which are set out in the protocol are general in nature and can be applied to a variety of situations as they arise. The guiding principle is that members should act in the best interests of the Board.
- 4.2 **Commitment to Collective Responsibility**
- 4.2.1 Members agree that they will maintain a commitment to the collective responsibility of the Board. Free and frank expression of opinion is encouraged during Board meetings and all viewpoints will be listened to. Board minutes are written in a format which does not disclose individual views. Board members should discuss matters amongst themselves prior to a meeting to clarify or resolve any matters of concern. If a member still has concerns, he or she should feel free to raise the issue with the Chair.
 - 4.2.2 Once a decision is made or policy is agreed to, the product is that of the Board as a whole. Members accept the principle that publicly the Board speaks with one voice and that individual members do not express dissenting views on an agreed Board policy or decisions. However in extreme cases,

Board members may request that the minutes record that there was a dissenting view.

- 4.2.3 Unless otherwise authorised, all contact with the news media on Board business is to be by the Chair or CEO who will express only the Board views and not their own.

4.3 **Duty of Loyalty.**

Members agree that they have a duty of loyalty to the board and its policies. Members will act in good faith in the best interests of the Board. If Board members find themselves in a situation where according to their conscience they cannot agree with the Board's decision or actions they should discuss their circumstances and options with the Chair or CEO who may seek independent advice.

4.4 **Conflict of Interest.**

- 4.4.1 The Board places great importance on making clear any existing or potential conflicts of interest for its members. All such conflicts of interest shall be declared by the member concerned and documented in the Board Conflicts of Interests Register.

- 4.4.2 Examples of conflicts of interest are:

- When a Board member or his/her immediate family or business interests stands to gain financially from any business dealings, programmes or services of the organisation.
- When a Board member offers a professional service to the organisation.
- When a Board member stands to gain personally or professionally from any insider knowledge, if that knowledge is used to advantage.
- When an issue under consideration concerns the Board Member's own Club

- 4.4.3 Any business or personal matter which is or could be a conflict of interest involving the individual and his/her role and relationship with the organisation, must be declared and registered in the Conflicts of Interest Register. All such entries in the Register shall be presented to the Board and minuted at the first Board meeting following entry in the Register.

- 4.4.4 Where a conflict of interest is identified and/or registered, the Board member concerned is not permitted to participate in any Board discussion on that topic or topics felt by the Board to be closely related. Preferably the member concerned should leave the room during such discussions.

4.5 **Confidentiality.**

Members accept that they have an obligation of confidentiality in relation to the business of the Board in order to encourage free and frank discussions and to enable the Board to carry out its function. The Board's policy on the release of information is set out in the Schedule to this Code.

4.6 **Duty of Care.**

Board members accept that they have a duty to exercise care when carrying out Board functions. The standard of care required is that Board members exercise the degree of care, skill and diligence reasonably expected from a person of his or her experience or knowledge.

4.7 Board Membership Status.

Board members accept a commitment to acting in a manner befitting Board membership status. This principle requires that members consider whether conduct in professional or private life will reflect adversely on the Board. Any matters that may bring the Board into disrepute or jeopardise its relationship with its Stakeholders should be reported to the Chair at the earliest opportunity.

4.8 Accountability for Organisational Matters.

Board members accept that they are accountable for organisational matters. This commitment arises because a level of accountability automatically accompanies Board membership. In the widest sense the Board is accountable to the owners and Stakeholders for its actions and decisions. As part of this accountability Board members have to follow certain administrative rules and procedures, for example, prior approval for attendance at conferences or public meetings as a representative of the Board.

4.9 Attention to Board Business.

Board members accept a commitment to attend Board meetings and participate in the business before the Board. If a member has other pressing commitments leave of absence should be sought from the Board prior to a meeting or from the Chair if the board does not meet prior to the date of absence. If a member is absent for more than two consecutive meetings then consideration should be given to reassessing priorities to allow the member to properly fulfil his or her position as a Board member. Board members should endeavour to keep interruptions during meetings to a minimum.

4.10 Respect for the Rights of Others.

Board members accept that they will respect the rights of other members, employees, volunteers and the bowling community. Members recognise that they have a duty to contribute to the smooth running of the Board offices by treating others with courtesy and respect. In meeting this obligation Board members are expected not to discriminate against, or harass others because of their sex, marital status, ethnicity, disability or religious or ethical beliefs. The cultural background of all persons should be respected when involved on Board business.

4.11 Relationship with Chief Executive and Staff.

Board members accept that the administrative matters concerning the board are dealt with by the Board's staff. Instructions concerning the business of the Board should be given to the CEO on the motion of the Board as a whole and not by individual Board members. Individual Board members should not instruct individual staff members as all Board business should initially be directed to the CEO.

Schedule – In House Board Matters and Discussions

- **Board Minutes**

Once the Board has made decisions after full discussion, the decision is noted in the minutes. The minutes will be distributed to Board members and Clubs.
- **Board Discussions**

A wide range of material comes before the Board in discussion. Sensitive information and issues are raised, and finance matters are discussed. Until the Board has reached a decision and it is minuted, those Board discussions should remain confidential to Board members only. The basis for this proposal is that Board members must be free to discuss, without fear of publicity or restraint, issues which may be contrary to the interests of the group with whom he or she may be associated, but are necessary for the Board to carry out its functions.
- **Board Papers**

Board papers and agendas are issued before meetings. Included in these are a number of matters for discussion including reports from the CEO and Board members on various issues. These papers must be classified as confidential. It is inappropriate for any Board member to release information that has come to the Board prior to a Board discussion. The reasons for this are clear: the Board may not agree with the proposals, recommendations or conclusions in the documents. It is important for the whole Board to have a free and frank discussion of any matter, without fear that information has already been passed on to interested parties who are not Board members.

