



# **MALTA POOL ASSOCIATION**

## **STATUTE**

As amended at the Extra Ordinary General Meeting on the 17<sup>th</sup> September 2019

## **ARTICLE 1            NAME**

Section 1 – The name of the organisation shall be 'The Malta Pool Association', hereinafter referred to as 'The Association' or the 'M.P.A.'.

## **ARTICLE 2            OBJECTIVES AND AIMS**

Section 1 – Objectives and aims of the Association shall be the following:

- (a) To stimulate interest in and promote the games of Pool Table, known as Eight (8) Ball and Nine (9) Ball.
- (b) To lay down and secure the adoption of uniform laws of the game of Pool Table on the Islands of Malta and to act as the legislative authority.
- (c) To act as the sole controlling and governing body of the game of Pool Table in Malta.
- (d) To decide all doubtful or disputed questions as to the laws and all matters relating to the game in Malta.
- (e) To promote and control the official Championships and to organise other competitions in order to improve the standard of the game in Malta.
- (f) To apply solely to the promotion of the foregoing objects all income and property of the Association from whatever legal source derived.

## **ARTICLE 3            MEMBERSHIP**

Section 1 – Any Club, Organisation or Circle, who accepts the objectives and aims of the Association may become a member of the M.P.A, and shall be entitled to two (2) votes.

Section 2 – Any individual who is registered with or seconded by members mentioned in Section 1 and further provided that he/she subscribes to the provisions of Section 1 may become a member of the MPA. Individual Members are not entitled to vote at the AGM of the MPA with the exception of those sitting on the executive committee of the MPA who shall be entitled to one (1) vote.

Section 3 – Any member who fails to pay monies due to the Association within a reasonable time of being asked by the M.P.A. shall cease to be a member in good standing and shall continue to be liable to the Association for the amounts due.

Section 4 (a) – The Malta Pool Association shall have the power to refuse any application for membership by any member mentioned in Sections 1 and 2.

Section 4 (b) – The Malta Pool Association shall have the power to refuse any application for registration of any pool player.

Section 4 (c) – Affiliated Club members and Individual members, as previously described, cannot take part in radio or television broadcasts on the subject of Pool unless sanctioned by the Malta Pool Association

Section 4 (d) – The Malta Pool Association shall have the power to demand any or all its club members to post any signs or advert, on club premises, naming its sponsors during play of the Association's season. The Executive Committee of the Association shall be empowered to fine member clubs for refusal to post such signs or adverts.

Section 5 – Any member who in the opinion of the Executive Committee misbehaves at the Association's premises and/or during the Association's functions and/or brings the good name of the M.P.A. into disrepute and/or acts against the objectives of the Association, may have his membership suspended or terminated by a simple majority vote of the Executive Committee. Such member may elect to appeal to the Appeals Board Against Executive Decisions. The decision of the Executive Committee shall stand till the appeal is heard and decided upon by the Appeals Board Against Executive Decisions.

Section 6 – An appeal lodged pursuant to Section 5, must be so lodged with the Secretary in triplicate, within seven (7) calendar days of the decision of the Executive Committee. All appeals are to be accompanied by a deposit of €400.00

Section 7 (a) – Such deposit shall be forfeited to the Association in case of withdrawal or in case that the Executive's decision is upheld.

Section 7 (b) – If the Appeals Board against Executive Decisions decides in favour of the appellant, the deposit shall be refunded.

Section 8 – The decision reached by the Appeals Board shall be final.

Section 9 – Each member club shall nominate a delegate as a member of the Protest/Appeal Committee.

#### **ARTICLE 4                    STRUCTURE OF DUES**

Section 1 (a) – The following shall be the dues payable at the beginning of every M.P.A. season:

Team	– League fee per player	€10.00
Club	– Affiliation	€40.00
Individual	– Affiliation	€20.00

Or as may be set from time to time by the National Executive Committee

At the beginning of each M.P.A. season, each team shall deposit €70.00 with the M.P.A., for the purpose of deducting fines (multa) or charges registered against the team during the season which have remained unpaid.

