

**THE BY-LAWS OF PETANQUE AUSTRALIA**  
**(“The By-Laws”)**

**1. These By-Laws**

- 1.1 These By-Laws provide for the regulation and conduct of the sport of Petanque in Australia and will apply to
- 1.1.1 Players
  - 1.1.2 Clubs
  - 1.1.3 State Leagues
  - 1.1.4 State Petanque Umpires Committees
  - 1.1.5 Australian Petanque Umpires Committee
  - 1.1.6 Petanque Australia.
- 1.2 These By-Laws were adopted by Australian Petanque Federation Inc. by its Board of Directors and will be adopted by Petanque Australia Ltd upon its succession to Australian Petanque Federation Inc. Petanque Australia Ltd is a public company, limited by guarantee, pursuant to the *Corporations Act* 2001. For the purposes of these By-Laws, the term Petanque Australia means Australian Petanque Federation Inc. and Petanque Australia Ltd.
- 1.3 These By-Laws may be amended by the Board, subject that:-
- (a) a proposed amendment to the By-Laws will be notified in writing to each Club, State League, State Petanque Umpires Committee and the Australian Petanque Umpires Committee not less than twenty-eight (28) days prior to a meeting of the Board at which the proposed amendment will be considered and voted on by the Board;
  - (b) a notification referred to in By-Law 1.3(a) will specify the date of the Board meeting and will call for objections, if any, to the proposed amendment;
  - (c) an objection referred to in By-Law 1.3(b) will be set out in writing and forwarded to the Secretary of Petanque Australia by mail, facsimile or such other electronic means as set out in the notification;
  - (d) the Board will consider and discuss all written objections received prior to the proposed amendment being put to a vote;
  - (e) a vote by the Board to amend these By-Laws must be passed by no less than three-quarters of members of the Board entitled to attend and vote at a meeting of the Board;
  - (f) the Secretary will advise each Club, State League, State Petanque Umpires Committee and the Australian Petanque Umpires Committee in writing of any amendment which has been passed by the Board and the effective date of that amendment; and
  - (g) any amendment to the By-Laws which is violation of these By-Laws shall be invalid and without effect.
- 1.4 Notwithstanding By-Law 1.3, the By-Laws may be amended by a Special Resolution passed at an Annual General Meeting of Petanque Australia.
- 1.5 An amendment to these By-Laws means and includes a:-
- (a) deletion of an existing By-Law; or
  - (b) variation of an existing By-Law; or
  - (c) addition of a new By-Law;
- and a number of amendments may be considered and voted on simultaneously.

- 1.6 The Board may from time to time publish the By-Laws incorporating all approved amendments to the date of publication and provide a copy of the consolidated By-Laws to each Club, State League, State Petanque Umpires Committee and the Australian Petanque Umpires Committee.
- 1.7 A Club will make a copy of the By-Laws available to all Players of the Club.
- 1.8 These By-Laws complement the Constitution of Petanque Australia but in the event of any conflict or inconsistency between them then the Constitution of Petanque Australia will prevail.
- 1.9 In the event that these By-Laws conflict or are inconsistent with the Constitution or the Rules of any Club, State League, State Petanque Umpires' Committee and the Australian Petanque Umpires Committee, then these By-Laws will prevail to the extent that these By-Laws relate to the sport of Petanque.

## **2. Players**

- 2.1 All Players will be licensed on an annual 'seasonal' basis, as prescribed by Petanque Australia, with the Player being issued with a Player's Licence being in a form as determined by Petanque Australia.
- 2.2 The Player's Licence will indicate:-
  - (a) the Player's name;
  - (b) the Player's category;
  - (c) the Player's Club;
  - (d) the Player's State/Territory of residence;
  - (e) the season for which it is issued; and
  - (f) the Player's photograph (if so required).
- 2.3 A Player may hold only one Player's Licence and be licensed to only one Club.
- 2.4 Player's Licences will be issued by a Club to a Player upon the payment of the annual Player Subscription by the Player to that Club.
- 2.5 A Club may issue a replacement Player Licence in the event that the original is lost or destroyed and the Club may levy such reasonable charge it considers appropriate for the cost of the replacement licence.
- 2.6 A new Player will make application in writing to join a Club in such form as the Club determines and will agree to be bound by these By-Laws and the Constitution or Rules of the Club and shall agree to pay the annual Player Subscription as determined from time to time by the Club.
- 2.7 A Player by making application to join a Club and by holding a Player's Licence will be deemed to have agreed to accept and be bound by The Official International Rules of the Game of Petanque as published including any amendments thereto.