The Board may receive papers of a confidential nature from other organisations. These must be treated with special care otherwise the Board will lose the co-operation of those organisations. Official information requests for these will usually be sent to the originating organisations.
- **Identification of Board Members**

In order to encourage free and frank discussions, it is important that Board members are not reported by either other Board members or by any person in the Centre office as being identified to a particular issue or to a particular point of view. It is detrimental for the proper functioning of the Board for any Board members to be identified as having a certain view, when that member may have expressed the view “in camera” with other Board members without consenting to this being released publicly. Again the guideline must be that Board decisions are the basis of any disclosure or communication.
- **Issues from the CEO and Staff**

In the same way as CEO and staff reports should remain for the eyes of Board members only, it is also important for the CEO and all staff members to maintain Board confidentiality. This means that there should not be a free discussion from the Centre Office with stakeholders about specific members and their particular views. This is a two way protection ensuring the loyalty both of Board members to the Staff and Staff to Board members.
- **In-house Board Matters and Discussions**

Any matters stamped “confidential” or which have been communicated to the Board on the Basis of confidentiality must be dealt with accordingly. No member should disclose confidential information without the consent of the Board, or the person communicating the information to the Board.

5. Operations Committee

- 5.1 The Centre will have an Operations Committee comprising:
- (a) Chair – a Board member appointed by the Centre Board Selection Panel.
 - (b) Chair of the Tournament Committee (or delegate)
 - (c) Chair of the Umpires Committee (or delegate).
 - (d) Chair of the Greens Committee (or delegate).
 - (e) The CEO (or delegate).
- 5.2 The Operations Committee will prepare the Centre Operational Plan, which is to be consistent with the Centre Strategic Plan, for approval by the Board. The Operational Plan is to cover a two year period and is to specify what is to be achieved in what time frame, who is responsible for achieving the task and what resources (both manpower and finance) is required for each task.
- 5.3 The Operations Committee will implement the approved Centre Operational Plan and report to the Board six monthly on its progress.
- 5.4 The Operations Committee, in conjunction with the CEO, is to provide a draft annual budget to support the Operational Plan to the Board Finance and Audit Committee.
- 5.5 The Operations Committee will submit the Centre playing programme prepared by the Tournament Committee and the High Performance Committee to the Board for approval.

6. High Performance Committee

- 6.1 The Centre shall have a High-Performance Committee comprising:
- (a) Chair – a Board member appointed by The Centre Board.
 - (b) CEO
 - (c) High Performance Director
 - (d) A High-Performance Coach nominated by the Centre Coaching Coordinator
 - (e) Men's and Women's Conveners of Selectors
 - (f) One member of each of the Men's and Women's Representative squads
 - (g) Other Members appointed by the Board
- 6.2 **Responsibilities**

- (a) Formulate and recommend to the Board the necessary strategic direction of the Centre's High Performance programme, including the structure, goals and supporting policies.
- (b) Contribute to the Centre's Strategic and Operational Plans by identifying key trends and making long-term projections for the high performance and talent development aspects of the sport.
- (c) Determine and publish the Terms of Reference for the members of the High Performance Committee.
- (d) Responsible for developing annual plans and budgets for the high performance programme. This is to include recommendations on the timing, frequency and duration of key competitions and long term priorities.
- (e) Formulate the nature, scope and process for all high performance programme appointed and contracted positions for Board approval.
- (f) Formulate squad and team selection criteria and procedures.
- (g) Provide quality advice to those working in the high performance programme.
- (h) Monitor Bowls NZ high performance programmes.
- (i) Ensure effective use of allocated resources to achieve agreed goals and desired outcomes in association with the High Performance Director.

6.3 Appointment

- (a) Members of the High Performance Committee will be appointed by the Board for a period of two years. They will be eligible for reappointment.
- (b) The Board will take advice from the High Performance Committee, the High Performance Director, the Centre Coaching Coordinator and any other appropriate person when making an appointment.
- (c) The Board may, if it wishes, call for registration of interest for people to fill appointments on the High Performance Committee, but this is not necessary.
- (d) Independent Members need not be members of Bowls New Zealand.

7. Finance and Audit Committee

7.1 The Centre shall have a Finance and Audit Committee comprising:

- (a) Chair – a Board member appointed by The Centre Board.
- (b) A further Board Member
- (c) CEO
- (d) Centre Financial Advisor

- (e) Other Independent Members as the Board may decide from time to time

7.2 Responsibilities

- (a) The Finance and Audit Committee will meet a minimum of two times per year.
- (b) Oversee and monitor the accounting and reporting functions, including methodology for preparation of management accounts.
- (c) Determine the adequacy of the internal controls around the assets and records of Bowls Wellington.
- (d) Recommend to the Board the appropriate authorisation and approval levels for expenditure of Bowls Wellington funds.
- (e) Recommend the Annual Budget to the Board for approval.
- (f) Recommend the Annual Accounts to the Board for the approval of the Annual General Meeting.
- (g) Review the full audit report, audit adjustments and unrecorded misstatements to determine if full integrity exists within the financial reporting process.
- (h) Recommend to the Board the nomination of the independent auditor.

7.3 Appointment

- (a) Members of the Finance and Audit Committee will be appointed by the Board for a period of two years. They will be eligible for reappointment.
- (b) The Board will take advice from the Chair of the Finance and Audit Committee and any other appropriate person when making an appointment.
- (c) The Board may, if it wishes, call for registration of interest for people to fill appointments on the Finance and Audit Committee, but this is not necessary.
- (d) Independent Members and the Centre Financial Advisor need not be members of Bowls New Zealand.