Section 1 (b) – The deposit mentioned in Section 1 (b) above, shall be retained by the M.P.A. until the start of the following season.

Section 2 – In no case shall the dues payable be less than those specified in this Statute.

Section 3 – Any proposed increase in dues shall only be approved as a result of a simple majority of the Executive Committee.

#### **ARTICLE 5                    OFFICERS**

Section 1 – The Officers of the Association shall consist of a President, Vice-President, Secretary and Treasurer.

Section 2 – Each Officer shall be a voting member of the Executive Committee.

Section 3 – An Officer may be removed from office by two-thirds majority vote at an extra-ordinary meeting called for that purpose, unless Article 6, Section 4 is infringed.

Section 4 – No Officer shall make any expenditure or enter into any contracts of any nature that may become a financial obligation to the Association, unless the Executive Committee has approved the said expenditure or contract.

Section 5 – The officers shall apply on yearly basis for individual affiliation/membership as per Article 4, Section 2, of the statutes.

## **ARTICLE 6 EXECUTIVE COMMITTEE**

Section 1 – The Executive Committee shall consist of not more than nine (9) and not less than five (5) members.

Section 2 – Two members from the same club may sit on the Executive Committee subject that:

- (a) The Executive Committee does not include more than 9 members from different club members. In such case only one member will be able to sit on the Executive.
- (b) Members from same club will only be entitled to one vote between the two members

Section 3 – Executive committee members cannot vote on issues/decisions that are personally involved in.

Section 3 (a) – Each member of the executive committee, except the President, have one vote each. The President shall only have the casting vote

Section 3 (b) – Voting by proxy is prohibited

Section 4 – Any member of the Executive Committee who absents himself for five (5) meetings without justifiable cause may be expelled from the Executive Committee as a result of a simple majority vote of the Executive Committee.

Section 5 – In case of necessity, the Executive Committee shall have the power to elect two (2) non-members in the Executive Committee.

Section 6 – The members and officers of the Executive Committee shall not be officials, members and have any form of relationship with organizations, promoters or any kind of entities that organise pool events in Malta other than those organised by the Malta Pool Association.

## **ARTICLE 7 DUTIES OF THE PRESIDENT**

Section 1 – The President shall preside at all meetings of the Executive Committee and General Meetings of the Association.

Section 2 – The President shall convene meetings of the Executive Committee at least once every month and on other occasions when he deems necessary.

Section 3 – The President shall be one of the three (3) co-signers.

Section 4 – The President shall cast the deciding vote in case of a tie on any matter to be voted upon.

Section 5 – Subject to appeal, to the General Meeting, the President or whoever is acting in his stead at the time, shall have the authority to interpret these statutes and his interpretation shall be conclusive and in full force.

## **ARTICLE 8 DUTIES OF THE VICE-PRESIDENT**

Section 1 – The Vice-President shall work for and assist the President in the performance of his duties.

Section 2 – It shall be the duty of the Vice-President, in the absence of the President, to preside and to perform all duties pertaining to the office of the President. In a case of a vacancy in the office of the President, the Vice-President shall assume the duties of the President until the vacancy is filled or a by-election is held in accordance with the provisions of these statutes.

## **ARTICLE 9 DUTIES OF THE SECRETARY**

Section 1 – The Secretary shall have charge of all correspondence, reports and notices except those pertaining to the financial activities of the M.P.A.

Section 2 – The Secretary shall sign all membership cards and shall maintain an up-to-date list of members and supply same to the President or Treasurer if so requested.

Section 3 – Membership lists and the information contained within shall be the property of the Association and shall be used for the sole purpose of the M.P.A.

Section 4 – The Secretary shall record all minutes of the Executive Committee and General Meetings.

## **ARTICLE 10 DUTIES OF THE TREASURER**

Section 1 – The Treasurer shall receive all money for the Association from all sources and keep an account of same. He shall be prepared to give financial statements when asked by the President and/or the Executive Committee.

Section 2 – A quarterly financial statement must be prepared by the Treasurer and duly signed by the President.

Section 3 – The Treasurer shall obtain a warrant from the President before paying out any bills or accounts in excess of €36.00, at any one time.