### **3. Player Categories**

#### 3.1 Player categories will be:

- 'Senior': players who are 18 years of age, or older, at the start of the season or players attaining 18 years of age during the current season;
- 'Junior': players attaining 15, 16 or 17 years of age during the current season;
- 'Cadets': players attaining 12, 13 or 14 years of age during the current season;
- 'Minimes': players aged 11 years or less but not attaining 12 years of age during the current season.

Players, under 8 years of age, may participate in an official Senior competition only if playing with that person's father, mother or guardian.

#### 3.2 A person who is not licensed in accordance with By-Law 2 will be deemed to be a 'Social Player' and his or her participation in the sport of Petanque at any Club will be determined by that Club.

### **4. Player Database**

#### 4.1 Each Club and League will maintain a Player Database in such format and by such methods as determined by Petanque Australia.

#### 4.2 The Player Database will contain only such information approved by Petanque Australia to be recorded.

#### 4.3 The Player Database will be used by the Club only for the purposes of administration and the conduct of training and competition and no Player Database or any part thereof will be sold, given, hired or otherwise supplied in any format to any third party except as expressly permitted by Petanque Australia in accordance with the Privacy Policy adopted by Petanque Australia.

#### 4.4 The Club will provide the Player Database, or extracts thereof, to its State League and to Petanque Australia as and when requested and in the format stipulated.

#### 4.5 Petanque Australia and a State League will not sell, give, hire or otherwise provide any Player Database or any part thereof to any third party.

### **5. Change of Club**

#### 5.1 A Player may elect during a three month period in any year, as determined and published by Petanque Australia, to change Club subject to receiving a clearance form from his or her current club and no Club will unreasonably withhold the issue of such a clearance form. An election to change Club must be set out in writing and delivered to the current Club during the period so determined and published by Petanque Australia.

#### 5.2 Apart from the period set out in By-Law 5.1, no Player will at any other time be entitled to change Club unless the usual residential address of that Player has changed or is about to change to the extent that continued membership with the current Club would be considered unreasonable.

- 5.3 A change of Club is conditional upon the Player presenting to the new Club a clearance form signed by the President and Secretary of the former Club.
- 5.4 A Club may refuse to issue a clearance form in the event that any Player Subscription money is owing by the Player to the Club or in the event of any other moneys owed by the Player to the Club in respect of fines or the purchase of any goods or services.
- 5.5 Any dispute involving a change of Club may be referred by either the Club or the Player to the State League for deliberation and resolution; and any resolution by the State League will be final and binding on all parties.

## **6. Player Subscription**

- 6.1 Each Player will pay, in advance, an annual Player Subscription to their Club and the amount payable will be received by the Club no later than a date as determined by the Club.
- 6.2 The determination of the amount of annual Player Subscription, from year to year, shall reside at all times with each Club, and such determination shall include provision for the Petanque Australia Levy.
- 6.3 The Petanque Australia Levy, determined from year to year by Petanque Australia, shall be calculated and applied on a "per Player" basis and shall be payable to Petanque Australia on or by due date determined by Petanque Australia.
- 6.4 A Club may determine such policies in relation to annual Player Subscriptions or any other Subscriptions as the Club deems appropriate and necessary.

## **7. Player Undertakings, Complaints, Disputes & Mediation**

- 7.1 A Player, or a spectator who is a Player, will at all times display a sportsmanlike manner and participate in the sport with honesty and the utmost integrity.
- 7.2 No Player will engage in behaviour or encourage another or others to behave in a manner which is offensive to other Players, members of another Club or the community at large, or that in any way brings the sport of Petanque into disrepute.
- 7.3 A complaint lodged with a Club about a Player or a number of Players will be referred to the President of the Club for investigation who may then elect to:-
  - (a) determine that there is inadequate or no foundation to the complaint;
  - (b) warn the Player or Players about whom the complaint was lodged that his, her or their behaviour was unacceptable or unbecoming and that further such behaviour will be referred to the Committee of the Club for possible disciplinary action; or,
  - (c) if appropriate, refer the complaint to the Committee of the Club for their deliberation and resolution.
- 7.4 A dispute between Players of the same Club, other than a dispute being the interpretation of the rules of Petanque, will whenever possible be resolved between themselves without delay and without disruption to the Club. In the event that such a dispute cannot be resolved by the Players, then the dispute will be referred to the President, or the President's delegate, for mediation and resolution. Any decision by the President, or the President's delegate, in dispute resolution will be final and binding on the Players in dispute.

