



CONSTITUTION

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PART 1-DEFINITIONS

(1) In this Constitution:

“The League” means “The NSW Petanque League”. an Incorporated association deemed to be affiliated to Petanque Federation Australia

“Ordinary member” means a delegate of a member Club or of the APUC other than a member of the “Executive” as per art.14.1

“AGM” means Annual General Meeting

“Special General Meeting” means a General Meeting other than the Annual General Meeting(AGM)

“PFA” means Petanque Federation Australia

“APUC”. Means Australian Petanque Umpire Committee,

Note 1. Rules not covered in this Constitution are supplemented by the Constitution Petanque Federation Australia.

PART 2-CONSTITUTION

1.0 NAME

- . *The Association will be called “THE NSW PETANQUE LEAGUE”*
- . *The name of the association shall be clearly displayed outside its offices or any other place where the business of the Association is carried out.*
- . *The name of the Association shall also figure prominently on all stationary used in relations to any correspondence originating from the Association.*

2.0 OBJECTS

2.1 The objects of the The League are:-

- (a)To administer and co-ordinate Petanque competitions in NSW*
- (b) to promote the game of Petanque in NSW*
- (c) to maintain an affiliation with Petanque Federation Australia*
- (d) to ensure that the International rules of Petanque are observed and applied to all competitions organized and/or ratified by the League/PFA..*
- (e) to ensure that the Official Rules of the game of Petanque are also applied to the umpiring.*
- (f)To assist in the formation of new Petanque Clubs when required.*

2.2 The League shall have the authority to do all things considered necessary for the welfare ,protection and be helpful to its members ,for the accomplishment of all objects covered in this Constitution.

3.0 MEMBERSHIP

- 3.1 *All Petanque Clubs in NSW are deemed to be affiliated with the NSW Petanque League and PFA as per PFA by-laws. However to satisfy legal and ASIC requirements, and, to facilitate PFA administrative processes , must fill an application for membership of the League and PFA on the forms prescribed at attachment 1 of this Constitution and schedule 1 of the PFA Constitution with the following provisos;*
- (a) The Club must have on its register of members at least 6(six) senior licensed players as per rules laid down in the PFA By-Laws .*
 - (b) Clubs must be affiliated and keep an affiliation with the League and Petanque Federation Australia at all times.*
- 3.2 *Application for membership shall be lodged with the League Secretary on the prescribed application forms .(see 3.1.)*
- 3.3 *All applications for membership must be nominated and seconded by two(2) other financial Member Clubs of the League*
- 3.4 *All applications shall be approved by the State League Committee.*
- 3.5 *The League Secretary shall advise the successful (or otherwise)applicant(s) accordingly and a request for the affiliation fees and any relevant annual fees will be made.*
- 3.6 *Upon receipt of the relevant fees, the successful applicant(s) will be admitted as a new member to the League and PFA, their name(s)included in the “Register of Members” book by the Secretary.*

4.0 CESSATION OF MEMBERSHIP

- 4.1 *A member Club ceases to be a member of the League if;*
- (a) the member Club resigns membership*
 - (b) the member Club ceases to operate as a Petanque Club.*
 - (c) the member Club is expelled from the League / PA as per Art.7 para 1-4*
 - (e) The member Club is in default of the annual subscription to the League after 30 days of its due date.*
- 4.2 *Should a member Club ceases membership its members will be given one(1) month to transfer its license to another affiliated Club.*

5.0 REGISTER OF MEMBERS

- 5.1. *The League Secretary shall keep a register of all member clubs of the League.*
- 5.2. *The Register of member clubs shall contain the following updated information;-*
 - (a) *Names and addresses of all member clubs*
 - (b) *The date and place the member club was accepted as a member of the League and Petanque Federation Australia.*
 - (c) *An updated list of the names of all licensed players, members of a current affiliated Club,,their license number and the date of approval*
 - (c) *An updated list of the names of the Executives of each member Club in NSW.*
 - (e) *The Register will be kept at the place of business of the League and can be accessed free of charge by an authorized member of a member club of the League, after prior arrangements with the Secretary.*