Section 4 – He shall deposit or cause to be deposited all the Association's money in a Commercial Bank under the name of 'Malta Pool Association' and shall be the co-signer with one (1) of two (2) other signatures.

## **ARTICLE 11            DUTIES OF EXECUTIVE COMMITTEE MEMBERS AT LARGE**

Section 1 – It shall be the responsibility of those members at large of the Executive Committee to help in any way or manner possible or, as delegated by the Executive Committee in meeting and furthering the objectives and aims of the Association.

Section 2 – Breach of Trust

- a) A member of the Executive Committee shall not, without the express authorisation of the Executive Committee, divulge in any manner whatsoever any information relating to the Association and/or the contents of any document of the Association which has come to his knowledge or in his possession because of his office
- b) An Executive Committee member who breaches the provisions of clause (a) above shall be guilty of breach of trust against the Association
- c) If the Executive Committee deems that a breach of trust has occurred a motion of no confidence in such an Executive Committee member for breach of trust will be brought before the Executive Committee
- d) In case that the Executive Committee agrees with such a motion, the Executive Committee member shall relinquish his office forthwith and shall not be eligible to hold any position within the Association for a period of three years.
- e) The Association shall have the right to claim damages against the Executive Member concerned as a result of such breach of trust.

## **ARTICLE 12            NOMINATIONS**

Section 1 – In order to be eligible as a candidate for election to Office, the nominee must have been a member (previously described) in good standing, of the Association, for a consecutive period of twelve (12) months immediately prior to the date of the nomination.

Section 2 – In order to be eligible as a candidate for election to Office, the nominee, who has been in the executive committee of a national organization promoting other pool events rather than those authorized by the Malta Pool Association, must have relinquished his chair and been a member (previously described) in good standing, of the Association, for a consecutive period of twenty four (24) months immediately prior to the date of the nomination

Section 3 – Nominations for the election of officers, as described in Article 5 Section 1, and for executive members must reach the Secretary of the Association, in writing, fourteen (14) days prior to the General meeting. Nominations will be seconded at the General Meeting.

Section 4 – The term of office shall be of three (3) years.

Section 5 – The acceptance of nomination for election to office must be received either in person or in writing at the time of nomination.

## **ARTICLE 13 ELECTIONS**

Section 1 – When an election is held at the Annual General Meeting, an Election Committee, consisting of three (3) members, who have not been nominated for any office, shall be nominated and elected from among the members present.

Section 2 – The Election Committee will immediately elect a chairperson from among them and, report the name of the chairperson to the General Meeting and entered in the minutes.

Section 3 – The duties of the Election Committee in regard to the conduct of the ballot shall be:

- (a) Preparing and handling out ballots.
- (b) Receiving of ballots.
- (c) Counting of ballots.
- (d) Issuing the Results.

Section 4 – The Election Committee shall supply each voting member who shall have been a member in good standing for six (6) months immediately preceding the election with a ballot paper, in accordance with ARTICLE 3, Sections 1 & 2.

Section 5 – The Election Committee shall disband immediately after the election is held.

Section 6 – (a) Election of officers shall be held at the general meeting

(b) In the event of more than five nominations for executive members are received, an election will be held at the same general meeting to elect five executive members

(c) In the event of a tie vote, for any office or member, there shall be a recount and if necessary, a further election.

## **ARTICLE 14 MEETINGS**

Section 1 (a) – A General Meeting of the Association shall be held at the end of a season.

Section 1 (b) – The meeting shall be held on the premises of the Association or any other place deemed necessary for the occasion.

Section 1 (c) – The Secretary shall send at least one (1) month prior to the date of the meeting, a notice providing full details of the time, date and place, along with such further information as is available of the business to be transacted at the meeting.

Section 1 (d) – Ten (10) persons in good standing shall constitute a quorum.

Section 2 – The General Meeting held at the end of the season shall be considered as the Annual Meeting and shall:

- (a) Consider and approve annual reports by Officers of the Association.

