



SOUTH AFRICAN POOL UNION (SAPU)

CONSTITUTION

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Remark

In this constitution, unless inconsistent with the context, the masculine gender includes the feminine gender and the singular includes the plural and visa versa.

ABBREVIATIONS

AAPA	All Africa Pool Association
EGA	Extra Ordinary General Assembly
GA	General Assembly
IOC	International Olympic Committee
OC	Organizing Committee
SAIDS	South African Institute for Drug-Free Sport
SACCS	South African Confederation of Cue Sports
SASCOC	South African Sports Confederation and Olympic Committee
WCBS	World Confederation of Billiard Sports
WPA	World Pool-Billiard Association

1. ARTICLE 1: NAME, LEGAL SEAT, ADDRESS AND LANGUAGE

1.1 TITLE

The name of this national controlling body of pool in South Africa shall be SOUTH AFRICAN POOL UNION (hereinafter referred to and known by the acronym SAPU).

1.2 AFFILIATIONS

SAPU shall be affiliated to the South Africa Confederation of Cue Sports (SACCS) and the South African Sports Confederation and Olympic Committee (SASCOC).

SAPU shall also be affiliated to the continental controlling body of Pool in Africa, which is the All Africa Pool Association (AAPA), which in turn secures affiliation to the world controlling body of pool, the World Pool Association (WPA), which in turn secures affiliation to the World Confederation of Billiard Sport (WCBS) and the International Olympic Committee (IOC).

1.3 HEADQUARTERS

The administrative headquarters of SAPU shall be situated in the Republic of South Africa and shall be at the Domicilium citandi of the President of SAPU and shall be so for the duration that he is in office.

1.4 LEGAL PERSONALITY

SAPU is a Voluntary Sports Organisation, having a corporate identity separate from that of its members, which is entitled to own property, whether movable or immovable or otherwise, and to sue or be sued in its own name and, notwithstanding any change in the composition of its membership from time to time, shall have perpetual succession.

1.5 INSIGNIA AND COLOURS

1.5.1 The colours of SAPU shall be green and gold.

1.5.2 The awarding of colours will be under the supervision of the Colours Committee. No unauthorized use of the official colour or insignia will be permitted.

1.6 OFFICIAL LANGUAGE

The official and administrative language of SAPU shall be English.

1.7 JURISDICTION

1.7.1 The area of jurisdiction within which the Sport of Pool will be administered, services rendered and funds raised, shall be the Republic of South Africa.

1.7.2 SAPU shall have jurisdiction over its member affiliated associations/ organisation/s and/or promoter/s, during the tenure of their membership of SAPU, wheresoever they may be.

1.8 INDEMNITY

- 1.8.1 Every office bearer, official and/or employee of SAPU shall be indemnified by SAPU against all costs, losses and expenses which he may incur or become liable for by virtue of any reason or any act or omission in the legitimate and authorized discharge of his duties, unless the loss in question is caused by his own gross negligence, dishonesty or bad faith.
- 1.8.2 Office bearers, officials and/or employees of SAPU shall be indemnified by SAPU against pecuniary loss sustained by reason of legal proceedings, arising out of whatsoever cause, instituted against SAPU or against such office bearer, official or employee in his representative capacity, provided that the indemnity conveyed herein shall not extend to private personal acts of such office bearers, officials or employees outside the cause and scope of their duties or employment and acts outside the official appointment and of the office of SAPU.

ARTICLE 2: OBJECTIVES

The objectives for which SAPU was established, are as follows:

TO ACT AS A CO-ORDINATING BODY FOR ALL POOL DISCIPLINES PLAYED WITHIN SOUTH AFRICA

TO RECOGNISE AND RESPECT THE OUTONOMY OF ITS MEMBERS.

- 2.1 To encourage, promote, develop and advance all disciplines of the sport of pool played nationally in the Republic of South Africa and any pool discipline falling under the auspices of WPA and which is played competitively by players under the jurisdiction of SAPU.
- 2.2 To foster, encourage and facilitate the participation by all persons in South Africa, irrespective of race, colour, creed, sex, age or disability, in the sport of pool and to gain and maintain a feeling of goodwill amongst such persons, while assisting them to empower themselves to participate in the sport of Pool.
- 2.3 To ensure that all training, including coaching and administrative and technical skills, be done in accordance with the latest of the National Qualifications Framework (NQF) of the Department of Labour and the Department of Sport and Recreation. To qualify through the NQF, administrators to national recognized certificate level and further.
- 2.4 To recognize the WADA anti-doping code as applied by SAIDS and to take action against the use and abuse of drugs and dependence-producing substances. To ensure that all its members comply with the standards set by the international sporting fraternity, more specifically those applicable to the sport of Pool.