6.0 FEES AND SUBSCRIPTION

- 6.1 *The League Financial year is from 1 January to 31 December.*
- 6.2. *On admission MEMBER CLUBS shall pay an affiliation fee, determined by a majority vote of all members present at the League AGM.*
- 6.3 *Annual and affiliation fees are payable before 30 June each calendar year after which date the member club will be deemed unfinancial and will not be eligible to vote on any subject matter discussed at any Meetings of the League .*
- 6.4 *A further 30 days grace will be given to the member club to become financial after which time the member club will be considered to have resigned.*
- 6.5 *The member club may re-apply for membership at any time after 60 days of the expiry date, however must fill a new application form and pay the relevant appropriate fees.
i.e a new affiliation fee and any other relevant fees applicable.*

7.0 DISCIPLINING OF MEMBERS

- 7.1 *A complaint may be lodged in writing to the Secretary of the State League by any member club of the League against another member club or licensed players with regard to incident(s) during competitions organized by the League if in their opinion:-*
- (a) a member club(s) or a licensed player(s) have refused or neglected to comply with the rules laid down in this Constitution.*
 - (b) the member club(s) or the licensed player(s) has persistently and willfully acted in a manner detrimental and disruptive to the League.*
- 7.2 *On receiving the complaint, the State League Committee must give the member club or the licensed player of a member club through the Club's Secretary 14 days to reply to the complaint*
- 7.3 *The League will deal with any complaints as per PFA Disciplinary procedures laid down in its Disciplinary Policy*
- 7.4 *The PFA Disciplinary Policy Documents may be viewed on the PFA and League websites.*

8.0 *RIGHTS OF APPEAL*

- 8.1 *A member club or licensed player may appeal to have his/her case heard by a Special Committee Meeting within 7 days after notice of the resolution is served on the member club.*
- 8.2 *Rules governing the calling of Special Committee/General Meetings apply (see Art 11.0 to 11.5)*
- 8.3 *The Committee and the member club or licensed player must be given the opportunity to state their respective cases orally or in writing ,or, both.*
- 8.4 *Delegates of member clubs present at the meeting, are to vote by secret ballot on the question of whether the resolution should be confirmed or revoked.*
- 8.5 *No proxy votes will be allowed*
- 8.6 *The Executive will have the right to put a special resolution in favour of the confirmation of the resolution.*

9.0 *MEETINGS*

- 9.1 *With regard to the rules in this Constitution there are four (4) categories of Meetings;*
- (a) Annual General.(AGM)*
 - (b) Special General*
 - (c) Special Committee*
 - (d) State League Committee*

10.0 *ANNUAL GENERAL MEETING.*

- 10.1 *The Annual General Meeting(AGM) shall be held no later than 30 June each year at such place and date the Executive may decide.*
- 10.2 *General Business to be transacted at the AGM will be*
- (a) To confirm the minutes of the preceding AGM .*
 - (b) To confirm the minutes of any Special General Meeting (if any) since then.*
 - (c) To receive the Presidents Report.*
 - (d) To receive and consider the Treasurers and Auditors Reports.*
 - (e) To receive and consider any motions by member clubs duly notified at least 21 days to the date fixed of the AGM.*
 - (f) To elect Office Bearers when appropriate and in accordance with the rules of this Constitution.*
 - (g) To appoint an Auditor*
 - (h) To transact any other business .*

11.0 SPECIAL MEETINGS (GENERAL OR LEAGUE COMMITTEE)

- 11.1 *Special Meetings may be convened by the Secretary under the following circumstances;*
- (a) A direction by the Executive*
 - (b) Upon a requisition signed by 50% of its member clubs duly ratified by each Clubs management committee and lodged in writing with the League Secretary.*
- 11.2 *The member Clubs requesting the Special General Meeting shall express in writing their reasons and arguments .*
- 11.3 *The meeting shall be held within 21 days of its notification and at a place and time decided by the Executive.*
- 11.4 *The Special Meeting shall not be competent to transact any business other than that specified in the “Notice of Meeting”*

12.0 STATE LEAGUE COMMITTEE MEETINGS

- 12.1 *The State League Committee must meet at least three(3)times in a calendar year.*
- 12.2 *Additional meetings of the State League Committee may be convened by the President in consultation with the Secretary*
- 12.3 *Written notice of a meeting must be given by the Secretary to each member Club Secretary at least 2 weeks prior to the time fixed for that meeting.*
- 12.4 *Notice of meetings as per 12.3 must specify the nature of the business to be transacted at that meeting .Any other businesses may be*

discussed so far as the majority of the members present deem these businesses to be URGENT.

