

# Sussex Pétanque Association

## Constitution and Rules



### 1. Name and Scope

The Association shall be called Sussex Pétanque Association (SXP) hereinafter called the SXP.  
The scope of the SXP shall be the County of Sussex.

### 2. Objects

The Objects of the SXP are to promote the game of pétanque by all means at its disposal including

- by encouraging and supporting the formation of affiliated clubs
- by organising competitions and supporting participation in representative events
- by co-ordinating the playing and development of the sport within its geographical area
- by instruction and coaching in the sport
- by promoting public awareness of the sport
- by promoting participation in competitions and events organised by Pétanque England

### 3. Registered Office

The registered office of the SXP shall be at such address as the Management Committee shall from time to time decide.

### 4. Definitions of terms and abbreviation used in this Constitution

#### 4.1. PE

Pétanque England, being the governing body for England as recognised by Federation Internationale de Pétanque et Jeu Provençal (F.I.P.J.P.)

#### 4.2. Members

Members shall be persons who have paid the annual fee appropriate to their category as defined in Clause 6. Membership shall not be denied to any person on the grounds of gender, race, religion, colour, politics, sexual orientation or disability.

#### 4.3. PE MC

The Management Committee of Pétanque England.

#### 4.4. SXP MC

The Management Committee of the Sussex Pétanque Association.

#### 4.5. Affiliated Leagues

Affiliated Leagues shall be such Pétanque Leagues as are admitted to PE in the manner described in the Constitution.

#### 4.6. Registered Clubs

Registered Clubs shall be such Pétanque Clubs as are admitted to the SXP in the manner described in the Constitution.

#### **4.7. General Meetings**

General Meetings of the SXP shall be the Annual General Meetings (AGM) or Extraordinary General Meetings (EGM).

### **5. Structure**

#### **5.1. Member**

Individual members of PE who may be members of clubs or unattached.

#### **5.2. Club**

To register for the first year of registration, a club shall have at least 3 members who are adult members of the SXP and includes minimum officers of President, Secretary and Treasurer. For subsequent years of registration a club shall have at least 6 members of the SXP and all the officers and committee shall be members of the SXP.

#### **5.3. Affiliated League**

A Pétanque League Affiliated to PE.

#### **5.4. SXP**

##### **5.4.1. Powers**

The SXP shall have the power to run their own affairs including, setting a regional subscription, determining their boundaries and name, holding funds and assets separately from PE, organising pétanque competitions and publishing a playing calendar.

##### **5.4.2. SXP MC**

The SXP shall be managed by the SXP MC comprising elected Officers, appointed Officers, and 1 member nominated by each affiliated league and 3 members elected from candidates nominated by Clubs.

##### **5.4.3. Elected Officers**

The SXP shall have the following elected officers President, Secretary, Treasurer, Playing Officer, Membership Secretary.

##### **5.4.4. Term of Office for Elected Officers**

The normal term of office for all SXP Elected Officers shall be 2 years. The election of SXP President, SXP Membership Secretary and SXP Playing Officer will alternate from year to year with the SXP Treasurer and SXP Secretary.

##### **5.4.5. Appointed Officers**

The SXP shall have the following officers appointed by the SXP MC to serve on that committee with voting rights, Regional Coach, Regional Umpire, Regional Youth Development Officer (YDO) and appointed annually.

##### **5.4.6. Annual General Meeting (AGM)**

There shall be an AGM of members in November each year convened by the SXP MC for the purpose of presenting an Annual Report, Annual Accounts, election of officers, determination of fees and subscriptions, consider motions, appoint auditors and appoint arbitrators.

##### **5.4.7. Extraordinary General Meeting (EGM)**

EGMs may be called upon direction of the SXP MC or upon a requisition of not less than 3 registered clubs signed by an officer of each of those clubs.

### **6. Membership**

The following memberships of PE will be recognised by the SXP.  
Individual Membership in the following categories:-

- Ordinary Members shall be players aged 18 or over on 31<sup>st</sup> December in the current year.
- Juniors shall be players aged under 18 on 31<sup>st</sup> December in the current year.
- Honorary Life Members of PE.
- Member Clubs shall be such Pétanque Clubs as are admitted to PE and are located in the scope of the SXP or who have applied to belong to the SXP.
- Affiliated Leagues shall be such Leagues as are admitted to PE and are located in the scope of the SXP or who have applied to belong to the SXP.