8. Club Delegates and Clusters

- 8.1 Each Club affiliated to Bowls Wellington shall appoint a Delegate to vote on its behalf at General Meetings as specified in the Bowls Wellington Constitution Rules 23.5 and 23.6.
- 8.2 Each Board Member and each member of the Operations Committee will be allocated a “cluster” of Clubs. Within six weeks of each Board meeting the clusters will be assembled to be briefed by their allocated members on the activities of the Board and the Operations Committee. The cluster may contain members of the Club Executive in addition to their Delegate to a maximum of three representatives per Club. The

Board Member and Operations Committee member will brief the cluster on the activities of the Board and Operations Committee. The meeting of the cluster is also an opportunity for the Board Member and the Operations Committee member to be briefed on the views and concerns of their Clubs which they are required to express at their next Board or Operations Committee meeting. Meeting dates for clusters are to be published in the Centre Handbook annually.

9. Centre Judicial Committee

9.1 Proceedings for Misconduct

9.1.1 Commencement of Proceedings

(a) Any person, Member, Member Club, who considers that a Member Club or other Member of the Centre, or an official of the Centre, has engaged in Misconduct under:

- (i) Rule 25.2 of the Centre Constitution, or
- (ii) Where the Centre is the Controlling Body, under Rule 25.1(a) of the Centre Constitution,

may refer the allegation of Misconduct to the CEO of the Centre for determination by the Centre Judicial Committee.

(b) An allegation in Regulation 9.1.1(a) shall be submitted in writing in the prescribed form set out in Annexure A and must be submitted as soon as possible and no later than [14] days after the alleged incident or incidents of Misconduct occurred. The Centre Judicial Committee in its discretion may accept an allegation after 14 days if exceptional circumstances exist.

9.1.2 Procedure for Hearing

- (a) Upon the CEO receiving an allegation of Misconduct under Regulation 9.1.1 s/he shall as soon as practicable:
 - (i) determine the availability of the Centre Judicial Committee members and request the Chairperson of the Centre Board to appoint the Chairperson of the Centre Judicial Committee;
 - (ii) notify the other parties affected by the allegation of the fact that notice has been received and send to them copies of the allegation and any documentation or materials received in relation to it;
 - (iii) request the Chairperson of the Centre Judicial Committee, in consultation with the other members of the Centre Judicial Committee, to determine a date, time and place for the hearing of the allegation;

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- (iv) appoint a Committee Secretary for the Centre Judicial Committee, who shall be a person independent of the Centre and of the parties to the allegation of Misconduct;
- (v) give the parties affected by the allegation at least 7 days notice of the hearing, unless the Centre Judicial Committee considers that the allegation must be determined urgently, in which case it may vary the timeframes set out in these Regulations. The notice of the hearing shall:
 - be in writing;
 - state whether the party or parties concerned, are required to appear or whether the allegation will be determined on the papers;
 - state the nature of the hearing and the matters or alleged offence(s) the subject of determination, the possible penalty or penalties and the date, place and time of the hearing; and
 - be delivered personally, by post and/or email and/or facsimile to the last known address or facsimile number of the party or parties concerned.
- (b) Subject to these Regulations, the Centre Judicial Committee shall conduct the hearing as it sees fit and in particular it may accept evidence whether or not it would otherwise be legally admissible in a Court of Law and it shall not require any unnecessary formality, provided that it must comply with the principles of natural justice.
- (c) The Chairperson may, if necessary, make orders as to the direction of the hearing.
- (d) The hearing shall take place as soon as practicable. It may be held in person, by consideration of written submissions, by telephone or video conference, or any combination of the above or otherwise as determined by the Centre Judicial Committee.
- (e) Persons appearing before the Centre Judicial Committee shall be entitled to call witnesses but must present their case in person unless the Centre Judicial Committee permits presentation through an advocate or legal representative. All parties and their witnesses shall be given a full opportunity to be heard.
- (f) If the person against whom the allegation is made is absent or fails to make any written submissions, or their witness is absent, a decision may be made by the Centre Judicial Committee in their absence or an adjournment may be granted. Before making such a decision in the person's absence the Centre Judicial Committee must satisfy itself that

the person concerned was aware of the time, date and place of hearing and had been requested to participate on the hearing in accordance with these Regulations.

- (g) If the hearing is in person, the Chairperson shall, at the commencement of it, announce the opening of the hearing, stating the Judicial Committee's authority, jurisdiction, composition and the nature and purpose(s) of the hearing.
- (h) At the commencement of the hearing, the procedure to be followed at a hearing shall be clearly explained by the Chairperson. The Chairperson shall in every case determine who is entitled to be present throughout the hearing during evidence and submissions (including representatives of the media) and whether or not the proceedings are to be confidential.
- (i) The allegation(s) which are the subject of the hearing shall then be read to the person(s) concerned. The body or person making the allegation(s) shall be given the opportunity to give evidence and make submissions about those allegations. The person(s) concerned will be given the opportunity to respond to this evidence and submission. Any witnesses called by either the reporting body or the person(s) concerned will be given the opportunity to give evidence or make submissions. Witnesses may be questioned on their evidence by members of the Centre Judicial Committee, and other parties to the matter as determined by the Chairperson. Evidence and/or submissions may be given in writing.
- (j) The Centre Judicial Committee will consider the evidence presented. The Centre Judicial Committee may adjourn the hearing if necessary to do so. No other person shall be present or partake in any discussion with the Centre Judicial Committee at this time.
- (k) The Committee Secretary shall keep a record of the hearing, in the form determined by the Centre Judicial Committee, and any decision made.
- (l) The Centre Judicial Committee shall have the power to request the attendance of any member, or party or their representative at any proceedings before it. Where a person who is requested to attend, fails to attend or participate (whether by telephone or otherwise) in the hearing without reasonable excuse and explanation for that failure, the Centre Judicial Committee may draw inferences from that failure to attend.

9.1.3 Procedure after Hearing

- (a) If, after hearing from the parties, the Centre Judicial Committee finds an offence of Misconduct has not been committed, it will advise the CEO as soon as possible, and dismiss the matter, accordingly.