- 2.5 To ensure that appropriate standards of discipline are maintained by its members and affiliated associations/organization/s and/or promoter/s and to this end to take such disciplinary or other action (which will include the imposition of a fine and/or suspension and/or banning from participation) against any of its members or affiliated associations/organization/s and/or promoter/s or any official or office bearer as it may deem fit and in cases of sufficient importance, to act as an appeal committee against disciplinary decisions taken by its affiliated associations/organization/s and /or promoter/s.
- 2.6 To co-ordinate dates for National tournaments, events and championships and apply for colours, through the SACCS, for its members representing the country. To encourage the staging of any required tournaments that it may deem fit for the advancement of a specific discipline and/or the sport of pool in general.
- 2.7 To develop a close liaison with SACCS/SASCOC and all other organizations in order to obtain optimal recognition for the sport of pool and SAPU. To seek inclusion of various disciplines of the sport of pool in the South African Games, All Africa Games and World Games.
- 2.8 To do everything necessary or required, that are incidental and conducive to the attainment and enhancement of the aims and objectives of SAPU.

3. ARTICLE 3: MEMBERSHIP

3.1 Members

Membership shall be awarded to all Pool Associations/Organisation/s and / or Promoter/s in the Republic of South Africa, which membership shall be confirmed by the GA of SAPU. A register of members shall be maintained at the registered headquarters of SAPU.

Each affiliated Association/Organisation/s and/or Promoter/s shall pay an annual affiliation fee to SAPU as well as an annual capitation fee for each registered member under the jurisdiction of such Association.

The said subscriptions shall be payable by the affiliated associations/organisation/s and/or promoter/s by not later than 30 October each year, or within 14 days after a member has been accepted by his/her association. Failure to comply will result in a penalty being imposed and the withdrawal of all voting rights until such time as the outstanding fees are fully paid.

The said affiliation, capitation and penalties for late payments shall be decided upon each year at the AGM.

3.2 Associate Members

Associate Membership shall be open to all trade associations, business houses and others connected with the sport of pool. Associate Members shall have no voting rights or hold office within SAPU, but are allowed to attend the GA as observers. Application for Associate Membership shall be subject to a donation, payable annually to SAPU, and as determined by the board from time to time.

3.3 Honorary Members.

SAPU may bestow from time to time, the title of Honorary Member on a person, in recognition of his/her meritorious contribution to the enhancement and betterment of SAPU and/or the sport of pool. Nominations for this title must be approved at the GA. Such members will be entitled to attend GA's but will hold no voting rights or office within SAPU.

4. ARTICLE 4: EXECUTIVE COMMITTEE

The affairs of SAPU shall be administered by an Executive Committee of six (6), comprising a President, Vice-President, Secretary, Treasurer, Development Officer, Public Relations Officer and, if necessary, two (2) additional members, all elected by the Council of SAPU at the Annual General Meeting.

- 4.1 The Executive Committee Members shall be elected for a period of four years, but may be re-nominated and re-elected for a new term.
- 4.2 The Additional Members shall be elected for one term of 12 (twelve) months only, but shall be eligible for re-election when their term expires.
- 4.3 The members of the Interim Executive Committee of SAPU may be nominated as candidates for the First Executive Committee. Thereafter candidates for the subsequent Executive Committees shall be nominated by the Associations, who shall each be limited to two nominations.
- 4.4 Any candidate nominated as an Executive Member, has to be an elected executive Member of his Provincial or National Association for the year preceding the Annual General Meeting, but should any SAPU elected Executive Member lose his position on the Executive Committee of his Provincial/National Association during his four year term of office, he will not automatically cease to be an Executive Member of SAPU. Such member shall however not qualify for re-election should he not be an elected Executive Member of his Provincial or National Association when his term of office expires.

