



Eightball Tasmania Inc.

ABN 67 685 280 489

www.eightballtasmania.com.au

Established 1984

33 Essendon St Summerhill 7250

secretary@eightballtasmania.com.au



Constitution of Eightball Tasmania Inc.

(Amended: March 2017 Special General Meeting)

1 Title:

The official title (name) shall be "Eightball Tasmania Inc."
(In this document referred to as "Eightball Tasmania")

2 Definition's:

- (1) "The Committee" means the Eightball Tasmania General Committee. This Committee consists of Office Bearers duly elected or appointed by the Member Associations at each Annual General Meeting.
- (2) "Eightball" means the game Eightball as played by the Australian Eightball Federation & the World Eightball Pool Federation.
- (3) "Pool" means the reference to games Nine Ball and American Eightball (Straight Pool).

3 Aims and Objectives:

- (1) To promote and foster the sport of Eightball & Pool in the State of Tasmania.
- (2) To encourage and offer affiliation (see 10 - Affiliated Associations) to all Tasmanian Eight Ball Associations.
- (3) To offer / provide assistance and direction for all financially affiliated Associations regarding playing rules, playing procedures and playing equipment required in the sport of Eight Ball & Pool.
- (4) To control and organise all official Tasmanian Eightball & Pool events in conjunction with any sub-committees that may be put in place.
- (5) To implement policies for the protection of our members, especially children, and the implantation of those policies and other policies throughout Eightball Tasmania and its member associations.

4 Assets and Income:

The Assets and Income of Eightball Tasmania shall be applied solely in furtherance of its above mentioned Objectives and no portion shall be distributed directly or indirectly to the Members of Eightball Tasmania except as bona fide compensation for services rendered or as bone fide reimbursement of expenses incurred on behalf of Eightball Tasmania.

5 The Committee:

The Eightball Tasmania committee shall consist of:

- (1) President
- (2) Vice President
- (3) Secretary
- (4) Treasurer
- (5) Junior Development Officer
- (6) Rules & Umpiring Officer
- (7) Major Events, Live Streaming & Social Media.
- (8) Four (4) Committee Members (2 x Two Year Terms & 2 x One Year Terms).

The persons elected for the above positions shall be collectively known as the "General Committee".

6 The Executive Committee:

- (i) President.
- (ii) Vice President.
- (iii) Secretary.
- (iv) Treasurer.
- (v) Media Officer.

Where one or more of the above elected Office Bearers that form the Eightball Tasmania Executive Committee holds two (2) or more of these positions on the General Committee that person shall ONLY be allowed one (1) vote on Executive Committee matters

7 Duties of the General Committee:

The attendance at all applicable Eightball Tasmania Committee meetings and Official functions is required of all General Committee members. Any committee member who is absent from two (2) consecutive Eightball Tasmania Committee meetings, without prior notification of their proposed absence from a particular meeting, shall be automatically expelled from Eightball Tasmania General Committee. Such notification is to be given to the Eightball Tasmania Secretary by the way of written notice prior to the meeting in question.

President:

- (1) Shall preside at all meetings of Eightball Tasmania.
- (2) Shall be responsible to the member associations for the overall performance of all committee members.
- (3) To ensure that Eightball Tasmania business is conducted in accordance with the Constitution, By-Laws and Committee directives.

Vice President:

In the event of the President being absent or elects to stand down as Chairperson from any Eightball Tasmania meeting, the Vice-President shall preside at that meeting and shall have the same powers as the President would have if he had been present.

Note: In the event of the absence of both President and Vice-President (from a meeting) a member of the General Committee shall be elected, from among themselves and shall chair the meeting.

Secretary:

- (1) Shall be responsible for convening all meetings and correctly recording all minutes.
- (2) Shall receive all correspondence in the name of Eightball Tasmania and deal with same in accordance with directions given by General Committee.
- (3) Shall attend to all clerical duties of Eightball Tasmania.
- (4) Shall maintain a record of postal addresses / email addresses of all Committee Members and affiliated Associations.
- (5) Shall also be Eightball Tasmania's Public Officer and attend to all duties required of such position.
- (6) Shall forward minutes within 21 days of meeting to Affiliated Associations who have requested those said minutes.
- (7) Life Members will be entitled to receive minutes on request.

