

**The relationship, powers and duties of WCF Council, WCF Management Committee,  
The WCF Presidency and WCF Secretariat.**

At the WCF Council Meeting held in May 2009 a discussion took place regarding the relationship, powers and duties of the constituent parts of the World Croquet Federation (WCF).

In particular, the practices that have developed since the inception of WCF do not to some observers, follow the requirements of the WCF Statutes, or, alternatively the WCF Statutes are deficient in adequately describing that relationship and division of various powers granted by the WCF Membership.

The WCF Management Committee (WCFMC) were asked to consider these matters further and make recommendations to the WCF Membership for comment and possible future adoption of changes to the WCF Statutes.

WCFMC has prepared a consultation document outlining the conclusions it has reached together with recommendations for changes to WCF Statutes and now wishes to obtain the views of the WCF Membership, to determine if the draft proposed changes:

1. are sufficient to identify the division of overall and day to day powers and labour;
2. enable the constituent parts of WCF to function in an orderly fashion.

ALL WCF Member Associations have been asked to consider this report and feed-back their views no later than 31.12.09. This will enable WCFMC to consider the next step to implementing any changes.

Individual croquet enthusiasts who wish to contribute are asked to send their submissions to their respective national croquet association."

**Responses**

## **Australia**

Responses in blue

### **The relationship, powers and duties of WCF Council, WCF Management Committee, The WCF Presidency and WCF Secretariat.**

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In particular, the practices that have developed since the inception of WCF do not to some observers, follow the requirements of the WCF Statutes, or, alternatively the WCF Statutes are deficient in adequately describing that relationship and division of various powers granted by the WCF Membership.

The WCF Management Committee (WCFMC) were asked to consider these matters further and make recommendations to the WCF Membership for comment and possible future adoption of changes to the WCF Statutes.

This report and consultation outlines the conclusions reached by the WCFMC together with recommendations for changes to WCF Statutes.

#### **Current Relevant Statutes**

(104.1) The Federation shall be managed by delegates of the Association assembled in General Meetings hereinafter referred to as "the Council".

(105.7) The Committee shall settle all urgent questions subject to confirmation at the next General Meeting and shall have general administrative powers to carry on the work of the Federation and to govern its financial affairs between General Meetings.

(105.14) In the event that the provisions of WCF Rules conflict with the provisions of any Regulations made under them, the provisions of the WCF Rules shall prevail.

925. Matters of routine shall be dealt with by the Secretary-General who shall advise the President of the same.

926. The Secretary-General shall refer to the President all matters which in his opinion cannot properly be dealt with by him.

927. The President shall consult his colleagues by letter or by email whenever he thinks it necessary.

ACA. There is a lot of wisdom in the above and these paras could be a general introduction to the terms of reference outlined in the subsequent proposals. But see below.

#### **Commentary of existing Statutes**

It seems that the above WCF Statutes are deliberately written to take account of the continuing development of the organisation as a World Coordinating body for croquet. Allowing flexibility and freedom to make, hopefully, reasonable decisions within the confines of time, convenience and cost for the benefit of the organisation and its membership and in accordance with its aims and objectives.

However they are sufficiently vague to mean all things to all men with consequent ongoing conjecture and discussion about what can or cannot be done by the various bodies that make up the WCF leading to possible rancour and antipathy amongst the membership.

ACA. Not agreed completely, but more explicit regulations are desirable.

The WCFMC considered carefully the relationship between the WCF Council and WCFMC in particular. In addition, it also considered the basic work undertaken by the Secretariat and its relevance to the existing Statutes.

In doing so it established the following guiding principles.

#### **Guiding Principles**

The WCFMC consider that to establish a reason for change in WCF Statutes, the following principles should be recognised:

- Recognise that the WCF is (constitutionally) run by its members, through the WCF Council, in accordance with Statute 104.1. As such the WCF Council should set/approve policy and budgets, ideally on an annual basis.
- Recognise that the WCF is in practice run by the WCFMC by implementing policy, i.e. making things happen. This will also include playing a significant role in setting policy

and budgets for approval by the membership.

· Recognise that while implementing agreed policy the WCFMC needs to be able to act between Council meetings with a certain "freedom of movement", i.e. without having to refer back to the membership for prior approval. The WCFMC will always be accountable to the membership for its actions.