- (b) Consider and approve financial statements of the Association.
- (c) Elect the Executive Committee of the Association for three years.
- (d) Appoint an Auditor.
- (e) Discuss, amend and alter these statutes and general team competition rules.

Section 3 (a) – Motions for amendment of the Statute or regulations must reach the Secretary of the Association, in writing, not less than fourteen (14) days prior to the General Meeting.

Section 3 (b) – Motions for amendment and regulations will be sent by the Secretary of the Association to all affiliated members, not less than seven (7) days prior to the General Meeting.

Section 3 (c) – Only motions for amendments of these statutes and general team competitions rules will be accepted and discussed during the annual general meeting. Other individual competitions' rules, ranking systems and national teams' set ups shall be at the discretion of the executive committee.

Section 4 (a) – Extraordinary Meetings may be called by the President at his discretion or by a written request of eleven (11) members (clubs) who must submit such request over their signatures. Nine (9) of the signatories to such a petition must be present before such meeting can be convened.

Section 4 (b) – The President, or anyone acting in his stead, shall enforce the provisions of sub-section (a) of the Section by reading the names from the petition at the time the Extraordinary Meeting is to take place, but before the meeting is convened.

Section 4 (c) – No business shall be transacted at such an Extraordinary Meeting other than the business for which such Extraordinary Meeting has been called.

Section 4 (d) – The Secretary shall send not less than five (5) days prior to the date of the meeting a notice containing details of its time, date, place, along with the details of the business to be dealt with at the Extraordinary Meeting.

Section 5 (a) – The Executive Committee shall meet at least once every month.

Section 5 (b) – An Extraordinary Meeting of the Executive Committee may be held either on the call of the President, or on the written request of any three (3) members of the Executive Committee.

Section 5 (c) – Four (4) members of the Executive Committee shall constitute a quorum of the Executive Committee.

## **ARTICLE 15 COMMITTEES**

Section 1 – There shall be two (2) types of committees, Special and Standing Committees.

Section 2 – The Executive Committee shall have the authority to appoint Special Committees from among the members and non-members of the Association.

Section 3 – Each Special or Standing committee except the Election Committee shall have a member of the Executive Committee as Chairperson.



## **ARTICLE 16 PROTEST/APPEALS COMMITTEES**

Section 1 (a) – The Protest Committee shall consist of five (5) persons chosen amongst the delegates or alternates nominated according to Article 3, Section 9 or any other such person as may be necessary from outside the Association.

Section 1 (b) – Such persons must be from a different section, group or division from the teams originating and/or defending the protest.

Section 2 (a) – The Executive Committee shall within five (5) days (excluding Saturday and Sunday and public holidays) after receiving a properly submitted protest appoint a Chairperson in accordance with Article 15, Section 3.

Section 2 (b) – Send one (1) copy of the protest to defendant club, by registered post.

Section 2 (c) – Submit one (1) copy of the protest to the appointed Chairperson of the Protest Committee.

Section 3 – The Chairperson shall as soon as possible thereafter fix a date and place and call together the members of the Protest Committee.

Section 4 – Quorum for the Protest Committee shall not be less than four (4) persons, including the Chairperson.

Section 5 – Delegates from the appellant, defendant or suspended team or club shall be excluded from taking part in the protest before the committee except as a witness.

Section 6 (a) – Delegates who fail to attend committee meetings without justifiable cause shall be liable to a fine (multa) of not less than €30.00

Section 6 (b) – It shall be up to the Protest Committee to decide upon justifiable cause Section 6 (a). The Chairperson shall not, even in the case of a tie, have a vote.

Section 6 (c) – In the case of a tie vote debate should be resumed.

Section 7 – The procedure of hearing a protest shall be as follows:

(a) The protest/appeal committee shall first hear the party filling the protest/appeal behind closed doors and afterwards shall hear all evidence from its witnesses

(b) After heaving heard all evidence from the protesting/appealing party the committee shall hear the defendant party and evidence from its witnesses behind closed doors

(c) The protest/appeals committee shall be empowered to face all parties and witnesses during all hearings.

