



CONSTITUTION  
of the  
METROPOLITAN SNOOKER AND BILLIARDS ASSOCIATION  
INCORPORATED

ARTICLE 1 – NAME :

This Association shall be called the "METROPOLITAN SNOOKER AND BILLIARDS ASSOCIATION INCORPORATED", and the Association and its members shall be subject to the rules of the "Victorian Billiards and Snooker Association" in so far as the same respectively apply.

ARTICLE 2 – OBJECTS :

- 2.1 To encourage and promote the sports of billiards and snooker generally, with the conduct of interclub competitions as specialities;
- 2.2 To enforce the observance of the rules as shall be hereinafter enumerated, and to adjudicate respecting disputes which may arise thereby between individual clubs, or the individual members thereof;
- 2.3 To promote the social spirit among the Clubs and members by engendering a spirit of comradeship at all gatherings;
- 2.4 To extend Membership to any Clubs considered eligible by the Board of Management.

ARTICLE 3 – DEFINITIONS :

In these Articles unless the contrary intention appears : -

- “affiliate” means any body or organisation affiliated to the Association in accordance with these Articles;
- “Association” means Metropolitan Snooker and Billiards Association Incorporated;
- “the game” means any recognised game played on a billiard table or any table which resembles a billard table;
- “Board” means the Board of Management of the Association;
- “Board Meeting” means a meeting of the Board of Management;
- “Full Member” means a full member of the Association as defined in Article 4 and shall, where the context permits, include a “Life Member” as defined in Article 4.5;
- “membership year” means a year ending on the 31<sup>st</sup> December of each year;
- “financial year” means a year ending on 30<sup>th</sup> November of each year;
- “notice” means any communication in writing;

“the Act” means the Association Incorporation Act 1981 and regulations made under the Act;

Words or expressions contained in these Articles shall be interpreted in accordance with the provisions of the “Acts Interpretation Act 1981” and the Act as in force from time to time.

#### ARTICLE 4 - MEMBERSHIP :

4.1 Membership shall be open to all whose names have been submitted for acceptance by the Board. No restrictions shall be placed on any person by virtue of race, sex religion or political beliefs. Acceptance shall be subject to approval by the Board. The Board shall not be obliged to divulge any reason for non-acceptance.

#### 4.2 FULL MEMBERS :

Persons who are financial members of an affiliated Club, and who have been accepted as Full Members by the Board and who remain financial in each succeeding membership year by paying such annual subscriptions as shall be decided from time to time by the Annual General Meeting. Full Members shall be eligible to attend the Annual General Meeting and to nominate for any office on the Board. Full Members shall be eligible to participate in inter-club matches and any tournaments or special functions arranged by the Board.

#### 4.3 JUNIOR MEMBERS :

Persons under the age of eighteen (18) years sponsored by an affiliated Club and accepted by the Board and who remain financial in each succeeding year by paying such annual subscriptions as shall be decided from time to time by the Annual General Meeting. Junior Members shall be ineligible for office and while they may be permitted to attend the Annual General Meeting, shall be ineligible to vote thereat. Junior Members shall be permitted, at the discretion of the Board, to participate in inter-club matches and any tournaments or special functions arranged by the Board.

#### 4.4 ASSOCIATE MEMBERS :

Persons, sponsored by an affiliated Club and accepted by the Board, and who pay such annual subscriptions as decided from time to time by the Annual General Meeting. Associate Members shall be ineligible for office and while they may be permitted to attend the Annual General Meeting, shall be ineligible to vote thereat. Associate Members, at the discretion of the Board, shall be permitted to participate in inter-club matches and any tournaments or special functions arranged by the Board.

#### 4.5 LIFE MEMBERS :

Members of long standing and exemplary character who have : -

- (a) served not less than five years on the Board; or
  - (b) not less than ten years membership with the Association; or
  - (c) performed special or distinguished services within the Association:
- and/or

(d) made distinguished contribution to the game:

may, as a mark of signal honour, be granted Life Membership by a decision of the Board. In the case of a player, life membership shall not be given on playing performance alone and in the assessment of a player candidate, the attitude (including attitude at the table and with officials) and public behaviour of a player, shall be prime factors in consideration for Life Membership. Life Members shall retain all the privileges of a Full Member but shall not be required to pay an annual subscription.