· Recognise that equally subcommittees, or even individual members, of the WCFMC (elected, exofficio, and coopted) have key roles to play and need to act with a certain "freedom of movement", i.e. without constantly having to refer back to the WCFMC as a whole for prior approval. Likewise those subcommittees and individual members are accountable for their actions to the WCFMC as a whole.

### **Commentary of the Guiding Principles**

The WCF is a member's organisation, run by its member associations, for its member associations.

[ACA. This is not a comment but a repetition of the first point in the last para.](#)

The supreme decision making body is and would remain, the WCF Council of Full voting member associations. For practical purposes much of the WCF responsibilities and work is delegated to the WCFMC. It is considered by WCFMC that the WCF Council and WCFMC should operate within the confines of a defined set of terms of reference. This would lead to greater clarity of the division of responsibilities and powers, delegated or otherwise.

The following are a list of suggested changes to the WCF Statutes to underline and endorse the guiding principles:

### **DRAFT Amendment Proposals**

(102.6) The structure of the World Croquet Federation (WCF) is:

- The President;
- The WCF Council ("the Council");
- The WCF Management Committee ("the MC");
- any other permanent or temporary committee or subcommittee which the Council or MC might decide to set up;
- A Secretariat.

[ACA. Constant repetition is irritating. The abbreviations are defined here and should be used hereafter.](#)

The Chairman and Members of special Committees will be elected by the Council or appointed by the MC.

The WCF shall be directed by the MC, under the conditions laid down in 104.1 and 105.7 below, under the control of the Council, and be administered by the President, assisted by the Secretary General.

(104.1) The Council is the supreme decision making body of the WCF. It is chaired by the President and is composed of representatives of the member organisations. Its terms of reference are:

[ACA. There is no "General Assembly" and "sovereign rights" is meaningless. Associate and Observer members are part of the Council despite having no voting rights.](#)

(104.1.1) To approve decisions of the MC

(104.1.2) To set and approve future policy.

(104.1.3) To approve amendments to the Statutes

(104.1.4) To approve or reject amendments to any Regulations made by the MC.

(104.1.5) To receive and approve annual progress reports of the WCF.

(104.1.6) To confirm the minutes of the last meeting.

(104.1.7) To approve accounts for the previous financial year and the budget for the following year.

(104.1.8) To appoint an auditor.

(104.1.9) To determine the location of the WCF Headquarters.

[ACA. This is not practical. The MC should appoint the auditor.](#)

(104.1.9) To consider applications for membership.

(104.1.10) To consider revisions of members' status.

(104.1.11) To approve the International Sporting Calendar, on proposal of the MC.

(104.1.12) To consider motions for which due notice has been given.

104.1.13) To consider confirmation, revision or removal of any penalties imposed by Rule 206 or 207.

(104.1.14) To elect for 4 years:

- The President;
- Members of the WCF Management Committee.

[ACA. It is illogical for a Treasurer to be appointed by the Council and the Sec-Gen by the MC. Both should be appointed by the MC.](#)

105.7 The MC shall settle urgent questions and have general administrative powers to carry on the work of the Federation and govern its financial affairs between Council Meetings. Its terms of reference are:  
105.7.1 To oversee the enforcement of Statutes and Regulations.

[ACA. The deleted para goes too far. It is superseded by the preamble in 105.7.](#)

105.7.3 To settle any question which cannot await Council subject to the rights of the Council expressed in these Statutes.

105.7.4 To take decisions required by the direction of Council, which are not reserved to or by Council.

105.7.5 To implement policy and actions in pursuit of the agreed aims between WCF Council Meetings particularly with regard to the development of croquet world wide.

105.7.6 To present to Council, each year, its policy proposals, plans for the following year and a budget for that year.

105.7.7 To manage funds provided for in the budget.

105.7.8 To distribute to the relevant Committees or subcommittees, tasks they are to execute, to take decisions concerning the reports of these Committees, and forward them to Members.

105.7.9 To present to Council its recommendations for the admission and the striking off the rolls or expelling of Members, as well as for any sanctions which might be imposed.

105.7.10 To study the Statutes with a view to identifying any possible modification to be proposed to Council.

105.7.11 Subject to 104.1.4 above, to approve all WCF Regulations.

105.7.12 Subject to 104.1.11 above, to approve the holding, venues and dates of WCF events and to recognise their results.