Treasurer:

- (1) Shall be responsible for the receipt of money due to Eightball Tasmania or sub-committees of Eightball Tasmania and deposit said money within 21 days after receipt into a properly approved bank account of Eightball Tasmania.
- (2) Shall keep records of financial transactions concerning Eightball Tasmania and any sub-committees of Eightball Tasmania.
- (3) Shall pay out of Eightball Tasmania funds any properly recognised cost of Eightball Tasmania which are passed at Committee or Executive Committee level, all payments are to be in the form of a cheque and must be signed by the Secretary / Treasurer plus one other of the two signatures from the general committee.
- (4) Shall receive payments on behalf of Eightball Tasmania or sub-committees of Eightball Tasmania.
- (5) Shall prepare and present at the AGM a treasurers report so as to show the income and expenditure of Eightball Tasmania in the preceding Year.
- (6) Shall prepare to have the financial accounts of Eightball Tasmania audited by an Independent Auditor and this Auditors report will be tabled at the AGM.

Junior Development Officer:

- (1) Shall be responsible to implement a Junior Development Programme and to report on a regular basis or when requested to do so by the General Committee.
- (2) Shall be Chairperson on any sub-committees to do with the Junior Programme.

Rules & Umpire Officer:

- (1) Where possible shall act as Adjudicator at State 8ball & Pool Events.
- (2) Shall implement Umpires schools etc, throughout Affiliated Associations in Tasmania.
- (3) Shall be Chairperson on any sub-committees to do with the Adjudication matters.

Media Officer:

- (1) Live Streaming Events – All Eightball Tasmania Inc. Events & Championships as well as all affiliated Association events that request the Live Streaming of events when possible.
- (2) Be responsible for the enforcement of Eightball Tasmania's Social Media Policies as outlined in Eightball Tasmania's By-Laws - Appendix 'B' Social Media Policy covering (Facebook, Twitter etc.).
- (3) The position will also encompass the chief organizer of major events such as the Australian National Eightball Championships.
- (4) The position will be for two (2) years.

8 Powers of the General Committee:

- (1) To manage and control all matters in connection with all Eightball Tasmania events and functions.
- (2) To deal with all correspondence relating to Eightball Tasmania.
- (3) To hold enquiries and make decisions in connection with all disputes, protests and all other matters referred to it.
- (4)
 - (a) To reprimand, suspend, exclude or otherwise deal with any individual, team or club for behaviour, according to the General Committee, which is in any way detrimental to Eightball Tasmania, provided the offender(s) are duly summoned to attend a meeting of the Committee at which it is proposed to take action.
 - (b) Failure of the (alleged) offender(s) to answer the summons shall not prevent the Committee from arriving at its decision.

8 Powers of the General Committee: (continued)

- (c) Should the Committee reprimand, suspend, exclude or otherwise deal with any individual, team or club for behaviour which is in any way detrimental to Eightball Tasmania, the Eightball Tasmania Secretary shall, within 21 days, advise all member Association of its decision(s) and accurately detail all aspects of the particular case in question.
 - (d) The Eightball Tasmania Secretary shall, within 21 days advise the offender(s) of the Committee's decision(s).
 - (5) To impose a levy on affiliated Associations, Teams or Individuals should it be deemed necessary?
 - (6) To make, repeal and or amend By-laws when necessary so as to uphold Eightball Tasmania Aims and Objectives.
 - (7) To appoint Officers / Sub-committees as they deem necessary.
- Note: Under no circumstances shall any By-law (or part there of conflict with any section(s) of the Eightball Tasmania Constitution. Where or if a conflict does occur the Constitution will take preference and the By-Law will be amended to avoid the conflict.