4.6 HONORARY MEMBERS :

Visiting Players or important citizens may be granted Honorary Membership of the Association by a decision of the Board. Except as observers, and then only with the permission of the President, they shall be permitted to attend meetings and their period of Honorary Membership shall not exceed six months.

4.7 HONORARY OFFICIALS :

Persons, who from their previous experience on the Board, and continued interest in the activities of the Association, shall hold an honorary position on the Board for one year, and each succeeding year if elected by a majority vote of the Board. If so elected their position shall be equivalent to other Board members.

ARTICLE 5 – COMPOSITION :

This Association shall be composed of :

- 5.1 Clubs which shall be admitted to the Association from time to time for the purposes of competition in such tournaments as may be conducted by the Association, and which shall be represented on the Association by two delegates.
- 5.2 Office-bearers and Honorary Officials who from their previous experience shall be deemed as best suited to the official positions necessary for the correct and efficient administration of the Association.
- 5.3 Life Members – as defined in Article 4.5.
- 5.4 Patrons, who shall be elected as such in recognition of their financial assistance in fostering the activities of this Association.

ARTICLE 6 – JURISDICTION :

This constitution shall be binding on all Clubs affiliated to this Association, and on all members of such Clubs, who shall have been nominated for the purposes of competition in any of the tournaments conducted by this Association.

## ARTICLE 7 – ORGANISATION :

### 7.1 GENERAL

The organisation of the Association shall consist of an Executive and Board of Management. Additional committees may be formed by the Board as required to meet specific situations.

### 7.2 EXECUTIVE :

The President, Vice President, Secretary and Treasurer shall form the central Executive of the Association. The President and Secretary shall be ex-officio members of all committees.

### 7.3 BOARD OF MANAGEMENT :

The Board of Management shall consist of the Executive and up to two elected delegates from each member Club and shall be responsible for the overall management of the Association.

### 7.4 DELEGATION :

A Club delegate may nominate any financial member of his Club, who shall also be a registered member of the Association, to act on his behalf at any Annual General Meeting. The representative so nominated shall have the same voting power as the delegate for whom he is acting, with the proviso that the Secretary shall be notified in writing of this change prior to the time of the meeting, on the date convened for such meeting.

### 7.5 ADDITIONAL COMMITTEES :

The Board may appoint an assistant to any regular office and may create Special Temporary Committees for such purposes as may be required to examine and report on problems which may from time to time arise.

## ARTICLE 8 – PERIODS OF OFFICE :

8.1 The Executive shall hold office for a period of two years unless dismissed from office by a four-fifths majority at :

- (a) the next Annual General Meeting, or
- (b) a Special General Meeting convened for this purpose.

8.2 The Board – other than the Executive – shall hold office for a period of one year.

## ARTICLE 9 – AFFILIATION :

Any Club desirous of being affiliated with this Association for the purposes of participation in any competition conducted by it shall make application in writing to the Board. The Board shall have power to reject any application without assigning a reason.

ARTICLE 10 – FEES :

Each Club engaging in any inter-club competition shall pay an Annual Affiliation fee, each team shall pay an Annual Registration fee and weekly Match fees and each member shall pay an Annual Membership fee. These fees shall be subject to review and alteration at the discretion of the Board.

ARTICLE 11 – LEVIES :

The Board may request Levies for exceptional purposes, but such Levies may only be made when accepted by a three-fourths majority of members present at an Annual General Meeting, or by a three-fourths majority of members present at a Special General Meeting convened for that specific purpose.

ARTICLE 12 – INTERPRETATION :

- 12.1 Should any dispute arise, involving the interpretation of this Constitution or otherwise, the matter shall be referred to the Board, whose decision shall be final and binding on all affiliated Clubs and registered members.
- 12.2 Should any dispute arise relating to any matter not herein provided for, the Board shall take such action as it thinks fit.