[ACA. Some events may not be championships.](#)

105.7.13 To ensure that all records submitted under its jurisdiction are recognized as rapidly as possible.

105.7.14 To make regular reports to Council on activities of the WCF.

105.7.15 Should the MC consider that the sporting interests of the WCF are not adequately defended in a particular country or a specific territory, the MC may, after consulting the organization affiliated to the WCF if any, take such steps as are in the opinion of the MC necessary and desirable to give effective representation to that country or territory in the various bodies of the WCF.

105.7.16 To appoint or dismiss the SecretaryGeneral and Treasurer.

[ACA. It is agreed that no changes are needed to \(105.14\).](#)

925 All of the WCF institutions are supported by the Secretary General, who deals with routine matters.

[ACA. There is no secretariat, just a Sec-Gen. Some of the old 925 has been re-inserted here.](#)

926 The Secretary General performs duties under the supervision of the President, participates in the implementation of general policies led by the President and framed by the MC, collaborates closely with the various Committees and subcommittees, fulfils all administrative tasks and maintains contact with affiliated Member Associations and other organisations with which the WCF collaborates.

927 DELETED

[ACA. There have been some comments on the Nottingham board, all of which we consider not relevant except whether the WCF should use the appeals mechanism of the Court of Arbitration for Sport. We think that will usually be too expensive although it is the ultimate recourse. The MC should be able to deal with appeals against everything other than its own decisions. If there is such an appeal an independent arbitrator should be used. Refer to the provisions in the Australian Handbook \(on our website\) which have been used with some success. There are a number of players with professional expertise who are usually prepared to act gratis.](#)

#### **Consultation**

WCFMC now wishes to obtain the views of the WCF Membership to determine if the draft proposed changes:

1. are sufficient to identify the division of overall and day to day powers and labour;
2. enable the constituent parts of WCF to function in an orderly fashion.

Member Associations are asked to consider this report and feedback their views no later than 31.12.09. This will enable WCFMC to consider the next step to implementing any changes.

## **England**

Thank you for your consultation about the relationship, powers and duties of the constituent parts of the WCF. This is the CA's response to it.

We were pleased to see the section entitled "guiding principles" and believe that the first priority should be for the WCF and its members to agree those, extending them and ensuring that their implications are understood by fleshing them out with examples. We also agree with the comment that the WCFMC and WCF Council should operate within the confines of a defined set of terms of reference. Only after the guiding principles are agreed will it be time to move to detailed drafting of statutes. Also the "defined set of terms of reference" might, at least in part, take the form of a written protocol or standing orders rather than necessarily or exclusively changes to the statutes.

#### **Role of WCF Council**

In our view, the first of the guiding principles should be strengthened by omitting the parentheses round "constitutionally" and by stating that the Council should take a more active role. For example, we suggest that the following issues should be considered and decided upon by the Council, rather than just the Management Committee.

1. The future programme of WCF Championships, including the general policy of how often they should be held, and the approval of each particular championship, as envisaged by Statute 107.2.6.
2. Approval of an annual budget.
3. Approval of WCF policy for the Management Committee to implement on an annual basis, possibly via approving the business plan.
4. The introduction of any Regulations which make requirements of the Member Associations.
5. The dates of WCF General Meetings (Council meetings).

In most cases we would expect the Management Committee to put a recommendation to the Council, and for the Council then to delegate the details (for example precise dates of Championships) back to the Management Committee. However, we do believe that the Council should have a larger role to play than is the case at present. Communication is vastly easier now than when the WCF was founded, and so this is now easily possible. However, it is necessary to agree a protocol as to how the Council should operate as at present it is largely dysfunctional. We suggest that each full member should nominate a standing representative to the Council, which would allow the Council to actively engage in discussion between meetings, and would allow the timescale for decisions to be reduced.

For example, there should have been more discussion of the amendments to the motion about limits on the number of members an Association can have on the Management Committee. The original motion had unclear wording, but the lack of communication meant that two, similar but not identical, amendments were put to clarify it, with the risk that neither or both could be passed. Had there been better communication, the wording could have been corrected before the motion was formally presented. Even if it had not, better communication would have meant that only one amendment to the motion was put.

#### **Other comments on the Guiding Principles**

We are concerned that the amendments to the WCF Statutes proposed in the consultation document do not reflect our understanding of the guiding principles. Even the first one, to 102.6, appears to rank the President above the Council and its Committees, rather than being subservient to them.