7.5 A dispute between Players of more than one Club within the same State or Territory, other than a dispute being the interpretation of the rules of Petanque and which cannot be resolved, will be referred to the Presidents of the Clubs to which the Players belong. If the Presidents cannot resolve the dispute, then the dispute shall be referred to the State League. Any decision by the State League in dispute resolution shall be final and binding on the Players in dispute and their respective Clubs.

7.6 A dispute between Players of more than one Club not within the same State or Territory, other than a dispute being the interpretation of the rules of Petanque and which cannot be resolved, will be referred to the Presidents of the respective State Leagues. If the Presidents of the State Leagues cannot resolve the dispute, then the dispute shall be referred to Petanque Australia. Any decision by Petanque Australia in dispute resolution will be final and binding on the Players in dispute, their respective State Leagues and their respective Clubs.

## **8. Clubs**

8.1 A State League will at its sole discretion determine that a Club is affiliated, or otherwise, and such determination will be made recognising that a Club:

- (a) has agreed to be bound by these By-Laws;
- (b) has agreed to accept and be bound by the Official International Rules of the Game of Petanque as published and as amended from time to time;
- (c) the purposes or objects of the Club are consistent with the objects of Petanque Australia and these By-Laws;
- (d) undertakes to promote the sport of Petanque;
- (e) undertakes to participate in competitive playing of Petanque; and
- (f) meets such other requirements as may be determined by Petanque Australia as adopted Policies.

8.2 A Club shall:-

- (a) subject to By-Law 8.3, have not less than 6 Players (Senior Player Category);
- (b) subject to By-Law 8.3, be an incorporated association pursuant to the relevant legislation relating to incorporated associations in the state or territory where the Club is resident, or a corporation, limited by guarantee;
- (c) subject to By-Law 8.3, have set out a Statement of Purposes (or such other similar statement) for the purposes of incorporation as an association, or have set out objects for the purpose of registration as a corporation, which accords with the objects of Petanque Australia as set out in its Constitution (and, in the event that the primary purpose of the Club is not the sport of Petanque, that the Statement of Purposes of that Club, or its such other similar statement, must be capable of being read down as so not to be incompatible with the objects of Petanque Australia);
- (d) have adopted Rules or a Constitution, as the case may be, for the regulation and internal management of the Club which provide for the appointment of a Committee of Management or a Board of Directors comprising at least the offices of President, Secretary and Treasurer or equivalent offices ("the officeholders") (in the event that the primary purpose of the Club is not the sport of Petanque, then the reference to "Committee of Management or a Board of Directors" shall mean a committee within the Club responsible for the management of the sport of Petanque within that Club);
- (e) for the purposes of By-Law 8.2(d) an officeholder must be a Player;

- (f) subject to By-Law 8.3 have adopted Rules, which provide for the election of officeholders by financial members of the Club with each financial member, having the right to vote, being entitled to one vote;
  - (g) by Special Resolution or by inclusion of a rule within the Rules or Constitution of the Club, agree to be bound by these By-Laws including any amendments to them;
  - (h) ensure that all Players abide, and agree to be bound, these By-Laws including any amendments to them; and
  - (i) advise all Players (Senior Player Category) of any proposed amendment to the By-Laws and call for objections, if any, to such proposed amendment.
- 8.3 Petanque Australia may, in its sole discretion, exempt a Club from strict compliance with By-Laws 8.2(a),(b) and (c) and review such exemption or exemptions from time to time.
- 8.4 A Club may participate in, and engage in the promotion of sports other than Petanque and such other sports may be the major sports conducted by that Club. In the event that Petanque is not the sole sporting activity of the Club, then the Club will by its Rules or Constitution, or by the passing of a resolution, acknowledge Petanque Australia as the governing body for the sport of Petanque in Australia, and determine or resolve that
- (a) the Club wishes to be an affiliated club with Petanque Australia;
  - (b) that the members of the Club engaging in the sport of Petanque as Players agree to be bound by these By-Laws including any amendments;
  - (c) undertake to promote the sport of Petanque;
  - (d) undertake to participate in Petanque events; and
  - (e) apply and collect from the Players the Petanque Australia levy and remit the Petanque Australia levy to Petanque Australia.
- 8.5 Each Club will:-
- (a) determine a Club Fee per Player for the next season, which will provide adequate revenue to the Club to meet its expenses and other outgoings;
  - (b) remit Petanque Australia Levies to Petanque Australia by a date determined by Petanque Australia;
  - (c) provide an updated Player database to Petanque Australia and/or the State League at such intervals as requested by Petanque Australia and/or the State League;
  - (d) advise Petanque Australia and the State League of any change of officeholders;
  - (e) advise Petanque Australia of any claims or likely claims that have arisen or are likely to arise in respect of Player Insurance; and
  - (f) ensure adequate and timely compliance with all its statutory obligations and requirements.
- 8.6 Notwithstanding the right of a Club to elect and determine its Committee of Management or Board of Directors, those persons elected to such Committee or Board will at all times accord with and advance the objects of Petanque Australia and, in the event that a member or members of such a Committee or a Board shall act and continue to act contrary to such objects or in a manner contrary to the best interests of the sport of Petanque, the Club may be asked by Petanque Australia by way of an official notice for such conduct to cease and the official notice shall upon its receipt by the Club be circulated to each member of its Committee of Management or Board of Directors and tabled at the next meeting of the Committee or Board.
- 8.7 Subject to these By-Laws, a Club will determine and conduct its affairs as it so determines from time to time and will enjoy the freedom to do so.