ARTICLE 13 – YEAR

- 13.1 The Financial Year of the Association shall commence on the first day of December, and terminate on the last day of the following November.
- 13.2 The Competitive Year of the Association shall be determined by the Board.

ARTICLE 14 – DISBANDMENT

- 14.1 This Association shall not be disbanded unless by a resolution with a three-fourths majority vote at a Special General Meeting called for that purpose. The disposal of such assets and liabilities the Association may have or owe, shall also be subject of discussion at such Special General Meeting.
- 14.2 The income and property of the Association whensoever derived shall be applied solely towards the promotion of the objects of the Association as set forth in this Constitution. No portion thereof shall be paid or transferred directly or indirectly by way of bonus or otherwise howsoever by way of profit to the members of the Association. However nothing herein shall prevent the payment in good faith of remuneration to any officer or servant of the Association in return for any services actually rendered to the Association nor to prevent payment of interest on money advanced by any member of the Association. No remuneration or other benefit in money or money's worth shall be given by the Association to any member except repayment of out of pocket expenses incurred on behalf of the Association.
- 14.3 If upon winding up or dissolution of the Association, there remains after the satisfaction of all its debts and liabilities, any property whatsoever the same shall not be paid or distributed among member of the Association but shall

be given or transferred to some other organisation whether inside or outside Australia having objects wholly or in part similar to the objects of the Association and which prohibit the distribution of its or their income and property among its or their members to an extent as least as great as is imposed on the Association under or by virtue of sub-paragraph 14.2 of this clause. Such organisation to be determined by the members of the Association at or before the time of dissolution and – in default thereof – then by the Supreme Court of Victoria or a Judge of that Court as may have or acquire jurisdiction in the matter.

- 14.4 In the event of the winding up or cancellation of the incorporation of the Association, the assets of the Association shall be disposed of in accordance with the provisions of the Act.

## ARTICLE 15 – MEETINGS

### 15.1 ANNUAL GENERAL MEETING

The Annual General Meeting shall be held within five months after the end of the Association's financial year. Notification of such meeting shall be given in writing to each Club at least fourteen days prior to the date set down for such meeting. The following business shall take precedence over all other business at such Annual General Meeting:

- (a) The reading, confirmation and adoption of the minutes of the previous Annual General Meeting;
- (b) The Annual Reports and Statements of Accounts from the respective Office-Bearers;
- (c) The election of a Board of Management, or such vacancies which may have appeared on the Board.

### 15.2 BOARD MEETINGS

Board Meetings shall be held at regular intervals as determined by the Executive. The first Board meeting of each calendar year shall :

- (a) Appoint a Match Committee, such Match Committee shall have full jurisdiction over all matters pertaining to handicapping, and shall have the right to handicap at any time.
- (b) Appoint such Honorary Officials as may be found necessary for the correct administration of the Association's activities, including appointment of two Auditors. Such Honorary Officials shall have no seat on the Board, unless otherwise appointed.
- (c) The Board shall draft such competition rules as may be deemed necessary for the efficient conduct of the Association's activities. These competition rules to be known as By-laws.

### 15.3 SPECIAL GENERAL MEETING

A Special General Meeting may be convened by the President, or upon the receipt of a petition signed by delegates from not less than 75% of the Clubs affiliated with the Association.

## ARTICLE 16 – QUORUMS

16.1 The Annual General Meeting shall consist of not less than 50% of the members of the Board and one or more delegates from not less than 40% of the Clubs forming the Association at the time of the meeting.

16.2 A Board Meeting shall consist of not less than 50% of the Board.

16.3 A Special General Meeting shall consist of representation from not less than 40% of the Clubs forming the Association at the time of the meeting.

## ARTICLE 17 – NOTICE OF MOTION

Notice of Motion for consideration at any Annual General Meeting shall be forwarded in writing to the Secretary, and shall reach him at least twenty-eight (28) days prior to the date of such meeting.