The second guiding principle could be improved by replacing "setting" by "drafting". Regarding the third principle, the WCFMC needs to be able to act with delegated authority, but there must be a mechanism for it to obtain that authority from the Council in each case, or on an annual basis, and there must be a mechanism for it to be accountable to the Council. It would much reduce the risk of unnecessary conflict if it were able to consult with the Council in the persons of the representatives suggested above over any contentious issues. Specifically, we favour importing the "call-in" procedure used in English local government whereby, in relation to such issues, the WCFMC publishes its provisional decision and gives the WCF members a reasonable period (e.g. 21 days) within which to comment or, no doubt only in rare cases, to call an EGM under Statute 107.4. In practice, we expect that most decisions would be able to be confirmed at the end of the call-in period but the membership would feel confident that their views had been listened to. We find it difficult to think of significant issues that are so urgent that they could not wait until the end of such a call-in period.

We would take the fourth principle further and we suggest that the WCF should increase the number of specialist committees to which areas, such as the organisation of Championships, were delegated. This might help build horizontal links between the member Associations through the work of enthusiasts with specific expertise. We think it is worth considering whether some of the WCF committees should be appointed by and ultimately report to the WCF Council rather than the WCFMC.

Finally, as an additional principle, we consider that the role of President should be more like that of the chairman of the Council and of the Management Committee, rather than that of a Chief Executive Officer.

#### **2010 Council Meeting**

The CA would like there to be a WCF Council meeting in 2010, probably in London on Monday, 23<sup>rd</sup> August, 2010, the day following the scheduled end of the MacRobertson Shield and World Team Championships. One item on the agenda should be these proposals, with a view to at least agreeing the guiding principles and asking the Management Committee to draft amendments to the statutes accordingly.

Yours Sincerely,

Jonathan Kirby  
Chairman, CA International Committee.  
8<sup>th</sup> January, 2010

## **Italy**

The Federazione Italiana Sport Croquet (Italian Croquet Association) considers the draft proposed changes to be sufficient to identify the division of powers and labour, and to enable the constituent parts of WCF to function in orderly fashion.

Best regards,  
Andrea Pravettoni  
Federazione Italiana Sport Croquet

## **Scotland**

THE SCA VIEW IS AS FOLLOWS:

In general, the principle of defining the various levels of responsibility within WCF is sound. In particular, SCA sees some problems, as follows:

The hierarchy is unclear, with the President being effectively the Chief Executive, and the Secretary General being the Chief Operating Officer. The Management Committee could be the Executive Board, with the WCF Council including the Non-Executive Directors. However, the proposal is that the Secretary General is appointed by the Management Committee, and SCA feels that this should be separated from that Committee. The Council (i.e. the Non-Executive Directors) tends to comprise almost random representatives from Voting Members of WCF that are available for Council Meetings, usually at World Championships. If each Voting Member had to nominate its Council Members (possibly by election within that NGB), then those Council Members not on the Management Committee (or a subset) could form the Selection Committee for the appointment of a Secretary General. The proposal is for annual budgets, reports, etc., but the WCF Council does not meet annually.

The idea that ex officio members, or sub-committees (appointed by the President, or by the Management Committee) might take action without control (referred to as "freedom of movement") is unacceptable, and even dangerous. The comment that such actions are ultimately under the control of Council is naive, given the way Council currently works (and there is no proposal to change that included here).

Given the use of electronic technology, nobody is "on their own", and all individuals can ensure that the persons or committee to whom they are responsible are kept fully informed all the way, and electronic discussions, debate and agreement may be easily achieved in a timely manner.

Finally, the proposed 105.7.15 looks odd at face value, as other World Bodies "interfering" with NGBs in their sport has led to problems in some cases – has this been thought right through?

Bruce Rannie,  
Chairman, SCA  
27 December 2009

## **South Africa**

SACA does not wish to comment on the matter.

Kind regards  
Ellis

## **Spain**

Thank you very much for your reminder. After carefully considering the consultation document prepared by the WCFMC the Spanish Croquet Association opinion is that the draft proposed changes:

1. are sufficient to identify the division of overall and day to day powers and labour;
2. enable the constituent parts of the WCF to function in an orderly fashion.

Best regards,  
Jose L. Alvarez-Sala  
Asociación Española de Croquet (Spanish Croquet Association), President  
5th December 2009