## **9. State Leagues**

- 9.1 In any state or territory that has two or more Clubs, a State League will be established.
- 9.2 These By-Laws recognise the independence of a State League, the right of a State League to determine and conduct its affairs as it so determines from time to time and its right to enjoy the freedom to do so, but subject that its determinations and its conduct are not contrary to or in conflict with the Constitution of Petanque Australia, these By-Laws or The Official International Rules of the Game of Petanque and a State League will utilise and employ its best endeavours to achieve accordance with the foregoing and ideally it will attempt to:-
- (a) be an incorporated association pursuant to the relevant legislation relating to incorporated associations in the state or territory where the State League is resident, or a corporation limited by guarantee;
  - (b) set out a Statement of Purposes (or such other similar statement), for the purposes of incorporation as an association, or have set out objects in its Constitution for the purposes of registration as a corporation, which accord with the objects of Petanque Australia as set out in its Constitution;
  - (c) adopt Rules or a Constitution for the regulation and internal management of the State League which provide for the appointment of a Committee or Board comprising at least the offices of President, Secretary and Treasurer or equivalent (“the officeholders”), subject that such persons are Players, with each officeholder ideally holding office for a period of three (3) years;
  - (d) adopt Rules which provide for the election of officeholders by the Clubs in that state or territory with each Club being entitled to:
    - (i) one vote if the number of Players on its Player Database is less than 36;
    - (ii) two votes if the number of Players on its Player Database is 36 or greater but less than 71; and
    - (iii) three votes if the number of Players on its Player Database is 71 or greater; but excluding from such count any Player who is deemed unfinancial;
  - (e) by Special Resolution or by inclusion of a rule or a regulation within the Rules or the Constitution of the State League, agree to be bound by these By-Laws including any amendments to them.
- 9.3 A State League will perform the following functions:-
- (a) to promote the sport of Petanque in the state or territory in which the State League resides;
  - (b) maintain liaison with state/territory government, statutory bodies and institutions for the promotion of the sport, procurement of financial and other facilities as may be available;
  - (c) maintain liaison with corporate bodies, government, statutory bodies and institutions for financial support through sponsorships and advertising;
  - (d) in association with Petanque Australia, co-ordinate tournaments within the state/territory;
  - (e) co-ordinate competition between Clubs;
  - (f) liaise with the State Petanque Umpires Committee of that state/territory;
  - (g) provide dispute mediation and resolution as and when requested by Clubs;
  - (h) engage in coaching and junior player development; and
  - (i) undertake such other functions as are mutually agreed by the State League and Petanque Australia.

- 9.4 A State League will receive revenue from the following sources:-
- (a) an annual financial distribution from Petanque Australia;
  - (b) any surplus resulting from the holding of a tournament, subject to such tournament not requiring prior-approval by Petanque Australia to be held;
  - (c) any money being raised through government grants or sponsorships;
  - (d) gifts and donations; and
  - (e) any other sources as it deems appropriate.
- 9.5 A State League will appropriate its revenue in:-
- (a) meeting its ongoing costs of administration and operations;
  - (b) meeting the ongoing costs of operation of the State Petanque Umpires Commission;
  - (c) providing financial assistance to Clubs;
  - (d) promoting the sport to the general public;
  - (e) defraying the cost of future tournaments and competitions;
  - (f) providing coaching and other training materials and aids to Clubs, schools and other organisations; and
  - (g) any other appropriations as it determines appropriate but subject to any limitations contained in its Statement of Purposes.