- 4.5 The Secretary shall cause nomination papers to be circulated to all Affiliated Associations/Organisation/s and / or Promoter/s, together with the Notice of an Annual General Meeting, stipulating the vacant positions and the date when such nominations have to be returned.
- 4.6 In the event of a vacancy arising in the Executive Committee, the Executive Members shall be empowered to fill such vacancy by means of co-option. Such vacancy shall have to be filled through the normal process at the first Annual General Meeting following the resignation of any elected Executive Committee Member or the occurrence of a vacancy.
- 4.7 Meetings of the Executive Committee shall be convened by the Secretary on the instructions of the President as and when deemed necessary for the competent execution of its duties.
- 4.8 Fifty (50) percent of Executive Committee Members present shall form a quorum.
- 4.9 The President and in his absence, the Vice-President, shall act as chairperson at all Executive Committee meetings.
- 4.10 All Executive Committee Members shall have an equal vote, but the President, other than a normal vote, shall also have a casting vote.
- 4.11 The Secretary, or in his absence, a nominated member, shall keep minutes of all Executive Committee Meetings.
- 4.12 Any Executive Committee Member who, after having received proper and due notification of one of the prescribed meetings, absents himself from more than two meetings without an acceptable reason, submitted in advance of such meeting to either the Secretary or the President, shall have his further participation as a member of the Executive Committee questioned and the President shall be obliged to report such failure to the GA of SAPU, sitting at the Annual General Meeting for a decision. The GA shall have the right to terminate such member's further participation as a member of the Executive Committee or to condone his absence.

5. ARTICLE 5: POWERS OF THE EXECUTIVE COMMITTEE

The Executive Committee is empowered to act on behalf of SAPU in all matters in the furtherance of its objectives and interests in accordance with its Constitution and By-laws and in particular:

- 5.1 To open and operate current or savings accounts on behalf of and in the name of SAPU and to determine the manner in which such accounts shall be opened, operated upon and terminated.

- 5.2 To invest the monies of SAPU not immediately required for its purpose in an interest bearing account with an accredited Financial Institution.
- 5.3 To acquire, deal with, dispose of, invest, pledge, cede and mortgage movable and immovable property as is deemed necessary from time to time.
- 5.4 To borrow and raise money or funds in such a manner as may be allowed by prior resolution of the GA.
- 5.5 To accept any gift of property or money, whether subject to any special terms or conditions or not, for any one or more of the objectives of SAPU.
- 5.6 To represent SAPU in any dispute of whatsoever nature.

The Executive Committee is further empowered to assume all the administrative functions necessary for conducting the affairs of SAPU and in particular,

- 5.7 To interpret the meaning of clauses in the Constitution. In the event of any doubt as to the meaning of any one of the clauses and then, in such event the interpretation placed thereon by the Executive Committee shall be final and binding upon all Members of the Association/Organisation/s and / or Promoter/s.
- 5.8 To engage and dismiss staff.
- 5.9 To manage the total assets and liabilities and the income and expenditure of SAPU and to present proper and detailed Annual Financial Statements to the GA at the Annual General Meeting.
- 5.10 To dismiss any one of the Executive Committee Members for good cause shown, subject to the approval of such decision by the GA of SAPU sitting at the Annual General Meeting.
- 5.11 To fill any vacancy on the Executive Committee by co-option.
- 5.12 To enforce the rules, regulations, by-laws and resolutions of SAPU, upon each and every affiliated member Association/Organisation/s and/or Promoter/s.
- 5.13 To consider proposals of whatsoever nature and from whatsoever source, rejecting or passing resolutions on their implementation, subject only to such resolutions not being in conflict with this Constitution or any prior resolution of the GA and subject to such resolutions being ratified at the next Annual General Meeting or EGA, which ever is the earlier.
- 5.14 To add or supplement any by-laws conditionally upon such addition or Supplementation not being in conflict with any clause in this Constitution or with any prior resolution passed by the GA. Such by-laws shall forthwith become binding on SAPU and all its members and shall be presented for ratification by the GA at the next Annual General Meeting or EGA, which ever is the earlier.
- 5.15 To acquire the services of any person or body, whether same be done on a permanent or temporary basis provided that such shall be deemed necessary for the proper and / or improved administration of SAPU.

- 5.16 To specify and, when necessary, revise the code of conduct of all Affiliates, prescribe sanctions for the transgression of such code and enforce the sanctions prescribed. The Executive Members acting in committee (comprising at least the President, Vice-President, Secretary and Treasurer) and subject to the Executive Committee's authority and or approval, shall:
- 5.17 Carry on the general routine work of the Association and shall have the power to deal with all cases of emergency.
- 5.18 In the absence of a Disciplinary Committee, perform its duties.
- 5.19 Act as the medium between all affiliated Associations/ Organisation/s and/ or Promoter/s and the South African Confederation of Cue Sports (SACCS).
- 5.20 Monitor all aspects and progress of affiliated Associations/Organisation/s and/or Promoter/s and promote their advancement.
- 5.21 At all times adhere to the Constitution and Bye-laws of the Association.
- 5.22 Be jointly and severally liable and accountable to the GA of SAPU for the proper and due fulfillment of their duties and responsibilities.