13.0 THE COMMITTEE

- 13.1 The Committee will be called the "State League Committee"*
- 13.2 The Committee shall consist of the President, Vice President, Secretary, Treasurer (known as the Executive), a representative (delegate) from each member Club, and a representative from the Umpire Commission (known as ordinary members)*
- 13.3 The President shall chair all State League Committee Meetings. In his/her absence the Vice- President shall chair the meeting. In the absence of both the President and the Vice-President ,the delegate present will elect a Chairperson for that meeting.*
- 13.4 A member of the State League Committee who is absent at three(3) consecutive meetings without a satisfactory explanation will be deemed to have resign from that committee.*
- 13.5 If the guilty member is a member of the Executive, the vacancy will be considered and dealt with as a casual vacancy.(as per art. 20.2)*
- 13.6 If the guilty member is an ordinary member(Club or Umpire representative),the respective organization will be given the opportunity to fill the vacancy*
- 13.7 Members of the Executive shall hold office for 2 consecutive years from the date of the members election. The retiring member(s) are eligible for re-election.*
- 13.8 The Committee may appoint sub-committees to perform specific tasks or to investigate specific matters on its behalf .The sub-committee's final recommendation(s)will require ratification by the State League Committee before the recommendations acted upon.*

14.0 MEETINGS AND QUORUM

- 14.1 The STATE LEAGUE COMMITTEE must meet at least 3 times in each period of 12 months at such place and time as the Executive may determine.*
- 14.2 Additional meetings of the State League Committee may be convened by the President in consultation with the Secretary on a "as required basis".*
- 14.3 Notice of Meetings shall be addressed to the Secretary of each member Club as follows:-*
- (a)State League Committee- at least 2 weeks prior to the time fixed for the State League Committee meeting.*
 - (b)Special Meetings –21 days Notice of meeting as per 11.3 .*

(c) Annual General Meeting-as per 14.5 & 14.6 below.

Notices must specify the general nature of the business to be transacted at that meeting including any other business which have been given prior notification to the Secretary.

14.4 *The ANNUAL GENERAL MEETING(AGM) must be held after Petanque Federation Australia 's Annual General Meeting, but not later than 30 June each year.*

14.5 *A First Notice of Annual General Meeting must be given in writing requesting motions or resolutions to be put to the AGM and any nominations for candidates for Office Bearers positions if appropriate (every two years) to all member clubs at least 35 days before the fixed date of the meeting.*

14.6 *Notices of Annual General and Special General Meetings must be given in writing together with a list of business to be transacted at that meeting to all member clubs at least 14 days before the date fixed of the meeting.*

14.7 *At least 75% of members must be present at Annual or Special General Meetings before transaction of business at those meetings can commence.*

14.8 *50% of the State League Committee members constitute a quorum for the transaction of business of a meeting of that committee.*

14.9 *No business is to be transacted at any meetings unless a quorum is present. If within half(1/2)hour of the appointed time of the meeting a quorum is still not present, the meeting is to be adjourned as follows: _*

(a) within 15 days for State League Committees.

(b) Within 21 days of the adjourned meeting for General meetings at a place and time to be fixed by the Committee.

14.10 *If at the adjourned meeting a quorum is still not present within ½ hour of the appointed time of the meeting ,the members present will constitute a quorum and the business of the meeting transacted*

14.11 *At all meetings the President will have a casting vote which can only be used in case of equality of votes*

15.0 *THE EXECUTIVE*

15.1 *The League shall be managed by a group called the Executive consisting of the following:-*

(a)The President,(b) Vice President,(c) Secretary and(d) the Treasurer.

15.2 *A member of the Executive and/or the State League Committee*

- shall be entitled to reimbursement of expenses incurred whilst performing hi / her duties as an officer of the League.*
- 15.3 *All expenses must be approved by the State League Committee before payment.*
- 16.0 *ELECTIONS*
- 16.1 *The ballot for the election of the members of the Executive(except for 16.3) and ordinary members of the Committee is to be conducted at the AGM in such usual and proper manner as the committee may direct.*
- 16.2 *(a) The President and the Secretary , shall be elected by a majority vote of delegates present , at the Annual General Meeting of the League*
- 16.3. *(b) A Delegate from each member Club and a representative from the Umpire Commission must be nominated by their respective organizations and written notification sent to the Secretary at least 21 days before the fixed date of the AGM.*
- 16 4 *The positions of Vice President and that of Treasurer are to be elected amongst the Club delegates by a secret ballot at the first sitting of the State League Committee by all members present.*
- 16.5 *Prospective candidates for all the above positions must be a financial member of a member Club affiliated to the League and PFA*
- 16.6 *Nominations for candidates for the positions of :-*
(a) President
(c) Secretary,
must be made in writing signed by any licensed player of an affiliated Club member of the League and PFA duly endorsed by the nominated candidate .
The application must be sent to the Secretary of the League at least 21 days before the date fixed for the AGM.
- 16.7 *If insufficient nominations are received to fill all vacancies on the Executive ,the nominated candidates will be declared elected. Further nominations for the remaining vacant positions will be received at the AGM.*
- 16.8 *If insufficient further nominations are received, any positions Remaining vacant will be dealt with in accordance with art.20.2.*
- 16.9 *The Returning Officer shall declare all seats vacant before each election. The President and all other members of the Executive shall vacate their seats prior to the voting.*
- 17.0 *DUTIES OF THE SECRETARY*