Notice of the refusal or acceptance of an application shall be sent to the applicant within 24 days and in the case of refusal shall give the reasons.

## **7. Elections**

### **7.1. Nomination**

All nominations must be in writing and received by the Secretary at least 14 days prior to the AGM and the members nominated must consent in writing to be nominated and to serve if elected.

#### **7.1.1. Officers**

Candidates, who must have been a Member for not less than 2 years (President 4 years) at the closing date for nomination, must be nominated by at least 3 members.

#### **7.1.2. SXP MC Members**

Each Club and Affiliated League may nominate candidates, who must have been a Member for not less than 1 year at the closing date for nomination.

### **7.2. Election.**

If there are no more nominations than vacancies for a particular office then the Presiding Officer at the AGM shall declare that member to be elected. If there are no nominations then the Presiding Officer may accept nominations from the floor. If more than one member be nominated for a particular office a ballot of all members at the AGM will be conducted.

### **7.3. Removal from office of SXP Officers.**

An Officer of the SXP may be removed from office by the vote of not less than two-thirds of the members of the SXP present at an EGM called for that purpose and as described in Clause 14.2.

## **8. Powers and Duties**

### **8.1. SXP MC**

The SXP MC shall have the following powers and duties

- To organise and run SXP Competitions.
- To nominate candidates to the PE MC.
- To promote and develop the game of pétanque within the SXP.
- To organise and fund coaching.
- To establish and maintain qualified Umpires.
- To establish as and when required disciplinary tribunals to hear and determine appeals in accordance with Clause 11.
- To appoint sub-committees for specified purposes and duration.
- To co-opt additional members as and when deemed necessary or desirable.
- To propose changes to the Constitution and Rules for the decision of the members in a General Meeting of the SXP.
- To propose rates of subscription for the decision of the members in a General Meeting.
- To hold and operate assets and the funds of the SXP.

## **8.2. SXP President**

- shall preside, when present, at meetings of the SXP MC.
- shall preside, when present, at General Meetings of the SXP.
- shall act as a counter-signatory in respect of any property or financial transactions on behalf of the SXP.

## **8.3. SXP Secretary**

- The SXP Secretary shall convene, attend and maintain accurate Minutes of all Meetings of the SXP MC.
- The SXP Secretary shall be responsible for all communications of the SXP.

## **8.4. SXP Treasurer**

- To operate the SXP's finances.
- To prepare the SXP's Books of Account for Audit.
- To prepare and present audited accounts to each AGM of the SXP.
- To prepare and present a budget annually for the SXP MC.

# **9. Finance**

## **9.1. Fees**

All fees relating to PE membership for Ordinary Members, Juniors and Clubs, whether existing members of PE or joining, shall be at a rate to be determined from time to time by a PE Annual General Meeting.

The fee to be retained by SXP shall be at a rate to be determined from time to time by the AGM of the SXP.

## **9.2. Accounts**

Proper Books of Account shall be maintained by the Treasurer and shall be available for inspection by members at any reasonable time.

## **9.3. Expenses**

Reasonable expenses may be reimbursed for costs duly authorised by an Elected Officer and incurred wholly and exclusively on behalf of the SXP.

## **9.4. Bank Accounts**

The SXP shall maintain account(s) with a Bank from time to time selected by the SXP MC.

### **9.4.1. Co-signatories**

Two of the co-signatories must authorise all expenditure for any of the Association's accounts.

### **9.4.2. Internet/Telephone banking**

Internet/Telephone banking facilities will be permitted but are subject to Article 9.4.1.

## **9.5. Grants**

The SXP may not make grants or donations to any person or organisation other than specifically for the achievement of the Objectives.

## **9.6. Borrowing**

The SXP may not borrow advances of money at rates in excess of 7% above LIBOR and in any event may not borrow in excess of ten times its last audited annual income.