9 Powers of the Executive Committee:

The Executive Committee shall have the same powers as the General Committee, with the provision that all decisions that the Executive Committee arrives at are ratified at the next meeting of the General Committee.

10 Affiliated Associations:

- (1) Any Tasmanian based Eight Ball Associations may become Member Associations of Eightball Tasmania at each AGM or a properly convened Special General Meeting for the specific purpose of accepting new members of Eightball Tasmania.
- (2) All new member Associations must be accepted by a two-thirds acceptances.
- (3) Upon acceptance from Eightball Tasmania, Member Associations receive the right of its own members to enter applicable Eightball Tasmania events / functions. Such entries are subject to Eightball Tasmania qualification as set out by the General Committee. Once accepted by Eightball Tasmania, the Member Association is entitled to one (1) voting delegate to represent their Association at the Eightball Tasmania Annual General Meeting or any Special General Meeting.

11 Annual Subscription's:

Annual subscription's payable by Member Associations, for the following year, shall be determined at each Annual General Meeting. Annual subscriptions are payable 60 days after each Annual General Meeting.

12 Candidates for Committee Positions:

- (1) Prospective candidates for positions on the Federation General Committee shall advise the Eightball Tasmania Secretary no later than 14 days prior to the date fixed for the Annual General Meeting. Such advice shall be in written form stating the position for which the candidate is applying and may be received by official email or postal address of Eightball Tasmania.
- (2) All Candidates must be nominated and signed by a member of Eightball Tasmania (Affiliated Association) and seconded and signed by a member of Eightball Tasmania (Affiliated Association) along with the Candidates signature for position nominated.

In the case of there being no written applications for any vacant positions, applications shall be accepted on and from those present at the Annual General Meeting.

All Nomination/s must be accepted by the Associations present and Associations will have the right to decline any nomination/s by the way of a majority vote.

No person will be allowed to fill more than one position on the Committee.

Any person nominated for General Committee must comply with Corporate Affairs.

13 Terms of Office:

Once elected at the Eightball Tasmania Annual General Committee for a position on the Eightball Tasmania Committee the following terms of office shall be:

- (1) President - 2 years (Odd Years)
- (2) Vice President - 2 years (Even Years)
- (3) Secretary - 2 years (Odd Years)
- (4) Treasurer - 2 years (Even Years)
- (4) Junior Development Officer - 2 years (Odd Years)
- (5) Media Officer - 2 years (Even Years)
- (6) Rules & Umpire Officer - 2 years Even Years)
- (7) 2 Committee Members - 2 years (Odd and Even for Each Position)
- (8) 1 Committee Member - 1 year term

Note: In the event of a vacancy occurring during the year, the General committee shall elect a replacement. The elected person shall then hold that position, but only until the next Annual General Meeting. At Annual General Meeting, if vacancy occurs and term of office has not expired, person elected only until end of original term. All positions to maintain rotational basis. Any Nomination/s for vacant position/s must be accepted by the Committee present and the Committee will have the right to decline any nomination/s by the way of a majority vote.

14 Eightball Tasmania Financial Year:

The financial year for Eightball Tasmania shall be the period beginning 1st December in a calendar year and ending on the 30th November the following calendar year.

15 Voting in Eightball Tasmania Meetings:

Voting at the Eightball Tasmania Annual General Meeting and Special General Meeting shall be maximum of one (1) vote per Member Associations (See 10.3 Affiliated Associations). Voting at the Eightball Tasmania Annual General Meeting and Special General Meeting shall be by a show of hands or ballot, as determined and should the vote result in a tie, the motion will be deemed to have been defeated.

Note: Committee Positions: In the event of a tie for Committee Position the chairperson will have the casting vote for that tied position.

In the case of more than one nomination for president the delegates present will vote in a chairperson Voting at any Eightball Tasmania General Committee Meeting shall be a maximum of one (1) vote per General Committee member with the Chairperson / President only voting in the event of a tie.