## **10 State Petanque Umpires Committees**

- 10.1 A State Petanque Umpires Committee will be established in each state or territory, which has a State League and will comply with the directives and guidelines of the Australian Petanque Umpires Committee.
- 10.2 A State Petanque Umpires Committee:-
- (a) may be an incorporated association pursuant to the relevant legislation relating to incorporated associations in the state or territory where the Committee is resident, or a corporation limited by guarantee, or may be an unincorporated association;
  - (b) if an incorporated association or a corporation, will have a Statement of Purposes (or such other similar statement) or objects which accords with the objects of Petanque Australia as set out in its constitution;
  - (c) will adopt Rules and By-Laws, set out in writing, but to the extent that they do not conflict with the By-Laws and Policies of Petanque Australia, the Rules and By-Laws adopted by the Australian Petanque Umpires Committee and to the extent that they are in harmony with the Rules and By-Laws adopted by other State Petanque Umpires Committees;
  - (d) will, in determining its Rules and By-Laws, stipulate the minimum number of persons who will constitute the Committee, the positions of office and the period of tenure of office, the qualifications and criteria for holding office, and the right or otherwise to vote; and
  - (e) will abide by any policy document released by the Australian Petanque Umpires Committee as to a code of conduct for umpires, the testing and grading of umpires, the capacity of umpires according to grading to umpire the compilation of competition reports, recommendations for sanctioning of Players and such other codes and guidelines that can reasonably be considered to be the domain of the Australian Petanque Umpires Committee.

- 10.3 The functions of a State Petanque Umpires Committee will be:
- (a) to have exclusive authority to nominate umpires for tournaments and championships within the state or territory and under the control of the State League;
  - (b) to provide umpires for interstate and national tournaments subject to approval by the Australian Petanque Umpires Committee;
  - (c) to establish, within the guidelines (if any) laid down by the Australian Petanque Umpires Committee, rules and/or directions in respect of the capacity of individual umpires to umpire, guidelines as to adjudication in competitions and tournaments, the reporting of Players and/or teams to the State League or a Disciplinary Committee within the State League, the right and conditions of umpires' participation as a Player in a competition or tournament, and the conduct of umpire examinations; and
  - (d) to provide general education services to Clubs, with particular reference to the Rules and the conduct of the sport of Petanque.
- 10.4 A State Petanque Umpires Committee shall at all times be independent of any Club and the State League.
- 10.5 A State Petanque Umpires Committee may receive reimbursement of previously agreed and reasonable expenses from the State League of its state or territory or the Australian Petanque Umpires Committee.
- 10.6 A member of the State Petanque Umpires Committee will, with the prior approval of his or her Committee, be entitled to receive reimbursement for the reasonable cost of travel and accommodation associated with attending a competition or tournament where it is deemed that the travelling distance is significant and overnight accommodation is warranted.
- 10.7 The State Petanque Umpires Committees may between them unanimously agree to adopt a uniform set of Rules and By-Laws, subject to these By-Laws, that will apply to each and every Committee and the method for subsequent amendment or variation.

## **11. Australian Petanque Umpires Committee**

- 11.1 The Australian Petanque Umpires Committee will be a national committee of umpires, membership of which is restricted to qualified umpires, and will comprise a least one member from each state and territory in which a State League has been established.
- 11.2 The members of the Australian Petanque Umpires Committee will comprise the President of each State Petanque Umpires Committee and such other persons invited by the Australian Petanque Umpires Committee who between all of them will elect a President and a Vice-President and such other positions of office as are deemed necessary and the officeholders will be elected for a period of three years.
- 11.3 Subject to By-Law 11.2, membership of the Australian Petanque Umpires Committee by virtue of a person holding the office of President of a State Petanque Umpires Committee will cease upon the person ceasing to hold that office in a State Petanque Umpires Committee.

- 11.4 The Australian Petanque Umpires Committee:
- (a) may be an incorporated association pursuant to the relevant legislation relating to incorporated associations in any state or territory within, or a corporation limited by guarantee, or may be an unincorporated association;
  - (b) if an incorporated association or a corporation, will have a Statement of Purposes (or such other similar statement) or objects which accords with the objects of Petanque Australia as set out in its constitution; and
  - (c) will adopt its Rules and By-Laws, to be set out in writing, but to the extent that the Rules and By-Laws do not conflict with the By-Laws and Policies of Petanque Australia.
- 11.5 The Australian Petanque Umpires Committee will authorise three of its members to maintain communication with Petanque Australia: these members will be the President, the Vice-President and one other person selected by a majority of its members.
- 11.6 The Australian Petanque Umpires Committee will:-
- (a) co-ordinate and assist the State Petanque Umpires Committees;
  - (b) assist Petanque Australia in the interpretation and proposed amendment of Rules for the playing of Petanque, in all its aspects, according to the rules of F.I.P.J.P.;
  - (c) supervise and/or direct umpire examinations throughout Australia;
  - (d) select umpires for national and international tournaments as required;
  - (e) produce *Codes of Conduct* and *Statements of Directions* in respect of umpiring in respect of the capacity of individual umpires to umpire, guidelines as to adjudication in competitions and tournaments, the reporting of Players and/or teams to a State League or a Disciplinary Committee (howsoever named) within a State League, the right and conditions of umpires' participation as a Player in a competition or tournament, the conduct of umpire examinations and the criteria for umpire grading.
- 11.3 The Australian Petanque Umpires Committee will meet as required, and may meet either in person or by other methods.