## **10. Privileges**

### **10.1. General**

Individual members, Affiliated Leagues and Registered Clubs shall be covered for third party liability insurance by PE and shall be entitled to:

### **10.2. Individual Members**

- receive a PE licence on payment of the annual subscription.
- have particulars recorded in the Register of Members.
- attend and vote at General Meetings of the SXP.
- compete in the SXP's Competitions and those of PE.
- receive one copy of the current Official Rules of the Game of Pétanque.
- to participate in the requisition for an EGM of the SXP.

### **10.3. Affiliated Leagues**

- to appoint a representative to serve on the SXP MC.
- receive one current copy of the Constitution & Rules and the Rules of SXP competitions.
- receive Notice of General Meetings and submit motions to the AGM.
- enter teams in competitions sponsored or supported by the SXP
- to participate in the requisition for an EGM of the SXP.

### **10.4. Registered clubs**

- have its particulars recorded in the Register of Clubs.
- to nominate candidates for the SXP MC Member positions.
- receive one current copy of the Constitution & Rules and the Rules of SXP competitions.
- receive Notice of General Meetings and submit motions to the AGM.
- enter teams in competitions sponsored or supported by the SXP.
- to participate in the requisition for an EGM of the SXP.

### **10.5. PE Honorary Life Members**

- Honorary Life Members of PE shall be entitled to all the benefits and privileges of Individual Members and shall not pay any of the membership fees identified in 9.1.

## **11. Discipline**

### **11.1. Introduction**

This Disciplinary Code forms part of the terms and conditions of membership of PE and the SXP. It also forms part of the terms and conditions of participation in tournaments, competitions and other events organised by or sanctioned by PE and the SXP or in which the member is representing PE or the SXP.

### **11.2. Conduct**

Each member of PE and the SXP is responsible and accountable for their own conduct in connection with the sport of pétanque. They must conduct themselves at all times in accordance with the highest standards of disciplined and sporting behaviour. Any conduct that falls below these standards and that harms or undermines the sport of pétanque in any way shall constitute a Disciplinary Offence under this code.

Physical or verbal abuse, inappropriate behaviour or any form of anti-social behaviour has no place in the sport and is unacceptable. Unacceptable conduct will not be tolerated or allowed to go unchallenged at any time or at any level of the sport either on or off the terrain.

### **11.3. Commencement of Disciplinary Proceedings**

Any act or omission by any member of the SXP that constitutes or is capable of constituting a Disciplinary Offence shall in the first instance be considered by the SXP President of the SXP MC, acting either on their own motion or on referral or complaint from a third party. The SXP President or an Investigating Officer appointed by the SXP MC shall undertake or direct such investigations as may be necessary, and every member of the SXP (whether or not they are the subject of the complaint) shall be obliged to co-operate with such investigations. Any failure to cooperate with such investigations may itself constitute a Disciplinary Offence under this code. If the SXP President or Investigating Officer decides to charge a person with a Disciplinary Offence under this code, then they shall send a report to the SXP MC together with all the relevant evidence.

### **11.4. Referral of the Disciplinary Proceedings**

The SXP MC may refer the matter to the PE MC for investigation.

### **11.5. The Disciplinary Committee**

The Disciplinary Committee shall comprise a Chair and not less than 3 other members appointed by the SXP MC. The Chair shall not be a member of the SXP MC. For the avoidance of doubt, with the exception of the SXP President, members of the SXP MC may be members of the Disciplinary Committee. No person with a close interest in the matters that are the subject of the complaint may sit on the Disciplinary Committee hearing the complaint.

### **11.6. Proceedings of the Disciplinary Committee**

The Proceedings of the Disciplinary Committee shall be in accordance with The Disciplinary Committee Procedures as approved by the AGM from time to time.

### **11.7. Appeal**

A Registered Club or Individual Member, including a complainant, shall have the right to appeal the decision of the SXP MC to the PE MC within 28 days of receipt of the decision

## **12. Dissolution**

The SXP may be dissolved at any time by consent of a majority of members voting in a Ballot of Members.

Funds and assets can be transferred to successor bodies on their formation and on dissolution of the SXP.

In the absence of designated successor bodies any funds and assets shall be donated to PE.

## **13. Alterations to Constitution**

### **13.1. Method**

The constitution of the SXP may be rescinded or altered by vote of two-thirds of the Members present at a General Meeting or at an EGM called for that purpose.

