

SOUTH AUSTRALIAN PÉTANQUE LEAGUE INCORPORATED

RULES OF ASSOCIATION July 2012

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These Rules of Association were approved at the South Australian Petanque League Annual General Meeting held on the 2 August 2012. They supersede and replace the SAPL Constitution dated 2005.

The Rules of Association were approved by the Office of Consumer and Business Affairs in August 2012

1. NAME

The name of the association is “**SOUTH AUSTRALIAN PÉTANQUE LEAGUE INCORPORATED**” hereinafter referred to as “**The League**”.

2. DEFINITIONS

“The Act” means the Associations Incorporation Act 1985

“Associate Member” means a club which has applied for and been accepted as a member of “**The League**”

“Special resolution” means a resolution to amend or rescind all or any of these rules or to voluntarily wind-up **The League**.

3. OBJECTIVES

The objectives of **The League** are:

- (a) to provide opportunities for member clubs to play the game of Pétanque; and
- (b) to promote the game of Pétanque throughout the general community.

4. POWERS

For the purpose of carrying out its objectives, **The League** may, subject to The Act and these Rules:

- (a) acquire, hold, deal with, and dispose of any real or personal property;
- (b) administer any property on trust;
- (c) open and operate bank and credit union accounts;
- (d) invest its moneys in any security in which trust money may, by Act of Parliament, be invested;
- (e) borrow money upon such terms and conditions as **The League** thinks fit;
- (f) give such security for the discharge of liabilities incurred by **The League** as **The League** thinks fit;
- (g) appoint agents to transact any business of **The League** on its behalf;
- (h) enter into any other contract it considers necessary or desirable.

5. MEMBERSHIP

Membership of **The League** shall be open to all incorporated clubs with an interest in playing Pétanque.

6. AFFILIATION FEE

- 6.1 The affiliation fee for membership, if any, shall be determined from time to time at a General Meeting.
- 6.2 The affiliation fees shall be payable annually and become due at the beginning of the following financial year (1st July).
- 6.3 Any club for which the affiliation fee is outstanding for more than three months after the due date for payment shall cease to be a member of **The League**, provided always that the Committee may reinstate such a club’s membership on such terms as it considers fair and reasonable.

7. RESIGNATIONS

A club may resign from affiliation to **The League** by giving written notice thereof to the Secretary or Public Officer of **The League**. Any club so resigning shall be liable for any outstanding subscriptions which may be recovered as a debt due to **The League**.

8. EXPULSION OF A CLUB

8.1 Subject to giving a club an opportunity to be heard or to make a written submission, the Committee may resolve to expel a club upon a charge of misconduct detrimental to the interests of **The League**.

8.2 Particulars of the charge shall be communicated to the club at least one month before the meeting of the Committee at which the matter will be determined.

8.3 The determination of the Committee shall be communicated to the club, and in the event of an adverse determination the club shall, subject to 8.4 below, cease to be an affiliated club 14 days after the Committee has communicated its determination to the club.

8.4 It shall be open to a club to appeal to **The League** in a General Meeting against the expulsion. The intention to appeal shall be communicated to the Secretary of **The League** within 14 days after the determination of the Committee has been communicated to the club.

8.5 In the event of an appeal under 8.4 above, the appellant's affiliation to **The League** shall not be terminated unless the determination of the Committee to expel the club is upheld by the clubs of **The League** in General Meeting after the appellant has been heard by the clubs of **The League** and in such event affiliation will be terminated at the date of the General Meeting at which the determination of the Committee is upheld.

9. REGISTER OF CLUBS

A register of clubs must be kept and contain:

- (a) the name and address of each club;
- (c) the date on which each club was admitted to **The League**; and
- (d) if applicable, the date of and reason for termination of affiliation.

10. POWERS AND DUTIES OF THE COMMITTEE

10.1 The affairs of **The League** shall be managed and controlled by a Committee which, in addition to any powers and authorities conferred by these Rules, may exercise all such powers and do all such things as are within the objectives of **The League**, and are not by The Act or by these Rules required to be done by **The League** in General Meeting.

10.2 The Committee has the management and control of the funds and other property of **The League**.

10.3 The Committee shall have authority to interpret the meaning of these Rules and any other matter relating to the affairs of **The League** on which these Rules are silent.

10.4 The Committee shall appoint a Public Officer as required by The Act.

11. APPOINTMENT OF THE COMMITTEE

11.1 The Committee shall consist of a President, a Vice President a Secretary, and a Treasurer which persons are henceforth referred to as the Officers of **The League**. In addition to these officers the committee shall include two representatives of each affiliated club.

- 11.2 Nominations to the Committee shall be in writing signed by the proposing club and by the nominee.
- 11.3 All nominees shall be members of a club affiliated to **The League**.
- 11.4 Absence of a nominee from a General Meeting at which election of Committee clubs is to take place shall not invalidate the nomination.
- 11.5 The officers shall retire at the Annual General Meeting after two years in office but, subject to these Rules, are eligible for re-election.
- 11.6 The Committee may appoint a person to fill a casual vacancy.

12. PROCEEDINGS OF COMMITTEE

- 12.1 The Committee shall meet together for the dispatch of business at least once in each quarter.
- 12.2 Each affiliated club shall have one vote on every matter arising at the Committee meetings.
- 12.3 Questions arising at any meeting of the Committee shall be decided by a majority of club representative votes, and in the event of equality of votes the President shall have a casting vote.
- 12.3 A quorum for a meeting of the Committee shall be 75% of the Committee members including the Officers.
- 12.4 A club representative on the Committee must disclose the nature and extent of that interest in a contract or a proposed contract with **The League** and shall not vote with respect to that contract or proposed contract and must disclose the nature and extent of that interest at the next Annual General Meeting of **The League**.