6. ARTICLE 6: GENERAL ASSEMBLY

- 6.1 SAPU shall be governed by a GA consisting of the members of the Executive Committee, two delegates from each member Pool Association/Organisation, irrespective whether or not an Association already has a member serving on the Executive Committee.
- 6.2 Each member Association/Organisation shall have one vote, the SAPU Executive Committee shall collectively have only one casting vote. Any member Association/Organisation that has more than two thousand members shall have an additional vote. Any member Association/Organisation that participates in the World Games becomes eligible for a further additional vote.
- 6.3 The GA shall at all Annual General Meetings and EGA and in the manner prescribed in this Constitution participate in the deliberation on all issues pertaining to the policies and objectives of SAPU and in particular to participate in debating the merits of each item placed on the agenda and to exercise their voting rights.
- 6.4 The GA shall be the supreme policy maker of SAPU and the only medium through which any amendments to this Constitution can be made.
- 6.5 The GA shall at all times have the right to question the decisions of the Executive Committee, to be kept informed and to demand adherence to the Constitution and Bye-Laws of SAPU.

- 6.6 All resolutions passed by the GA shall be recorded, including the number of votes for and against, and the resolution so passed forthwith become binding on all members of SAPU without exception.
- 6.7 The quorum for all GA's shall be a minimum of three (3) members of the Executive Committee and 50% of all eligible delegates of member Associations.

7. ARTICLE 7: MEETINGS

- 7.1 All meetings shall be presided over by the President of SAPU who shall act as Chairperson and in his / her absence, the Vice-President shall act in his / her stead.
- 7.2 All meetings shall be conducted in accordance with the principles of natural justice and the accepted rules of procedure.
- 7.3 Only delegates whose credentials are in order shall be entitled to vote at any meeting.
- 7.4 At all Meetings the Chairperson shall have a casting vote, except if he / she is the subject matter thereof.
- 7.5 The detailed result of each vote on every resolution shall be announced by the Chairperson, who shall state how many votes were cast for and how many votes were cast against each motion submitted for adoption.
- 7.6 Except where a secret ballot is specifically requested by any member eligible to vote, decisions at any meeting shall be based on a simple majority of those present and voting, decided by a show of hands.
- 7.7 Where a secret ballot is held, the Chairperson shall appoint a minimum of two Ballot Officials who shall count the votes.
- 7.8 The Chairperson is empowered to rule out of order any discussions which he considers unrelated to the matter on hand, out of order, detrimental to the proceedings or the interest of the Organisation, subject to the generally accepted rules governing meetings. The Chairperson may call a recess during any stage of the proceedings and may expel any person or persons whose behaviour or attitude is unruly or undesirable.
- 7.9 The Secretary shall in sufficient detail record the proceedings and shall cause to be delivered a script of such minutes to each and every affiliated Association/Organisation/s and/ or Promoter/s within thirty days, whether an Association was represented at the meeting or not.
- 7.10 The Chairperson may invite as a guest to any general meeting, any person whose presence is, or will be likely to be in the interest of SAPU or any of its Affiliates.

- 7.11 Meetings shall be convened by the Secretary on the instructions of the Executive Committee or the President, who shall give thirty days notice thereof in writing, to all affiliated Associations/Organisation/s and / or Promoter/s.
- 7.12 If at any meeting of the GA no quorum is present within thirty minutes after the time for which such meeting has been called, then and in such case:
- 7.13 Should such meeting be the Annual General Meeting or an EGA convened by the Executive Committee, the same shall be adjourned, to be held at a time and place to be determined by the members of the GA then present, and notice thereof shall be given to all member Associations/Organisation/s and / or Promoter/s. Any number present at the reconvened meeting shall constitute a quorum.