- 17.1 *The Secretary shall be the Public Officer of the League.*
- 17.2 *In addition, the other duties of the Secretary shall be*
- (a) Keep minutes of proceedings at State league Committee and all other meetings.*
 - (b) Send notices of all meetings to members eligible to attend such meetings within the prescribed time limit.*
 - (c) Keep an updated list of the names and addresses of all members.*
 - (d) Keep an updated list of all licensed players, their number and date of acceptance*
 - (e) Help prepare Agendas for all meetings*
 - (f) Attend to all correspondence relating to the affairs of the League*
 - (g) Include minutes of previous State League Committee meetings with notices of State League Committee meetings*

18.0 *DUTIES OF TREASURER*

- 18.1 *The duties of the Treasurer shall be*
- (a) To ensure that all monies due to the League is collected and received.*
 - (b) To ensure that all payments authorized by the League Executive are timely made .*
 - (c) To ensure that correct books and accounts are kept showing the financial affairs of the League, including full details of all receipts and expenditure connected with the activities of the League.*
 - (d) To help prepare an audited statement of accounts to be presented to the members 14 days prior to the AGM.*
 - (e) Countersign all cheques relating to payments on behalf of the League.*
 - (f) Provide a quarterly financial statement to be sent to members of the State League Committee 14 days prior to the fixed date of that committee*
- 18.2 *Member Clubs may nominate a member of its Management team to inspect all the books of account at a prearranged time with the Treasurer.*
- 18.3 *All payments made by cheque must be signed by the Treasurer and countersigned by the President or Secretary. In the absence of the Treasurer the cheques are to be signed by both the President and the Secretary.*

19.0 *VOTING AND DECISIONS*

19.1 *Only member club delegates are entitled to vote at all meetings with the following exceptions:-*

In the event of equality of votes, the Chairperson has a casting vote .

19.2 *A member club is not entitled to vote at any general meetings of the League unless all monies due and payable to the League and PA have been paid.*

20.0 *CASUAL VACANCY*

20.1 *For the purpose of these rules, a casual vacancy on the State League Committee occurs when a member:-*

(a) dies

(b) resigns office in writing to the Secretary.

(c) is removed from office under rule 7.4

(d) is absent at three(3)consecutive committee meetings without a satisfactory explanation or is absent from all meetings of the Committee for a period of 3 months without the consent of the Committee or the Executive.

20.2 *Casual vacancies may be filled by the State League Committee for a period no longer than the next AGM of the League.*

20.3 *Subject to rule art.14 ,the Committee may act despite any vacancy on the committee*

21.0 *APPOINTMENT OF PROXIES*

21.1 *Each member club is entitle to appoint another member club as its proxy by completing the appropriate proxy form which may be obtained from the League Secretary (see appendix 2).*

21.2 *The member may direct his/her proxy on how to vote by indicating their preferences on the proxy form. or may appoint the Chair to act on his/her behalf.*

21.3 *The notice appointing the proxy is at appendix 2.*

22.0 *A.P.U.C.*

22.1 *The Umpire Committee shall elect a representative to sit on the State League Committee. The representative has no voting rights*

- 22.2 *The Umpire Committee shall advise the League on all aspects of the rules and regulations of the game according to the guidelines down in the Rules of the FIP&JP.*
- 22.3 *The Umpire Committee shall be responsible to provide umpires at the League's request, to officiate at competitions organized by the League.*
- 22.4 *The League reserves the right to appoint their own adjudicators to their competitions should the Umpire Committee unable to do so.*
- 22.4 *The Umpire in charge of any competition sanctioned by the League shall, at the request of the organizers, provide a report to the League at the end of each competition.*