- (b) If the Centre Judicial Committee finds an offence of Misconduct has been committed it may impose, in its discretion, an appropriate penalty or penalties set out in Regulation 9.1.4.
- (c) In addition, or in the alternative to imposing any penalty, the Centre Judicial Committee may, report its findings to the President with such recommendations as it considers appropriate.
- (d) If a decision cannot be given by the Centre Judicial Committee immediately after the hearing, the relevant party or parties must be advised of the date by which the decision will be given. The decision, any penalty, the reasons for the decision and notice of the person's appeal rights shall be given in writing to the parties and the Centre Board, signed by the Chairperson.

9.1.4 Recommendations and Penalties

- (a) If the Centre Judicial Committee finds that an offence under Rule 25.2 of the Centre Constitution has been committed, it may impose any one or more of the following penalties:
 - (i) a reprimand;
 - (ii) suspension from such activities of the Centre and/or its Members, including competitions, tournaments, events, General Meetings or other meetings or functions, on such terms and for such period as it thinks fit;
 - (iii) exclusion from a particular competition, tournament, event, General Meetings or other meetings or functions of the Centre and/or its Members;
 - (iv) suspension or termination of membership of the Centre;
 - (v) fines, imposed in such manner and in such amount as the Judicial Committee thinks fit, to a maximum of \$1000;
 - (vi) any other penalty specified in these Regulations, or any policy, resolution or determination which the person has breached, failed, refused or neglected to comply with; or
 - (vii) such combination of any of the above penalties as the Judicial Committee thinks fit.
- (b) In addition to any penalty imposed under Regulation 9.1.4(a) or in the alternative to such penalty, after hearing an allegation of Misconduct the Centre Judicial Committee may make recommendations to the Centre Board through the CEO.

- (c) A decision of the Centre Judicial Committee under Rule 27.4 may be appealed under Rule 28 of the Constitution and Regulation 4.

9.2 Disputes

9.2.1 Commencement of Dispute

- (a) Where there is a Dispute under:
- (i) Rule 26.1(f), (h) or (i) of the Centre Constitution, or
 - (ii) Where the Centre is the Controlling Body, Rule 26.1(a), (c), (e), (g) of the Centre Constitution,

any party to the Dispute may refer it to the CEO of the Centre for determination by the Centre Judicial Committee.

- (b) A Dispute in Regulation 9.2.1(a) shall be submitted in writing in the prescribed form set out in Annexure B and must be submitted as soon as possible and no later than fourteen (14) days after the alleged incident or incidents giving rise to the Dispute occurred. The Centre Judicial Committee in its discretion may accept a Dispute after fourteen (14) days if exceptional circumstances exist.

9.2.2 Procedure for Resolving Dispute

- (a) Upon the CEO receiving notice of a Dispute under Regulation 9.2.1 s/he shall as soon as practicable:
- (i) determine the availability of the Centre Judicial Committee members and request the Chairperson of the Centre Board to appoint the Chairperson of the Centre Judicial Committee;
 - (ii) notify the other parties affected by the Dispute of the fact that the Dispute has been referred to the Centre Judicial Committee and send to them copies of the Dispute and any documentation or materials received in relation to it;
 - (iii) request the Chairperson, duly appointed in consultation with the other members of the Centre Judicial Committee, to determine a date, time and place for the hearing of the Dispute;
 - (iv) appoint a Committee Secretary for the Centre Judicial Committee, who shall be a person independent of the Centre and of the parties to the Dispute;
 - (v) give the parties affected by the allegation at least 7 days notice of the hearing unless the Centre Judicial Committee considers that the Dispute must be determined urgently, in which case it may vary the timeframes set out in these Regulations. The notice of the hearing shall:
 - be in writing;

- state whether the party or parties concerned, are required to appear or whether the Dispute will be determined on the papers;
 - state the date, place and time of the hearing; and
 - be delivered personally, by post and/or email and/or by facsimile to the last known address or facsimile number of the party or parties concerned.
- (b) If after enquiry and agreement of the parties, the Centre Judicial Committee considers that there is a reasonable prospect of the Dispute being resolved by further discussion and/or mediation, rather than by determination of the Centre Judicial Committee, it may refer the Dispute to the CEO for him/her to appoint an independent mediator which is acceptable to both parties. The parties to the Dispute shall share the cost of the mediator equally.
- (c) A mediator appointed under Regulation.9.2.2 (b) shall have no power to make a determination, but shall mediate the Dispute to see whether an agreement can be reached between the parties. The parties shall determine, by agreement, the time period in which they will attempt to resolve the Dispute by mediation.
- (d) If by the agreed time period an agreement is reached on the outcome of the Dispute, the mediator shall notify the CEO of the outcome. If an agreement cannot be reached within the agreed time period, the Dispute shall be referred back to the Centre Judicial Committee for determination under these Regulations.
- (e) The procedures of the Centre Judicial Committee set out in Regulations 9.1.2(b) to 9.1.2 (l) with any consequential modifications shall apply to Disputes.

9.2.3 **Procedure after Hearing**

- (a) Once the Centre Judicial Committee has determined the outcome of the Dispute, the decision, and the reasons for the decision and notice of the person's appeal rights shall be given in writing to the parties and the Centre Board, signed by the Chairperson.
- (b) In addition, or in the alternative to determining the outcome of a Dispute the Centre Judicial Committee may, report its findings to the CEO with such recommendations as it considers appropriate.
- (c) If a decision cannot be given by the Centre Judicial Committee immediately after the hearing, the relevant party or parties must be advised of the date by which the decision will be given.