## **12. Petanque Australia**

- 12.1 Petanque Australia will be a corporation, limited by guarantee, pursuant to the *Corporations Act* 2001, and its' name will be Petanque Australia Ltd. The members of corporation will be Clubs.
- 12.2 The Petanque Australia constitution will provide for the appointment of a Board of Directors ("the Board") comprising:
- (a) President;
  - (b) Vice-President;
  - (c) Secretary; and
  - (d) Treasurer;
- subject that a person so appointed is a Player.
- 12.3 Petanque Australia is the peak body controlling the sport of Petanque in Australia and will maintain liaison and be affiliated with the international peak body controlling the sport of Petanque: F.I.P.J.P.

- 12.4 Petanque Australia will market and promote the sport of Petanque nationally and will liaise and co-ordinate marketing activities with State Leagues, and appoint one of the Board to supervise and be responsible for this function.
- 12.5 Petanque Australia will maintain liaison with federal government, principally its sports ministries and authorities, and may assist in liaison with state and territory governments in conjunction with State Leagues, and appoint one of the Board to supervise and be responsible for this function.
- 12.6 Petanque Australia will establish and maintain appropriate national secretarial records, including a national Player Database, and ensure compliance of affiliated parties with By-Laws and attend to national administrative matters.
- 12.7 Petanque Australia will develop and publish Policy Statements ('Policies') on such matters and topics as it considers appropriate and seek input in the development of such Policies. Without limiting the generality of this By-Law, such Policies may relate to the conduct of the sport of Petanque, the development of a Privacy Policy, the role of Petanque within both the sporting community and the community generally, the development of promotional and sponsorship standards, determination of calendars, sport development and encouragement. The development of policies will, at all times, ensure that the sport of Petanque is conducted without bias or prejudice of a racial, religious, sexist or political nature.
- 12.8 Petanque Australia will establish and monitor financial compliance and make financial distributions to State Leagues
- 12.9 Petanque Australia will organise and co-ordinate all national tournaments and determine those Players who will represent Australia at any international tournament.
- 12.10 Petanque Australia will appropriate its revenue in:-
  - (a) meeting its ongoing costs of administration and operations;
  - (b) providing funding to State Leagues;
  - (c) promoting the sport to the general public; and
  - (d) defraying the cost of future tournaments and competitions.
- 12.11 Petanque Australia will arrange, subject to any limitation of cost of premium, a national Player insurance scheme to provide Players with insurance protection while participating in the playing of Petanque and such other insurance policies whether for Clubs Players or other persons as it considers appropriate. The determination of the extent of the insurance coverage and the terms of the insurance policy or policies will be at the sole discretion of Petanque Australia and the cost of the policy or policies recovered through the imposition of a Player Insurance Levy. This By-Law must not be interpreted as an undertaking by Petanque Australia to hold insured any Club or Player or other person and the liability of Petanque Australia is accordingly limited to any amount that may be recovered or recoverable from an insurer under a policy existing at the time of any injury or damage.
- 12.12 Notwithstanding By-Law 12.11, Petanque Australia may in its sole discretion determine that a national Player scheme not be established or that it be deferred or that it lapse.
- 12.13 Petanque Australia will be responsible for all official nationally distributed publications for the sport of Petanque and will ensure that a copy of the official rules is available to all Players.

### **13. Ineligibility For Office**

- 13.1 No Board Member of Petanque Australia will, during the tenure of such office, be an officeholder of a State League but can remain an active Player within his or her Club and hold office within the Club.
- 13.2 No Club President will, during the tenure of such office, be a member of the Board of Petanque Australia.