Voting at any Eightball Tasmania Executive Committee Meeting shall be a maximum of one (1) vote per Executive Committee member and should the vote result in a tie the motion will be deemed to have been defeated.

16 Eightball Tasmania Meetings:**(1) Annual General Meeting:**

- (a) The Annual General Meeting of Eightball Tasmania shall be held once every year at a date and place decided by the General Committee. The date decided upon shall not be later than three (3) months after the close of the financial year of Eightball Tasmania.
- (b) The Annual General Meeting of Eightball Tasmania shall be in addition to any other meeting(s) that may have been held in the same year.
- (c) The Annual General Meeting of Eightball Tasmania shall be specified as such in the notice(s) convening it.
- (d) The Secretary shall, at least 14 days before the date fixed to hold the Annual General Meeting of Eightball Tasmania, advertise the AGM on the Eightball Tasmania web site and to member associations via email or postal correspondence stating the agenda, place, date and time for the holding of the annual general meeting.
- (e) The Quorum required to conduct the Annual General Meeting of Eightball Tasmania shall be not less than one half of the Member Associations that are eligible to attend.
- (f) The Agenda at the Annual General Meeting shall be:
 - (i) Apologies.
 - (ii) Acceptance of new members.
 - (iii) Confirm voting rights.
 - (iv) Minutes of the last Annual General Meeting shall be distributed and confirmed.
 - (v) Receive annual reports from President, Treasurer, Rules & Umpire Officer, Junior Development Officer, Independent Auditor and any other reports that have been correctly tabled by members of the General Committee not mentioned above. Receive recommendation(s)/nomination(s) (if any) for Eightball Tasmania Life Memberships. Acceptance or denial for such shall be decided by voting. (See 15 Voting at Eightball Tasmania Meetings).

(1) Annual General Meeting: (continued)

- (vi) Election of positions that may be now vacant on the General Committee.
 - (1) President
 - (2) Vice-President
 - (3) Secretary / Treasurer
 - (4) Junior Development Officer
 - (5) Rules & Umpire Officer
 - (6) Promotions Officer
 - (7) Two (2) Committee Persons
 - (8) One (1) Committee Person
 - (9) Election of Eightball Tasmania Auditor

Note: The appointment of an Auditor is not part of the General Committee and if it the appointment is not made at the AGM, the Committee shall appoint an Auditor of Eightball Tasmania for the current financial year of Eightball Tasmania.
- (vii) The fixing of Annual Subscriptions payable to Eightball Tasmania by Member Associations.
- (viii) Consider and deal with any general business that has been properly brought forward. Such business must be in writing and in the possession of the Secretary at least 14 days prior to this Annual General Meeting of Eightball Tasmania.

Note: Election of successful candidates for vacant positions on/in the General Committee and any other matter that requires resolution by voting, shall be determined by a show of hands or ballot, as determined, from each Member Association delegate. (See 15 Voting at Eightball Tasmania Meetings).

(2) General Committee Meeting:

General Committee Meetings shall be held as often as is necessary during the year to ensure that the Aims and Objectives' of Eightball Tasmania are met. The date(s), venue(s) and time(s) for all General Committee Meetings shall be arranged through the Secretary.

NOTE: The required Quorum for this meeting shall be no less than four (4) General Committee members.

(3) Executive Committee Meeting:

Executive Committee Meetings shall be held to deal with matters of urgency and also when it may not be possible (or practical) to assemble the full General Committee.

Note: The required Quorum for this meeting shall be no less than three (3) Executive Committee members.

All matters at this meeting must be ratified at the next General Committee Meeting and the General Committee will be empowered to overturn any decision made by the Executive.

(4) Special General Meeting:

Special General Meeting can only deal with the specific reason/s that it was convened for and require 14 days' notice to Associations by the way of written notice via email or postal address and may be called by the General Committee of Eightball Tasmania

Member Association may call a Special General Meeting as long as that application is signed by at least two thirds of Member Associations and submitted to the Eightball Tasmania secretary via official email or postal address.