8. ARTICLE 8: ANNUAL GENERAL MEETING

- 8.1 The Annual General Meeting of SAPU shall be held at a venue to be notified during March/April of each year.
- 8.3 The Secretary shall give written notice to all affiliated member Associations/Organisation/s and/or Promoter/s of the date of such meeting at least thirty days prior to the date of the proposed Annual General Meeting and the following documentation shall accompany the said Notice:
- 8.3.1 Notice of the meeting;
- 8.3.2 The agenda of the meeting;
- 8.3.3 Any proposed increases in subscription fees (if any), with the motivation thereof;
- 8.3.4 Details of any new proposed affiliations to SAPU;
- 8.3.5 Details of proposed Constitutional or Bye-law amendments.
- 8.4 Notices of motion, for inclusion in the agenda, shall be forwarded, in writing, to reach the Secretary 14 days prior to the Annual General Meeting.
- 8.5 The business of the Annual General Meeting shall be proceeded with, in the following order:
- 8.5.1 To read the Notice convening the Meeting
- 8.5.2 To receive the delegates credentials.
- 8.5.3 To read and confirm the Minutes of the previous Annual General Meeting and any Special General Meetings, and to deal with the business arising there from

- 8.5.4 To read and adopt the Annual Report and Financial Statements.
- 8.5.5 To deal with correspondence.
- 8.5.6 To approve prospective affiliations.
- 8.5.7 To elect an Executive Committee or candidates for the ensuing year, if applicable, this includes the election of 2 Additional Members at each Annual General Meeting for the ensuing 12 months only.
- 8.5.8 Honorariums (To be decided by GA).
- 8.5.9 To propose amendments to the Constitution and Bye-laws (if any).
- 8.5.10 To fix annual affiliation fees and capitation fees.
- 8.5.11 General.

9. ARTICLE 9: APPOINTED DELEGATES AND NOMINATIONS

The Secretary of each Affiliated Association/Organisation/s and /or Promoter/s shall at least seven (7) days before the AGM advise the Secretary of SAPU of:

- 9.1 Their appointed Delegates to attend the AGM.
- 9.2 Their nominated candidates for 1 of the 2 Additional Executive Committee member vacancies each year.

10. ARTICLE 10: EXTRA-ORDINARY GENERAL ASSEMBLY

The Executive Committee may at any time convene an EGA. The Executive Committee shall also, upon receipt of a requisition from not less than three Affiliated Associations/Organisation/s and/or Promoter/s, within thirty days after receipt of such requisition, convene an EGA. Such requisition shall state the nature of the business to be discussed at the EGA and shall be lodged with the Secretary of SAPU. At such EGA only the business for which the same has been convened shall be discussed.

11. ARTICLE 11: FINANCIAL MATTERS

- 11.1 The financial year of SAPU shall be from 1 March of one year to end of February of the following year.
- 11.2 All matters pertaining to the income and expenditure of SAPU shall be administered by the Executive Committee in a manner which conform with normal bookkeeping practices, which is in the best interest of SAPU and with the necessary responsibility.
- 11.3 The income and property of SAPU, wherever it be derived from, shall be applied solely towards the promotion of the objectives of SAPU as set forth in the Constitution.
- 11.4 No portion of income or assets shall be paid or transferred directly or otherwise howsoever by way of profit to any member of SAPU.
- 11.5 All payments, other than reasonable petty cash disbursements, shall be made by cheque or bank transfer.
- 11.6 Travelling and accommodation expenses incurred by the President and/or other members of the Executive of SAPU in attending any meetings, presentations, competitions, promotions, championships etc shall be paid by SAPU.
- 11.7 Disbursements made in respect of capital purchases, the nature of which is deemed to be necessary for the proper or improved administration of SAPU, shall constitute an application of funds.

12. ARTICLE 12: AUDITOR

An Auditor shall be appointed at the Annual General Meeting, and his duties shall be to examine all books of accounts and to reconcile the bank statements with all other records and to certify the Balance Sheet and other Financial Statements to be presented at the Annual General Meeting, to have been properly kept and as correct. The Treasurer of SAPU shall be responsible to have the above executed and shall present the annual financial statements at the Annual General Meeting.

13. ARTICLE 13: SIGNING OF DOCUMENTS/CONTRACTS

All documents / contracts which are required to be executed on behalf of SAPU shall be deemed to be properly and correctly executed if signed by the President, or in his absence, the Vice-President.

14. ARTICLE 14: ENQUIRY INTO MISCONDUCT

14.1 A Disciplinary Committee or in the absence of such Committee, the Executive Committee, shall deal with all matters pertaining to misconduct on the part of any registered Association/Organisation/s and/or Promoter/s, Committee, Committee Member, Club or player.