### **14. Participation in Championships and Tournaments**

- 14.1 Participation in Australian National Championships is restricted to Players who are Australian Citizens who have been continuously licensed by Petanque Australia for a period of twelve months (unless otherwise published by Petanque Australia Ltd. from time to time) or approved residents (See Clause 14.2).
- 14.2 A non-Australian citizen who can prove 3 years presence in Australia and who has held a Petanque Australia Ltd. licence for 3 years and remains a member of a fully affiliated Club in Australia is allowed to play in the Australian National Championships in Triplettes and Doublettes only, and could represent Australia in official competition (refer to the F.I.P.J.P. regulations).
- 14.3 Participation in state championships will be open only to Players whose Club is resident in that state or territory.
- 14.4 Participation in a tournament which Petanque Australia will deem to be an "Open Tournament" will be open to any Player of any state or territory and any person who is a licensed player from another country.
- 14.5 Participation in a social tournament is open to any Player and unlicensed players but subject that:
- (a) a Player may be entitled to a discount on any social tournament fees; and
  - (b) all unlicensed players will be advised that they are not insured under any policies of insurance effected by Petanque Australia;
- and the use of recreational or social boules for such tournaments will be acceptable.
- 14.6 A participant in a championship or tournament, other than a social tournament, will produce his or her licence before the start of play as directed.

### **15. Participation in International Events**

- 15.1 Participation in international events, where the Player represents Australia, will be restricted to Players who are Australian citizens and whose residence is deemed to be Australia except as provided in these By-Laws.

- 15.2 A Player, who is not an Australian citizen, may represent Australia in a team event but subject that:
- (a) two (2) other Players are Australian citizens, and
  - (b) the Player, who is not an Australian citizen, has been licensed in Australia for the past 5 years continuously and undertakes that he or she will not represent his or her own country of citizenship in international competition for a period of five (5) years from the date of representing Australia.

## **16. Calendar of Championships and Open Tournaments**

- 16.1 Petanque Australia will publish an annual Australian calendar of championships and open tournaments to be held in Australia and include in it all international championships and tournaments in which Players may, or are anticipated to, participate. The preparation of the calendar will be undertaken in consultation with State Leagues.
- 16.2 A State League will publish a state calendar of championships for that state or territory and submit the calendar to Petanque Australia. No state championship will be convened for the same day that a national championship is scheduled and clashes with an open tournament is to be avoided whenever possible.
- 16.3 In the event of any conflict between the Australian calendar of championships and open tournaments and a state calendar then Petanque Australia will determine what events will be convened.

## **17. Umpire Control of Championships and Tournaments**

- 17.1 The competition component of any tournament sanctioned by Petanque Australia or a State League will be under the control of an umpire.
- 17.2 The umpire will be determined by:
- (a) for a state championship or state tournament, then by the State Petanque Umpires Committee; and
  - (b) for a national championship or national tournament then by the Australian Petanque Umpires Committee.
- 17.3 An umpire appointed to conduct a championship or tournament will be assisted by the State League of the state or territory in which the championship or tournament is conducted to verify Player licences and the running of the championship or tournament.
- 17.4 An umpire appointed to conduct a championship or tournament will ensure that the Rules of Petanque are strictly adhered to at all times and that no breaches of these By-Laws occur.
- 17.5 The State League of the state or territory in which the championship or tournament is conducted may, if warranted, request the Australian Petanque Umpires Commission to replace an umpire.

## **18. Australian National Championships**

18.1 The following By-Laws will apply to the Australian National Championships:

- (a) Triplettes (Men, Women and Juniors):
  - (i) Competitions are open to teams of 3 Players.
  - (ii) Players may form their team with Players from any state.
  - (iii) A team in a Men's Competition may be comprised of any combination of Senior or Junior Players, but with no more than one female Player per team.
  - (iv) A team in a Women's Competition may be comprised of any combination of Senior or Junior Players but will no male Players permitted.
- (b) Doublettes (Men):

This competition is open to a team comprising 2 male Players either Senior or Junior Players or a combination.
- (c) Doublettes (Women):

This competition is open to a team comprising 2 female Players either Senior or Junior Players or a combination.
- (d) Mixed Doublettes  
This competition is open to a team comprising one male and one female Player either Senior or Junior Players or a combination.
- (e) Doublettes (Juniors):

This competition is open to Junior Players with the team comprising 2 males or 2 females or 1 male and 1 female.
- (f) Singles:

This competition is open to a Senior or Junior Player.
- (g) A team comprising Players from mixed states shall not be eligible to represent a 'one-state'-based competition.

## **19. Championship and Tournament Leaflets**

19.1 Details will be published, in advance, for each national and state championship and tournament setting out:

- (a) name of the State League;
- (b) name of the championship or tournament;
- (c) name of the organising committee;
- (d) name of the umpire;
- (e) names of the members of the jury;
- (f) ground location;
- (g) date and commencement time;
- (h) system of play;
- (i) prizes; and
- (j) entry fees.