Section 8 (a) – The Protest Committee shall be empowered to regulate its own procedure and is empowered to hear not only evidence which is produced by the parties to the protest, but also other evidence which it may deem relevant.

Section 8 (b) – The parties to the protest shall take care to produce all evidence at the hearing. The Protest Committee shall only allow postponements for the hearing of evidence in exceptional circumstances and provided that a postponement would not interfere with the running of competitions of the M.P.A.

Section 8 (c) – The Chairperson shall ensure that the parties to the protest are given a fair hearing.

Section 8 (d) – It shall be the duty of any person regulated by The Malta Pool Association, who has been requested to appear before the Protest Committee to advise the Chairperson, of his/her inability to attend. Failure to notify within thirty (30) minutes of the appointed time may result in a fine (multa) or suspension or both.

Section 8 (e) – Hearings shall be conducted behind closed doors and a decision reached as soon as possible after the closing of the case by the parties to the protest but not later than twenty-four (24) hours, unless the Protest Committee needs to conduct further investigations. The decision shall be in writing and signed by not less than three (3) committee members including the Chairperson.

Section 9 – The Protest Committee may make recommendations to the Executive Committee to take further action on any matter that comes to the cognisance of the Protest Committee during the hearing of a protest.

Section 10 - The Executive Committee shall cause the Secretary to send the decision to the appellant and defendant by post not later than five (5) days (excluding Saturday, Sunday and public holidays) after the Executive Committee receives the decision.

Section 11 - The decisions of the Protest Committee are final and binding on all parties except in the case of an appeal lodged according to Section 12, in which case the final decision shall be final and binding on all parties.

Section 12 (a) – One (1) appeal may be lodged against the decision of the Protest Committee.

Section 12 (b) – Such appeal must be lodged within forty-eight (48) hours of receipt of the original decision of the Protest Committee.

Section 12 (c) – The procedure for submitting and/or hearing an appeal against the original decision shall be in accordance with Article 16, however, under no circumstances shall the committee, except the Chairperson, be composed of the same persons having heard the original protest.

## **ARTICLE 17 APPEALS BOARD AGAINST EXECUTIVE DECISIONS**

Section 1 (a) – The Appeals Board against Executive decisions shall consist of three (3) persons.

Section 1 (b) – The Chairperson of the board shall be a lawyer having a minimum of seven (7) years practise, while the other two members shall be persons of good conduct.

Section 2 – The Executive Committee shall, within seven (7) days on receipt of an appeal, decide on a date of not more than thirty (30) days from the date of the Executive Committee meeting and inform the appointed members of the Appeals Board, the appellant and defence.

Section 3 – The appealing club and the Executive Committee shall make available all evidence in their possession. On no basis shall there be a postponement of the Appeals Board.

Section 4 (a) – The decision of the Appeals Board must be in writing and signed by all Board members.

Section 4 (b) – Within five (5) days on receipt of the decision, The Secretary of the Association must send, by post, the decision to the appellant.

Section 5 – The decision of the Appeals Board against Executive Decisions is final.

## **ARTICLE 18            RESIGNATIONS**

Section 1 (a) – If an Officer or executive member desires to resign, he shall first write a letter of intent to the Secretary who will inform the Executive Committee.

Section 1 (b) – Such resignation shall be studied by the Executive Committee as soon as possible and thereby the Secretary will inform the Officer by letter of the decision reached by the Executive Committee.

Section 1 (c) – Any such resignation shall be filled from runners-up at the Annual General Meeting. Should this fail to fill any such vacancy, the Executive Committee may call an Extraordinary General Meeting for the purpose or fill in the vacancy by appointment until the next general meeting.

## **ARTICLE 19            COMPLAINTS,    REPORTS    AND    PROTESTS    ON CORRUPTION**

Section 1 – A player has the duty to inform immediately The Association if he is approached by anybody whomsoever with the intention of influencing him to change the normal course or result of a match. In so doing he must give all the details available.

Section 2 – A referee has the duty to inform immediately the Association if he is approached by anybody whomsoever with the intention of influencing him to change the normal course or result of a match. In so doing he must give all the details available.