23.0 *DISSOLUTION*

- 23.1 *The League may at any time be dissolved at a Special General Meeting called for this purpose. The vote for dissolution must be passed by a two- third(2/3)majority vote of the clubs delegates present and entitled to vote.*
- 23.2 *Any funds and assets are to be disposed of as per the rules of incorporation.*

PART 3-NSW PETANQUE LEAGUE-BY LAWS

By-Laws 1.DISCIPLINING OF MEMBERS

- (a) Disciplinary sanctions may be applicable to the members of the League (Clubs or licensed players).*
- (b) The sanctions may be applied only after procedures detailed in Section 7 & 8 have been complied with.*
- (c) The following organizations and / or persons are empowered to deal with complaints:-*

- Club Executives in relations to their members*
- NSW Petanque League Disciplinary Committee*
- Petanque Federation Australia Appeals Committee*

WHO IS COMPETENT TO ADJUDICATE

- 1. The NSW Petanque League has the power to judge any complaint communicated to its disciplinary committee in writing with regards to breach of rules of :-*
 - the game*
 - code of conduct*
 - any other rules in this Constitution or the Petanque Federation Australia's.**by member Clubs or licensed players within its boundaries.*

These complaints may be from Umpires , Club Executives or Competition organizing committees or jury.

In addition to judgements made by umpires, officials during the normal course of their duties.

The following steps may be taken by them during official competitions:-

UMPIRES—issue warnings, suspend from competition

Organising Committee or Jury—prepare report(s)to disciplinary committee recommending length of suspension, warning, cancellation of licences etc.

By-Laws 2 SUB COMMITTEES

Sub Committees may be appointed by the Executive to perform specific tasks on their behalf.

Sub Committees do not have the power to implement any findings . They can only make recommendations to the Executive .

The president may chair meetings of sub-committees should he or she wishes

By-Laws 3 PROCEDURES

(a)No items of business is to be transacted at any meeting unless the required quorum of members is present during the time the meeting is considering that item.

(b)If within half an hour after the appointed time for the commencement of a general meeting a quorum is not present the meeting :-

- if convened at the request of members ,the meeting will be cancelled*
- If a “ Annual General Meeting” the meeting is to be adjourned to within 21 days of the said meeting at a time and place to be decided by the Executive and communicated by written notice to members.*

©If at the adjourned meeting a quorum is not present within half an hour of the time appointed for the commencement of the meeting,the members present is to constitute a quorum.

(d) Only one(1)delegate per Club and one(1)Umpire Commission representative shall be entitled to attend a meeting of the State League Committee.

By-Laws 4 ADJOURNMENT

(a)The chairperson at a meeting at which a quorum is present may, with the consent of the majority of members present at the meeting adjourn the meeting from time to time and place to place, but no business is to be transacted at an adjourn meeting other than the business left unfinished at the meeting at which the adjournment took place.

By-Laws 5 ALTERATION TO RULES and BY-LAWS IN THIS

CONSTITUTION

- (a) The statement of objects and rules in this Constitution may be altered , rescinded or added to by a special resolution carried by two third(2/3) majority vote of the delegates of member clubs of the League.*
- (b)The resolution may carry an instruction to call a Special General Meeting for that purpose.*
- (c) All notice of motion to amend or rescind the rules and by-laws in this Constitution must be made in writing to the Secretary at least 21 days before the fixed date of the AGM or the Special General Meeting called for that purpose.*
- (d) Any amendment(s) defeated at a general meeting will not be reconsidered for a period of 12 months from the date of its defeat.*

By-Laws 6- SERVICES OF NOTICES

(1)For the purpose of the rules in this Constitution, a notice may be served on or given to a person:

- (a) by sending it by post to the address of the member club.*
- (b) by sending by Fax .transmission or e:mail.*

(2) For the purpose of these rules a notice is taken to have been given or served, unless the contrary is proved,

- (a) in the case of notice given personally, on the date it is received by the addressee.*
- (b) in the case sent by post, on the date it would have been delivered according to Post delivery standards*
- (c) in the case of fax.or e;mail transmission on the date the machine indicate it was sent.*

Amendments

- 15 June,2002 14.4*
- 15 June , 2002 14.8*
- 02 July , 2004 (as per resolution at the June 2004 AGM)*
- 27 June 2009 (as per resolutions passed at the 2009 AGM)*