10. Appeals

10.1 Commencement of Appeal to Centre Judicial Committee

- 10.1.1 Where a party referred to in Rules 28.1(b), or (c) of the Centre Constitution wishes to appeal to the Centre Judicial Committee, the Appellant must give written notice of their appeal (as set out in Regulation 10.1.4) to the CEO within 14 days of the decision appealed against being advised in writing to the Appellant.
- 10.1.2 In addition to Regulation 10.1.1, the Appellant shall pay a non-refundable fee of \$100 (incl GST) to the Centre within 14 days of the decision appealed against being advised in writing to the Appellant.
- 10.1.3 Any appeal under Regulation 10.1.1 shall be limited to any one or more of the following grounds:
- (a) that natural justice was denied;
 - (b) the decision making body acted ultra vires or beyond its powers;
 - (c) that substantially new evidence has become available after the decision which is being appealed;
 - (d) in respect of Misconduct proceedings only, that the penalty was either excessive or inappropriate.
- 10.1.4 The Notice of Appeal in Regulation 10.1.1 must:
- (a) set out the grounds of appeal;
 - (b) set out the outcome which is sought;
 - (c) be accompanied by a statement or statements of evidence setting out the facts of the matter;
 - (d) be accompanied by a written submission setting out why and how the Appellant considers the Centre Judicial Committee's decision was wrong; and
 - (e) be in the prescribed form as set out in Annexure C.

10.2 Procedure for Appeals

- 10.2.1 Upon the CEO receiving notice of Appeal under Regulation 10.1.1 s/he shall as soon as practicable:
- (1) determine the availability of the Centre Judicial Committee members;
 - (2) notify the other parties affected by the Appeal of the fact that the Appeal has been referred to the Centre Judicial Committee and send to them copies of the Notice of Appeal and any documentation or materials received in relation to it;

- (3) request the Chairperson, in consultation with the other members of the Centre Judicial Committee, to determine a date, time and place for the hearing of the Appeal;
- (4) give the parties affected by the Appeal at least 7 days notice of the hearing, unless the Centre Judicial Committee considers that the Appeal must be determined urgently, in which case it may vary the timeframes set out in these Regulations. The notice of the hearing shall:
 - be in writing;
 - state whether the party or parties concerned, are required to appear or whether the Appeal will be determined on the papers;
 - state the date, place and time of the hearing; and
 - be delivered personally, by post and/or by facsimile to the last known address or facsimile number of the party or parties concerned.

10.2.2 The procedures of the Centre Judicial Committee set out in Regulations 9.1.2(b) to 9.1.2(l), with any consequential modifications, shall apply to Appeals.

10.2.3 An Appeal under these Regulations shall not be by way of rehearing but shall be limited to the decision against which is being appealed. Notwithstanding this the Centre Judicial Committee may hear or rehear evidence which was heard before the decision making body, if in the interest of natural justice, it considers it appropriate to do so.

10.2.4 Having heard the Appeal, the Centre Judicial Committee may make the following orders:

- (a) allow the Appeal and reduce or increase any penalty which was imposed by the organisation whose decision was appealed or impose any other penalty or sanction permitted by the Rules of the organisation whose decision was appealed;
- (b) dismiss the Appeal;
- (c) refer the matter back to the Club to re-hear the matter, with any such directions as it considers fit;

10.2.5 Once the Centre Judicial Committee has determined the outcome of the Appeal, the decision, and the reasons for the decision shall be given in writing to the parties and the Centre Board, signed by the Chairperson.

10.2.6 In addition, or in the alternative to determining the outcome of an Appeal the Centre Judicial Committee may, report its findings to the CEO with such recommendations as it considers appropriate.

10.2.7 If a decision cannot be given by the Centre Judicial Committee immediately after the hearing, the relevant party or parties must be advised of the date by which the decision will be given at the conclusion of the hearing,

10.2.8 During any Appeal relating to Misconduct under this Regulation, the persons against whom an allegation of Misconduct is made may be suspended, on such terms and for such period as the Centre Judicial Committee thinks fit.

10.3 Procedure for Appeal Against Decision of Centre Judicial Committee

10.3.1 Where a party referred to in Rule 28.1(d) of the Centre Constitution wishes to appeal a decision of the Centre Judicial Committee, (“the Appellant”) the Appellant must appeal in accordance with the Constitution and Regulations of Bowls NZ.

11. Other Provisions Relating to the Centre Judicial Committee

11.1 If upon receiving an allegation of Misconduct, a Dispute or an Appeal under these Regulations the Centre Judicial Committee considers that the matter is frivolous or is brought for vexatious reasons, it may dismiss the matter without a hearing. Before making such determination the Centre Judicial Committee may seek written submissions from the affected parties on the question of whether such matter is frivolous or vexatious.

11.2 Every decision of the Centre Judicial Committee under this Regulation shall be delivered or sent to the parties concerned. Immediately following such notification the decision shall be circulated as soon as possible to all Members of the Centre and to the Chief Executive of Bowls NZ.

11.3 All decisions of the Centre Judicial Committee shall, unless specified otherwise, take effect immediately upon the date the decision is dated.

11.4 Each party and person involved in any proceedings under these Regulations shall bear their own costs. The Centre Judicial Committee has no right to award costs however it may, in its discretion, if the Appellant is successful in their appeal, direct that the fee for the appeal (as described in Regulation 10.1.2) be refunded.

11.5 If the Centre Board is unable to, or does not appoint a lawyer to the Centre Judicial Committee under Rule 27.1(a) of the Constitution, the Centre Judicial Committee (through the Secretary) may appoint a legally qualified person to be present at the hearing to render advice or assistance concerning any legal issue raised in the hearing, provided that such person shall not vote in relation to the findings or decision of the Centre Judicial Committee.