### **13.2. Proposals**

Proposals to amend the constitution may be submitted by the SXP MC, Affiliated Leagues or Registered Clubs.

### **13.3. Time Limit**

No proposal to amend the constitution which has been defeated, nor any of like effect, shall again be proposed until a period of two calendar years has elapsed.

## **14. Administrative Rules**

### **14.1. Annual General Meeting**

#### **14.1.1. Date and Place**

The AGM shall, subject to Clause 5.4.5 of the Constitution, be held in the month of November or such other month and at such place as the SXP MC may from time to time determine.

#### **14.1.2. Preliminary Notice**

At least 28 days before each AGM, the Secretary shall publish the date, time and place of the meeting. Those entitled and wishing to put proposals or nominations to the meeting shall submit their motions or nominations to the Secretary at least 14 days before said AGM.

#### **14.1.3. Notice**

At least 7 days prior to the meeting the Secretary shall notify each Registered Club and Affiliated League, notice of the meeting and the agenda of the business to be transacted and details of any motions submitted and nominations received in accordance with the Constitution and Rules.

#### **14.1.4. Agenda**

- The agenda shall be:
- to confirm the date of notice of meeting.
- to receive apologies for absence.
- to approve the minutes of the previous AGM and any subsequent General Meeting.
- to receive the President's Report.
- to receive and, if so resolved, adopt the SXP's accounts and the Auditor's and Financial reports.
- to determine the rates of the SXP membership fee.
- to consider and, if so resolved, approve motions submitted in accordance with the Constitution and Rules
  - a) to amend the Constitution
  - b) proposed by the SXP MC
  - c) proposed by Affiliated Leagues and Registered Clubs
- The SXP MC shall decide the order in which motions will be considered and may consolidate motions.
- to elect the SXP Officers.
- to appoint an Auditor or Auditors.
- to consider such other business as the Presiding Officer may admit. No vote to be taken.

### **14.2. Extraordinary General Meeting**

#### **14.2.1. Convening**

An EGM may be convened by the Secretary by direction of the SXP MC or upon a requisition signed by the Club Secretaries and delivered to the Secretary on behalf of not less 3 Registered Clubs and or Affiliated Leagues.

#### **14.2.2. Location**

The meeting shall be held at such place as the SXP MC shall decide.

#### **14.2.3. Failure to Convene**

Should the Secretary not convene an EGM within 36 days of receiving a duly signed requisition, the requisitioners may convene the meeting and shall have a claim upon the SXP for all expenses reasonably incurred in convening it.

#### **14.2.4. Notice**

The notice convening an EGM shall be sent to every Affiliated League and Registered Club and not less than 28 days before the date of the meeting, stating the date, time and place thereof and the purpose for which it is convened.

#### **14.2.5. Quorum**

No EGM shall proceed to business unless a representative of not less than two thirds of the organisations convening the meeting are present within half an hour of the notified time of start.

#### **14.2.6. Business**

An EGM shall not be competent to transact any business other than that specified in the notice convening it.

### **14.3. SXP MC Meetings**

#### **14.3.1. Meetings**

The SXP MC shall meet as and when it has business to transact.

#### **14.3.2. Quorum**

The quorum for SXP MC meetings shall be one-third of the Officers.

#### **14.3.3. SXP MC Chair**

Meetings of the SXP MC shall be chaired by the President of the SXP or, in their absence, by an Officer elected by those present.

#### **14.3.4. Voting**

Voting shall be on the basis of one vote per Office represented at the meeting, with the President, or Officer chairing the meeting (if different), having the casting vote in the event of a tie.

#### **14.3.5. Attendance by non SXP MC members**

Members of the SXP may attend SXP MC meetings, in a non-voting capacity, but may not attend any parts of such meetings dealing with issues of Discipline raised under Clause 11 unless they are invited by the SXP MC.

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- I. Initially adopted in 2007 at the inaugural meeting of the SXP
  - II. Amended on 25<sup>th</sup> November 2012 at the SXP AGM (new version named SXP Constitution V2 2012)
  - III. Amended on 30<sup>th</sup> November 2014 at the SXP AGM (new version named SXP Constitution V3 2014)
  - IV. Amended on 2<sup>nd</sup> December 2018 at the SXP AGM (new version named SXP Constitution V4 2018)