## ARTICLE 18 – VOTING

With the exception of ballots for elections, voting at all meetings shall be by a show of hands unless by direction of the Chairman, or at the request of members present, at which time the vote may be decided by ballot. Proxy votes shall not be permitted with the exception as stipulated in Article 7.4

## ARTICLE 19 – CHAIRMAN

The President, or in his absence, a Vice President, shall occupy the Chair at all meetings. In the absence of these Office Bearers, the meeting shall elect its own Chairman.

## ARTICLE 20 - DUTIES OF CERTAIN OFFICER BEARERS

20.1 The President is the Chief Executive Officer of the Association. He shall convene, and where practicable, attend all meetings, ensure that a quorum is present and that the proceedings are conducted with decorum, are within the limits of this Constitution and that they comply with the rules of debate. In his absence or by his direction, he may arrange for his control of a meeting to be delegated.

### 20.2 VICE PRESIDENT

The Vice President shall attend all meetings and in the absence of the President or by his direction, take the chair.

### 20.3 SECRETARY

The Secretary shall be the Chief Operative Officer of the Association. He shall attend all meetings, receive, and under the general supervision of the President, conduct all correspondence on behalf of the Association. He shall record details of the transactions of all Board meetings and present these minutes for subsequent confirmation. He shall keep and maintain all administration records of the Association and keep a record of performances of all players in Association competitions. The Secretary shall keep and maintain a register of members in which shall be entered the full name, address and date of entry of each member and the register shall be available for inspection by members at the address of the Public Officer.

### 20.4 TREASURER

The Treasurer of the Association shall :

- (a) collect and receive all monies due to the Association and make all payments authorised by the Association: and
- (b) keep correct accounts and books showing the financial affairs of the Association with full details of all receipts and expenditure connected with the activities of the Association.
- (c) make the Accounts and Books referred to in sub-clauses (4a-4b) available for inspection by members.

### 20.5 THE PUBLIC OFFICER

The Public Officer of the Association shall be the Secretary.

## ARTICLE 21 – FUNDS OF THE ASSOCIATION

All funds of the Association shall be banked in the name of the Association. No funds shall be drawn from the bank except with the authority of the Board. Those authorised to sign cheques will be at the discretion of the Board.

## ARTICLES 22 – ANNUAL AUDIT

- 22.1 The books of the Association shall be audited if considered necessary, by a registered Company Auditor not less than fourteen (14) days prior to the Annual General Meeting.
- 22.2 The Accounts and Books referred to in Article 22.1 shall be available for inspection by members.

## ARTICLE 23 – VACANCIES

- 23.1 The position of a member of the Board shall be declared vacant if the member:
  - (a) has completed his term of office:
  - (b) by notice in writing resigns from office:
  - (c) absents himself from three consecutive meetings without approval of the Board: or



(d) is convicted of a felony or, in the opinion of the Board, commits a serious misdemeanour or for health reasons becomes incapable of continuing in office.

23.2 Casual vacancies resulting from the above, or any other reason, shall be filled by a resolution of the Board.

#### ARTICLE 24 – EXPULSIONS

The Board shall have the power to terminate the affiliation of any Club, or the participation in competition, of any member nominated by any Club, should they consider such affiliation, or participation be of no advantage to the Association.

#### ARTICLE 25 – RESIGNATIONS

All resignations shall be made in writing and forwarded to the Secretary

#### ARTICLE 26 – PUBLICITY

A copy of this Constitution, together with the by-laws for any year, shall be available for perusal by any registered member of this Association.

#### ARTICLE 27 – ADDITIONS AND AMENDMENTS

Any alteration, addition or recision to these Articles of Constitution shall be made by a special resolution passed by the majority vote of the Board at a meeting convened for that purpose, with the proviso that such alterations or amendments shall have been foreshadowed by a Notice of Motion at a previous Board Meeting and that members receive at least twenty-one (21) days notice of such proposal. Any alteration, addition or recision to the Constitution made by the Board shall be deemed to be valid until, or unless voted against by a majority of four-fifths of the members present at an Annual General Meeting or by four-fifths of the members at a Special General Meeting convened specifically for that purpose.

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Original Constitution confirmed at the Annual General Meeting of the Association, held at Brunswick R.S.L. on Wednesday 26<sup>th</sup> March, 1952.

October 2015