12-15 Reserved

16. Tournament Committee

- 16.1 The Centre will have a Tournament Committee comprising four persons appointed by the Centre Board one of whom will be elected as Chair.
- 16.2 The Tournament Committee will prepare the Centre playing programme including the Centre Representative programme (in conjunction with the Centre High Performance Committee). The Centre Playing programme will be submitted to the Board for approval through the Centre Operations Committee.
- 16.3 The Tournament Committee will implement the approved Centre playing programme. They may co-opt a number of Tournament Managers to assist them in running the Centre playing programmes.
- 16.4 The Tournament Committee will propose changes to the conditions of play for all Centre tournaments. Changes to the conditions of play should normally be processed annually through the Tournament Review Committee. If urgent changes are required they are to be submitted to the Board through the Operations Committee for approval. Such urgent changes are to be included in the consideration of the next Tournament Review Committee
- 16.5 **Tournament Review Sub-Committee.** Four players (two men and two women) and the Tournament Committee will comprise the Tournament Review Committee. Towards the end of the playing season, the Tournament Review Committee will review the Centre's playing programme and conditions of play for Centre Tournaments and recommend changes for the following year. The recommendations will be forwarded to the Clubs for consideration at a Cluster Meeting. The output of the Tournament Review Committee and the relevant Cluster Meeting will be submitted to the Board, through the Operations Committee, for approval.

17. Centre Umpires Committee

- 17.1 There shall be an Umpires Committee appointed by the Board consisting of a minimum of four registered Umpires. The term of appointment shall be for two years, with half of the committee retiring each year, but with the right of reappointment.
- 17.2 Appointments will be made in accordance with Bowls Wellington Regulation 20.
- 17.3 Any casual vacancy shall be filled by the Centre Board on the recommendation of the Centre Umpires Committee.
- 17.4 The Centre Umpires Committee shall elect its own Chair and, subject to any direction from the Centre Board, regulate its own meeting procedure as it deems necessary from time to time.
- 17.5 Finances will be held in a Centre Imprest account and for the exclusive use of the Centre Umpires Committee. There are to be three signatories, two from the Centre Umpires Committee and the Centre CEO. Two signatories are required on all transactions, one of which must be the Centre CEO.
- 17.6 **Functions.**

The functions of the Centre Coaches Committee, subject to any directions from the Centre Board and the Bowls NZ Coaching Coordinator, are:

- 17.6.1 To take such action as it deems appropriate to ensure the provision of competent umpires for the Game of Bowls throughout the Centre District.
- 17.6.2 To make recommendations to the Bowls NZ Umpires Committee regarding alteration, deletions or additions to the Laws of the Game.
- 17.6.3 To foster such educational and other work as may be deemed advisable in order to develop and maintain among all bowlers in the Centre District a high standard of knowledge and appreciation of the Laws of the Game, Regulations, conditions and etiquette of the Game of Bowls.
- 17.6.4 To take such action as it deems necessary to ensure that appropriate records of registered umpires are kept at Centre level.
- 17.6.5 To prepare and submit an annual report on its activities throughout the year for presentation to each Centre Annual General Meeting.
- 17.6.6 To carry out such other functions as may be prescribed from time to time by the Centre Board and/or the Bowls NZ Umpires Committee.

18. Centre Coaches Committee

- 18.1 There shall be a Coaches Committee appointed by the Board consisting of a minimum of four registered Coaches, one of whom will be appointed the Centre Coaching Coordinator. The term of appointment shall be for two years, with half of the committee retiring each year, and with the right of reappointment.
- 18.2 Appointments will be made in accordance with Bowls Wellington Regulation 20.
- 18.3 Any casual vacancy shall be filled by the Centre Board on the recommendation of the Centre Coaches Committee.
- 18.4 The Centre Coaches Committee shall elect its own Chair and, subject to any direction from the Centre Board, regulate its own meeting procedure as it deems necessary from time to time.
- 18.5 Finances will be held in a Centre Imprest account and used exclusively by the Centre Coaches Committee. There are to be three signatories, two from the Centre Coaches Committee and the Centre CEO. Two signatories are required on all transactions, one of which must be the Centre CEO.
- 18.6 **Functions.**

The functions of the Centre Coaches Committee, subject to any directions from the Centre Board and the Bowls NZ Coaching Coordinator, are:

- 18.6.1 To take such action as it deems appropriate to ensure the provision of competent qualified coaches for the Game of Bowls throughout the Centre District.
- 18.6.2 To foster such educational and other work as may be deemed advisable in order to develop and maintain among all bowlers in the Centre District a high level of skill in the Game of Bowls.

- 18.6.3 Recommend to the Centre Operations Committee those coaches who are considered to have the knowledge and ability for their appointment as a coach to the various Representative teams. Appointments to such positions are to be made by the Centre Board on the recommendation of the Centre Operations Committee and the Centre Selectors.
- 18.6.4 To take such action as it deems necessary to ensure that appropriate records of registered coaches are kept at Centre level.
- 18.6.5 To prepare and submit an annual report on its activities throughout the year for presentation to each Centre Annual General Meeting.
- 18.6.6 To carry out such other functions as may be prescribed from time to time by the Centre Board and/or the Bowls National Coaching Coordinator.

19. Centre Greens Committee

- 19.1 There shall be a Greens Committee appointed by the Board consisting of a minimum of four Club Greens Superintendents. The term of appointment shall be for two years, with half of the committee retiring each year, and with the right of reappointment.
- 19.2 Appointments will be made in accordance with Bowls Wellington Regulation 20.
- 19.3 Any casual vacancy shall be filled by the Centre Board on the recommendation of the Centre Greens Committee.
- 19.4 The Centre Greens Committee shall elect its own Chair and, subject to any direction from the Centre Board, regulate its own meeting procedure as it deems necessary from time to time.
- 19.5 Finances will be held in a Centre Imprest account and used exclusively by the Centre Greens Committee. There are to be three signatories, two from the Centre Greens Committee and the Centre CEO. Two signatories are required on all transactions, one of which must be the Centre CEO.
- 19.6 Functions.