Section 3 – Nobody may make to the Association, a complaint, report or protest that alludes to corruption unless the matter has already been brought to the attention of the Police Office.

Section 4 – The Association may at any time require proof that the matter relating to corruption has been brought to the attention of the Executive Police.

Section 5 – When a complaint, a report or protest alluding to corruption is made to the Association, before the matter has been brought to the attention of the Executive Police. The Association shall:

- (a) Immediately report the matter to the Commissioner of Police; and
- (b) Take action against the complainant and/or the sender of the complaint, report or protest as it deems fit.

Section 6 – Notwithstanding the above, the Association shall have the authority to investigate any matter relating to corruption and to take action against anybody found guilty of corrupt practices.

Section 7 – Corruption shall be taken to mean what is contemplated in the Prevention of Corruption Act of 1976.

## **ARTICLE 20            DISSOLUTION**

Section 1 – In the event of the Malta Pool Association shows sufficient cause or its unable to operate, efforts will be made to obtain support and failing this:

- (a) An Extraordinary General Meeting shall be called.
- (b) A liquidator appointed.
- (c) The funds remaining at dissolution will be distributed among the charitable and/or philanthropic institutions to be decided by the last General Meeting.

## **ARTICLE 21            ORDER OF BUSINESS**

The business of each meeting shall be conducted in the following order:

- 1. The President shall open the meeting at the appointed time.
- 2. Roll call of the Executive Committee.
- 3. Reading of the Minutes of the previous meeting.
- 4. Reading of the Correspondence and Executive Committee recommendations.
- 5. Bills and Accounts.
- 6. Reports of Officers and Committees.
- 7. Elections and Nominations.
- 8. Unfinished business.
- 9. New business.
- 10. Adjournment.

## **ARTICLE 22            RULES OF ORDER**

Section 1 – No member may speak unless he is recognised by the Chair.

Section 2 – No one shall be allowed to speak for more than three (3) minutes on any Motion.

Section 3 – No member may speak more than once to a Motion, with the exception of the Mover, who, if he speaks the second time, shall thereby close the debate.

Section 4 (a) – The only time a member may interrupt the Speaker is on points of order, privilege and information and, to appeal the ruling of the Chair.

Section 4 (b) – The Chairman shall decide all points of order and every member must take his seat when called upon to do so by the Chair. Any member questioning the ruling of the Chair may appeal to the meeting.

Section 4 (c) – Any member appealing the ruling of the Chair shall remain standing and state the reason for the appeal.

Section 4 (d) – The Chairman shall relinquish the Chair and state the reason for his ruling.

Section 4 (e) – The presiding Officer shall put the question, 'Shall the ruling of the Chair be sustained?' and it shall require a simple majority vote to sustain the Chair.

Section 5 – When a question is put, the Chairman, after announcing the question, shall ask 'Are you ready for the question?'. If no member wishes to speak, the question shall then be put.

Section 6 – When the previous question is regularly moved and seconded, no discussion or amendment of either Motion is permitted. If the majority vote that 'the question be not put', the original motion has to be put without debate. If the Motion to put the question is defeated, discussion will continue on the original Motion.

Section 7 – With the exception of the foregoing limits on debate, the rules of this Association shall be governed by Robert's Rules of Order.

## **ARTICLE 23            INTERPRETATION**

In these Bye-Laws, masculine pronouns, whenever used, shall include the female gender.

## **ARTICLE 24            AMENDMENTS AND ALTERATIONS**

Section 1 – These Statutes shall not be altered or amended except at the General and Extraordinary Meetings of the Association.

Section 2 – The Motion to amend or alter these Statutes shall require two-thirds majority vote of the members present in order to become effective while motions to amend general team rules require a simple majority vote of members present.

Section 3 – Considerations of a Motion to amend or alter may not be deferred from being dealt with at the General or Extraordinary Meeting at which it is being dealt with. The absence of the mover of the Motion shall not be deemed as sufficient reason to defer considerations and disposition of a Motion to Amend.

Section 4 – Motions and amendments in these statutes and general competition rules, passed at a general meeting, cannot be amended before an experimental season is over.