19.2 For the purposes of By-Law 19.1, "publication" means a printed or copied document adequately displayed and/or circulated and in accordance with The Official International Rules of the Game of Petanque.

19.3 Each Club and State League that organises or conducts a championship or a tournament will prepare a report, including a report from the State Petanque Umpires Committee, detailing the championship or tournament conducted and its outcome and provide such other information as is deemed pertinent. A copy of the report will be provided to Petanque Australia.

## **20. Sponsorships**

- 20.1 Petanque Australia, State Leagues and Clubs may seek sponsorships from commercial entities and other bodies.
- 20.2 Sponsorships and advertising may include the display of advertising banners and signs, the wearing of sponsor logos on apparel, advertising in leaflets, the naming of prizes, and the like.
- 20.3 Sponsorships and advertising may be in respect of any product or commodity or service but subject that such product or commodity or service accords with community standards and will not be offensive to Players or spectators.
- 20.4 Petanque Australia may co-ordinate the appointment of sponsorships and advertising. The granting of a national sponsorship may preclude other sponsorships for competing products, commodities or services.
- 20.5 Petanque Australia may prescribe standards and rules in respect of sponsor logos on any sporting apparel.
- 20.6 Under no circumstances will the promotion of tobacco products be permitted.
- 20.7 Any sponsor or merchant or supplier involved with a championship or tournament will be informed of any relevant By-Laws in respect of any restrictions or prohibitions which could apply to them, their agents servants and contractors.

## **21. Forms**

- 21.1 Petanque Australia will design and publish such forms, including a form of official notice, as are deemed necessary for administrative purposes and the conduct of the sport of Petanque, and such forms will be deemed to sanctioned by and form part of these By-Laws.
- 21.2 A facsimile of any form containing the same content will be deemed a form in accordance with these By-Laws.
- 21.3 The Australian Petanque Umpires Committee shall be responsible for the development of forms in relation to umpiring and associated matters.

## **22. Independence of Clubs, State Leagues, Umpires Committees and Petanque Australia**

- 22.1 Subject only to these By-Laws, and the Law generally, the independence of Clubs, State Leagues and Umpires Committees and Petanque Australia is at all times recognised and includes the right to self-determination in administrative, management and sporting activities.
- 22.2 Independence shall extend to the selection and appointment of an auditor (if required), the engagement of staff and contractors, the acquisition and disposal of property, the holding of lectures and the determination of officeholders.

### **23. Interpretation**

In these By-Laws, unless the context or subject matter otherwise indicates or requires:

- (a) singular includes the plural and vice versa;
- (b) any gender includes every gender;
- (c) headings are used for convenience only and are to be disregarded in the interpretation of these By-Laws;

AND:

“**Australian Petanque Umpires Committee**” means the national umpiring committee in accordance with By-Law 11.

“**Board**” means the officeholders of Petanque Australia;

“**Clearance Form**” means a form approved and endorsed by Petanque Australia the completion and lodgment of which shall necessary for a Player to change Club; and for the purpose of these by-laws, completion shall mean with by-law 5.3 and lodgment shall mean the lodgment instructions set out on the clearance form;

“**Club**” means a corporation, body corporate or association that is deemed to be affiliated with a State League and Petanque Australia;

“**F.I.P.J.P.**” means the Federation Internationale de Petanque et Jeu Provencal;

“**Petanque Australia**” means the corporation or body corporate referred to in By-Law 1.2 and its successors;

“**Player**” means a person licensed in accordance with these By-Laws to participate in the sport of Petanque;

“**Player Database**” means the recording of Player details as required by By-Law 4;

“**Player Licence**” means an official licence issued by or with the approval of Petanque Australia;

“**Player Subscription**” means the composite payment as set out in By-Law 6.2 as amended from time to time;

“**Policy**” and “**Policies**” mean the policies adopted by Petanque Australia from time to time in relation to the conduct of sport of Petanque in Australia, compliance with corporate and statutory requirements, and adherence with community standards;

“**Rules**” means The Official International Rules of the Game of Petanque;

“**State**” means a state of Australia;

“**State League**” means a corporation or body corporate as determined by By-Law 9 deemed to be affiliated with Petanque Australia;

“**State Petanque Umpires Commission**” means a corporation, body corporate or association established and conducting its affairs in accordance with By-Law 10;

“**Territory**” means the Australian Capital Territory and the Northern Territory;

“**The Official International Rules of the Game of Petanque**” means the rules authorised by F.I.P.J.P. and translated and approved by Petanque Australia.