The functions of the Centre Greens Committee, subject to any directions from the Centre Board, are:

- 19.6.1 To take such action as it deems appropriate to ensure the provision of suitable greens for the game of bowls throughout the Centre District.
- 19.6.2 To inspect all greens within the Centre District and make recommendations to the Centre Operations Committee on their suitability for use at Centre events.
- 19.6.3 To foster such educational and other work as may be deemed advisable in order to develop and maintain among all Green Superintendents and Green Keepers a standard of knowledge to ensure that the greens in the Centre District are of the highest possible standard. To promote the structures provision and use of greenkeeping training.

- 19.6.4 To maintain contact with NZ Sports Turf Institute and to disseminate agronomic advice and research findings to all Clubs.
- 19.6.5 To take such action as it deems necessary to coordinate the provision of services and chemicals to Clubs.
- 19.6.6 To prepare and submit an annual report on its activities throughout the year for presentation to each Centre Annual General Meeting.
- 19.6.7 To carry out such other functions as may be prescribed from time to time by the Centre Board.

20. Appointment to Centre Committees

- 20.1 The CEO shall no later than the 15th day of April each year, write to all member Clubs and any Umpires, Coaches or Greenkeepers Associations or like organisations and invite applications from suitably qualified persons for the positions on Tournament Umpires, Coaches and Greens Committees. The closing date shall be no later than the 15th day of May each year. The Board will appoint the Members of the Tournament, Umpires, Coaches and Greens Committees no later than the 1st day of July each year. If there are insufficient applications the Board shall appoint suitably qualified persons to fill the positions. The CEO shall no later than 14 days prior to the Centre Annual General meeting, advise all member Clubs of the names of the persons on these Committee. In the event of a vacancy occurring the Board will appoint a suitably qualified replacement

21. Selectors

- 21.1 The Conveners of Men's and Women's Selectors shall be appointed by the Centre Board from applications received. Selectors will normally be appointed for a period of two years.
- 21.2 The Conveners of Men's and Women's Selectors will recommend to the Board through the Centre High Performance Committee appointments of assistants and coaches to their teams.
- 21.3 The duties of the Selectors shall be to select the teams for all Inter-Centre matches and in accordance with the Centre Constitution make nominations for Representative Teams.
- 21.4 **Key Tasks:**
- (a) Select teams at all times on playing form.
 - (b) Hold selection trials as deemed necessary.
 - (c) Observe players to ascertain current playing form and attitude to bowling.
 - (d) Attend Centre fixtures to observe players.

- (e) Maintain record of player's representative appearances in collaboration with the CEO.
- (f) Liaise with Team Managers.
- (g) Liaise with Centre High Performance Committee to prepare a Player Development Programme.

22. Colours

- 22.1 The Centre and all Clubs shall comply with the clause relating to colours set out in the Constitution of Bowls NZ.
- 22.2 The colours of the Centre shall be Gold and Black.
- 22.3 No Club shall use the colours which are the same or similar to the Centre's colours without the prior approval of the Centre Board.

23-26 Reserved

27. Matches, Tournaments, Competitions

- 27.1 **Centre and Club Open Tournaments**
The Centre may approve applications, conditions and posters lodged by its Clubs for the conduct of Club Open Tournaments and may itself conduct Centre Open Tournaments provided posters and/or conditions for such Tournaments conform to Bowls NZ requirements.
- 27.2 **Matches**
The Centre Board shall determine the Inter Centre matches and competitions which it may enter for the Centre during the ensuing season, but the Centre Board shall have power to vary such decisions if, owing to subsequent circumstances it shall deem such variations to be in the best interests of the Centre.

28. Tournament Conditions

- 28.1 Conditions for all tournaments for which Bowls Wellington is the Controlling Body are published annually in the Bowls Wellington Information Handbook.

29. Champion Club Trophy

- 29.1 Points awarded towards the Dominion Cup (Men), and Noel Burn Tray (Women) is awarded as follows:
- 29.2 **Centre Open Events (including 7-Year and Under Pairs and Mixed Pairs)** [If players are from different Clubs points are shared]

BOWLS WELLINGTON REGULATIONS
Updated as at June 2012

	Winner	10 points
	Runner-up	5 points
	Equal third	2 points
29.3	Centre Champion of Champion Events	
	Winner	10 points
	Runner-up	5 points
	Equal third	2 points
29.4	Interclub (Men): best three performed sides, (Women) best two performed sides.	
	Div Winner	10 points
	Div Runner-up	9 points
	Div Third	8 points
	To Div 10 th place	1 point
29.5	Pennant (Women only) best performed two teams:	
	Div Winner	10 points
	Div Runner-up	9 points
	Div Third	8 points
	To Div 10 th place	1 point
29.6	Zone Interclub (Winner only)	10 points
29.7	National Interclub (Winner only)	10 points

30. Player Of The Year

30.1	This trophy is awarded annually to the male or female player who earns the highest number of points as follows:	
30.2	New Zealand Representation	for first appearance in season 100points
30.3	National Tournaments	1 st 100 points
	Singles, Pairs, Fours,	2 nd 50 points
	Club Singles, Pairs,	3 rd 25 points
	Mixed Pairs, Triples, Fours.	
30.4	Bowls Wellington Open Tournaments	
	Open Singles, Pairs, Triples, Fours,	1 st 55 points
	Mixed Pairs, Easter 2-4-2	2 nd 25 points
		3 rd 15 points
30.5	Bowls Wellington Champion of Champions	
	Singles, Pairs, Triples, Fours	1 st 45 points
		2 nd 20 points
		3 rd 10 points
30.6	Representative	
	On each occasion (open grade only, does not include HV/Wellington Zone representatives)	5 points
	Each win	5 points

31. Code of Conduct

31.1 The Bowls Wellington Code of Conduct is attached as Annexure D

ANNEXURE B

REFERAL OF A DISPUTE

Regulation 9.2.1

I,.....
(insert name of member, official or name of Club)

of.....(Club)

.....(address)

am in dispute with

.....