(5) Meetings by Phone / Fax / Email:

Where necessary decisions can be made by phone / fax / email, this kind of meeting will be conducted by the Secretary or President who will correctly note all business conducted, the time and vote if taken of the business conducted.

The business conducted will be tabled at the next General Committee Meeting for ratification.

(6) Quorum not present at Meetings:

If within 30 minutes after the time appointed for a meeting, a quorum is not present, the meeting shall stand adjourned to a time and place decided by the members present. If at such adjourned meeting, a quorum is not present within 30 minutes of the time appointed for the meeting, the members present shall form a quorum.

17 Appeals and Plea's for Leniency:

Should any individual, team/club or Association be dealt with, according to 8 'Powers of the General Committee' or 9 'Powers of the Executive Committee' in this document, they shall have the right of appeal. Appeal guidelines must be adhered to for any appeal to be heard.

(1) Appeal Guidelines:

- (1) All appeals must be in written form and must detail the grounds for which the offender(s) requests an appeal.
- (2) Such appeals must be in the hands of the Eightball Tasmania Secretary within 14 days of notification of penalty by registered mail to the secretary.
- (3) Should the guidelines be met, the Eightball Tasmania Secretary shall advise the General Committee and they shall then convene a meeting to deal with such appeal.
- (4) If no appeal is submitted within these guidelines, the right of appeal is no longer available.

(2) Plea for Leniency:

A plea for leniency can be submitted to the Eightball Tasmania committee. Date of such plea to be set at time of sentence. Such pleas must be in written form and must detail the grounds for which the plea is submitted and sent to Secretary by registered mail.

Note: If the offender(s) fails to appeal for leniency by the date set down, the right for Plea for Leniency will be withdrawn.

18 Amendments to the Constitution:

- (1) Proposals to change the constitution in any way can only be considered at an Eightball Tasmania Annual General Meeting or a Special General Meeting.
- (2) Any motion to alter the Constitution must be passed by at least a two-third majority vote.
- (3) Any such proposals shall be in written form via email (secretary@eightballtasmania.com.au) or the official postal address of Eightball Tasmania and must be submitted to the Eightball Secretary at least 14 days prior to the date of the Annual General Meeting or Special General Meeting.

19 Amalgamation:

Where it furthers the Objects of Eightball Tasmania to Amalgamate with any One (1) or more Association having similar Objects, the other Association must have Rules prohibiting the distribution of its (their) Assets and Income to Members; and must be exempt from Income Tax.

20 Winding Up:

- (1) In the event of Eightball Tasmania being wound up:
 - (a) Every Member of Eightball Tasmania; and
 - (b) Every Person who, within the period of Twelve (12) Months immediately preceding the commencement of the Winding Up, was a Member of Eightball Tasmania, is liable to contribute to the Assets of Eightball Tasmania for payment of the Debts or Liabilities of Eightball Tasmania and for the Costs, Charges, and Expenses of the Winding Up and for the adjustment of the rights of the contributories among themselves such Sum, not exceeding (Two) \$2.00 Dollars as may be required, but a former Member is not liable so to contribute in respect of any Debt or Liability of Eightball Tasmania contracted after he ceased to be a Member.
 - (c) The amount which remains after such dissolution and the satisfaction of all Debts and Liabilities shall be transferred to any Association which has similar Objects and which is exempt from Income Tax.

21 Life Membership:

- (1) All nominations for Life Memberships must be in writing and signed by at least two Member Associations and in the hands of the Eightball Tasmania Secretary at least 14 days prior to the AGM. (Life Membership can only be given at the Annual General Meeting).
- (2) Life Membership of Eightball Tasmania shall be granted if it is accepted that the nominated person has contributed outstanding service over a period of not less than ten years to Eightball Tasmania.
- (3) Once granted, Life Members may, if they wish, attend all Eightball Tasmania meetings and have full speaking rights. Life Members of Eightball Tasmania shall be awarded free entry to Eightball Tasmania events and functions each year.



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