13. DISQUALIFICATION OF OFFICERS AND CLUB REPRESENTATIVES

The position of any officer or affiliated club representative shall become vacant if the person is:

- (a) disqualified from being a Committee member by The Act;
- (b) expelled as an affiliated club under these Rules;
- (c) permanently incapacitated by ill health; or
- (d) absent without apology from more than three meetings in a financial year.

14. ANNUAL GENERAL MEETINGS

- 14.1 The Committee shall call an Annual General Meeting not later than six weeks after the end of the financial year of **The League**.
- 14.2 The order of business at the meeting shall be:
 - (a) the confirmation of the minutes of the previous Annual General Meeting and of any Special General Meeting held since that meeting;
 - (b) the consideration of the accounts and reports of the Committee;
 - (c) the election of Officers;
 - (d) the setting of the affiliation fee for the forthcoming year;
 - (e) to deal with any special matter which the Committee or any club of **The League** has so requested in writing to be brought before the clubs;
 - (f) any other business requiring consideration by **The League** in General Meeting.

15 SPECIAL GENERAL MEETINGS

- 15.1 The Committee may call a Special General Meeting of **The League** at any time.
- 15.2 Upon a requisition in writing of not less than two associated clubs of **The League**, the Committee shall, within one month of the receipt of the requisition, convene a Special General Meeting for the purpose specified in the requisition.
- 15.3 Every requisition for a Special General Meeting shall be signed by the relevant clubs and shall state the purpose of the meeting.

16. NOTICE OF GENERAL MEETING

- 16.1 Notices convening a General Meeting shall be given to the clubs not less than twenty-eight calendar days before the Meeting and shall specify matters to be dealt with at the Meeting.
- 16.2 A notice of a Meeting may be given by serving the clubs with the notice personally or by sending it by post to the address appearing in the Register of Clubs.

17. PROCEEDINGS AT GENERAL MEETINGS

- 17.1 The President shall be the Chairperson at all General Meetings of **The League**.
- 17.2 In the absence of the President, clubs may choose an officer or Committee member or one of their own number to be the Chairperson of that Meeting.
- 17.3 A quorum for General Meetings shall be more than 50% of the total number of clubs entitled to vote.
- 17.4 A special resolution may be passed only at a General Meeting by the affirmative vote of not less than three-quarters of those clubs entitled to vote.

18 VOTING AT GENERAL MEETINGS

- 18.1 Subject to these Rules every club of **The League** has only one vote at a meeting.
- 18.2 Unless a secret ballot is demanded a question for decision at a General Meeting shall be determined by a show of hands.
- 18.3 Notwithstanding the provision of Rule 18.2 above, should the Chairperson consider it appropriate that the matter be determined by secret ballot, then that Chairperson may so order.

19. MINUTES

- 19.1 Proper minutes of all proceedings of General Meetings of **The League** and of the Committee, shall be entered within one month after the relevant meeting in minute books or digital file kept for the purpose.
- 19.2 The minutes kept pursuant to this Rule must be confirmed by the clubs of **The League** or by clubs of the Committee whichever is relevant, at a subsequent meeting.
- 19.3 The minutes kept pursuant to this Rule shall be signed by the Chairperson of the meeting at which the proceedings took place or by the Chairperson of the next succeeding meeting at which the minutes are confirmed.
- 19.4 Where minutes are entered and signed they shall, until the contrary be proved, be evidence that the meeting was convened and duly held, that all proceedings held at the meeting shall be deemed to have been duly held, and that all appointments made at a meeting shall be deemed to be valid.

20. FINANCES

- 20.1 The financial year of **The League** shall commence on 1st July and terminate on 30th June in each year.
- 20.2 **The League** shall keep and retain such accounting records as are necessary to correctly record and explain the financial transactions and financial position of **The League** in accordance with The Act.
- 20.3 The income and capital of **The League** shall be applied exclusively to the promotion of its objectives and no portion shall be paid or distributed directly or indirectly to clubs or their associates except as bona fide remuneration of a club for services rendered or expenses incurred on behalf of **The League**.
- 20.4 Three committee members shall be empowered to authorise payments on behalf of **The League** the approval of any two from the three officers is required for any transaction. No two or more persons from the same household may authorise the withdrawal of moneys from **The League**'s bank or credit union account.

21. BY-LAWS

- 21.1 The Committee shall make such By-Laws consistent with these Rules as are necessary for the management of **The League**, and in particular will:
 - (a) Make or adopt rules for the playing of the game of Pétanque within **The League**
 - (b) Set fees and charges for participating in League activities other than affiliation fees.
 - (c) Set the conditions under which occasional players, visitors and juniors may participate in League games and activities.
- 21.2 The Committee shall by reasonable means advise clubs of any changes to the By-Laws.
- 21.3 All By-Laws shall be binding on clubs of **The League**.
- 21.4 All By-Laws shall be ratified by **The League** at its next Annual General Meeting.

22. WINDING UP

- 22.1 **The League** may be wound up in the manner provided for in The Act.
- 22.2 If, upon dissolution or winding up of **The League** and after the satisfaction of all debts and liabilities of **The League**, a credit balance remains, such balance shall be donated to a Children's Charity to be determined by any remaining clubs. No part of any such balance shall be distributed to any club of **The League**.