.....
(insert name of member, official or name of Club)

and wish to refer that dispute to the Centre Judicial Committee. The dispute is about the following:

(insert details of dispute including date(s), place and time on which the matter giving rise to the dispute occurred)

.....
.....
.....
.....
.....
.....
.....
.....
.....

This form is to be submitted within 14 days of the alleged incident/s giving rise to the dispute to Bowls Wellington, PO Box 38245, Wellington Mail Centre for consideration by the Centre Judicial Committee.

Signed:

Date:

ANNEXURE C
NOTICE OF APPEAL
Regulation 10.1.4

I,.....(name)

of.....(Club)

.....(address)

give notice that I wish to appeal the decision of:

.....
(insert name of official or committee of a Club/or Centre Controlling Body which gave decision which you are appealing)

which decision was notified to me on.....(date)

on the grounds that: (continue on separate page if necessary)

.....
.....

The outcome which I am seeking from this appeal is: (continue on separate page if necessary)

.....
.....

As required under the Centre’s Judicial Regulations, attached to this Notice of Appeal is:

1. A statement or statements of the facts giving rise to this appeal (i.e. a statement of what happened at, or in connection with, the hearing or the decision of the Club which you are appealing).
2. A submission on why I consider the decision of the Club/Centre Controlling Body is wrong.
3. My cheque for the sum of \$100 payable to “Bowls Wellington Incorporated” being the non-refundable fee for the appeal.

Signed:

Date:

This form and the attachments referred to in it, must be submitted within 14 days of the day on which you were notified of the decision which you are now appealing, to Bowls Wellington, PO Box 38245, Wellington Mail Centre for consideration by the Centre Judicial Committee.

ANNEXURE D

CODE OF CONDUCT

Regulation 30 .1

CODE OF CONDUCT FOR REPRESENTATIVE PLAYERS AND TEAM OFFICIALS

OBJECTIVES

1. To state plainly the way in which players and officials chosen to represent the Centre are expected to conduct themselves as its representatives and the consequences of any breach of the expected and/or agreed standards of behaviour.
2. To ensure that players or officials so chosen are aware of the standards expected and the consequences of breaching those standards.
3. To deal with any grievances arising from any direction made of, or given to a player by the Team Officials.

GENERAL

This code of Conduct is to be followed on all occasions and in all places where the player can be seen to be a representative of the Centre and includes:

- a. The venue of play means the green, surrounds and Clubhouse of the place where the player is about to, or is competing or has competed.
- b. Where the place of competition is out of the Wellington District: Includes the period from departure from to return to the Wellington District and applies equally to any accommodation provided during that period.

PLAYERS OBLIGATIONS

1. **The Competition** – to maintain at all times a high standard of Sportsmanship and fair play. This will of necessity include:
 - (a) always playing to the best of his/her ability and where appropriate to perform as part of a team.
 - (b) abiding by the Laws of the Game, it's Regulations and the Conditions of Play specified by the Controlling Body.
 - (c) respecting and accepting without question any ruling given by the Umpire (subject to any right of appeal given by the Laws).
 - (d) not to take any performance enhancing drug and in particular strictly to comply with any regulations adopted by Bowls New Zealand in regard thereto.

- (e) present himself/herself for competition in an acceptable physical and mental condition and standard of appearance.
- (f) maintain towards opponents an attitude of respect and politeness.
- (g) maintain respect towards fellow team members.

2.

On All Occasions:-

a. To refrain from:

- (1) any behaviour or misconduct (as defined in 25.2 of the Bowls Wellington Constitution) which might reflect unfavourably on the Game, the Centre or the team or its management.
- (2) Making any comment to the media which may be perceived as negative or critical of the representative team or the event and in particular any public announcement or media comment that might bring the Game into disrepute, and
- (3) any discriminatory practices based on race, religion, age, gender or disability.

b. Abide by:

- (1) and comply with all directions of the Team Officials and the Centre
- (2) accept and act upon any judgement of the Team Officials or any other duly appointed official of the Centre as to any unacceptable behaviour;
- (3) the requirements of the Centre and Team Officials as to dress including sponsor's logo's,
- (4) and accept that the representative uniform is for personal representative use only, (unless otherwise authorised by the Centre) and no part is to be given away to or worn by any other person who is not entitled to wear it as a current selected representative of the Centre.

c. Respect the tournament officials, volunteers, officers', members and staff of any club at which the event is being or has been played.

d. Respect the officers and appointed officials of Bowls New Zealand and the Centre.

RESPONSIBILITIES OF TEAM MANAGER AND TEAM OFFICIALS

- 1. To support responsibly the players while at the same time ensuring that any potential breach of this Code of Conduct is drawn to the attention of the player concerned.
- 2. Where the Team Manager or responsible official is satisfied that breach of this Code of Conduct has occurred to take responsible and appropriate action.

3. Report on any breach of this Code of Conduct which has come to his/her attention to the Centre.

Serious breach of Code of Conduct

1. If the Team Manager, having heard any explanation that the player concerned may offer, is satisfied that the player is in serious breach of this Code of Conduct the Team Manager may withdraw that player from the representative team and may require him/her to return home at the player's own expense.
2. Any player who is dissatisfied by any action of the Team Manager in relation to this Code of Conduct may require the Centre to inquire into the conduct in question of the player and the action of the Team Manager in regard to it.

This Code of Conduct has been adopted by the Centre which requires every player selected to represent the Centre and the Team Officials appointed by the Centre to accept its terms prior to their first match of the season.

	Player	Team Manager/Centre Official	Date
Name			
Signature			