14.2 Notwithstanding that each Affiliated Association Committee shall take appropriate disciplinary action against a transgressor registered within its jurisdiction, the SAPU Disciplinary Committee has the power to conduct its own enquiry into allegations of misconduct brought to its attention and further to intercede on behalf of the alleged transgressor or impose its own penalties which it deems appropriate to the offence.

Such penalties shall be binding on all parties concerned.

14.3 Upon receipt of a written complaint, charge or allegation of misconduct whether by action, omission or statement which has the potential of bringing into disrepute, SAPU, any of its members or a sponsor, the Disciplinary committee shall, in the manner prescribed, conduct an enquiry into the matter.

14.4 By virtue of the distance between the headquarters of the SAPU and many of its Affiliated Associations/Organisation/s and/or Promoter/s, the Executive Committee may appoint a Disciplinary Committee within its jurisdiction which shall conduct the enquiry on its behalf and shall convey its findings to the Executive Committee who shall then impose a penalty appropriate to the offence.

15. ARTICLE 15: PROCEDURE AT ENQUIRIES

15.1 All enquiries shall be held in accordance with the rules of natural justice and the person, in respect of whom the enquiry is held, may be represented by Council or Attorney.

15.2 For the purpose of an enquiry, the Disciplinary Committee may hear evidence and may, under the hand of the Disciplinary Committee, summon witnesses and require the production of any book, record, document or thing from the alleged transgressor and / or witness for examination.

A summons for the appearance of the person in respect of whom an enquiry is held, or a witness to attend the enquiry, or for the production of any book, record, document or thing, shall be served by personal delivery or by registered post.

15.3 Failure to appear before a committee of enquiry in response to a summons, shall entitle the committee to proceed with the enquiry and to give a ruling in the absence of the person summoned.

15.4 The Committee may appoint a legal advisor to be present at any enquiry to advise it on matters of law, procedure and evidence.

- 15.5 All costs relating to the appearance and defense of the person in respect of whom an enquiry is held including that of any witness appearing on his / her behalf shall be for his / her own account. All costs incurred by the disciplinary committee or any person summonsed to witness on behalf of the committee shall be borne by SAPU.

16. ARTICLE 16: POWERS OF THE DISCIPLINARY COMMITTEE

The Disciplinary Committee shall be empowered to impose one or more of the following

- 16.1 A caution or reprimand.
- 16.2 Suspension for a specific period from practicing in any capacity as a registered pool player in the Region in which he is registered, enrolled or elected and / or in any area under the jurisdiction of the SAPU.
- 16.3 Summary removal from any office held.
- 16.4 Removal of his / her name from any membership register of SAPU for a period which shall not exceed five years.
- 16.5 Suspension from participation in a specific event or all events whilst retaining Registration with his / her Association/Organisation/s and / or Promoter/s.
- 16.6 In extreme circumstances the Disciplinary Committee may, subject to Confirmation thereof at an Annual General Meeting or an EGA, ban any player from registration with any Association/Organisation/s and/or Promoter/s for an unlimited period.
- 16.7 Where an enquiry is held regarding dishonesty or misuse or unauthorized Appropriation of funds from any affiliated Association/Organisation/s and / or Promoter/s or any member Club of such Association, the Disciplinary Committee may order the person found guilty of such offence, to make restitution to the entire satisfaction of the aggrieved and may order that such person remain under full suspension until satisfactory restitution has been effected, whereupon the committee may order the removal of the full suspension and impose any other penalty set out forth herein.
- 16.8 Where an enquiry is held in respect of any Club registered with an affiliated Association, the Committee finds that such Club by virtue of activities, statements or racial disposition represents a threat to the harmony of the Association with which it is registered or is likely to bring disrepute to that Association, the game, any sponsor or SAPU, the Disciplinary Committee shall, if brought to its attention, and subject to the affected Regional Association/Organisation/s and / or Promoter/s not taking appropriate action, take action on its behalf. Any cost that SAPU may incur, shall be for the account of the Association /Organisation/s and / or Promoter/s so affected and shall be due and payable on demand.

17. ARTICLE 17: APPEAL, REVIEWS, REINSTATEMENT

- 17.1 All appeals against decisions of committees of SAPU will be submitted to an independent body, being the SACCS. The decision of the SACCS will be binding.
- 17.2 No member as defined by clause 9 of this constitution shall be entitled to pursue any recourse in a court of law be it on review or appeal or otherwise, unless such party has exhausted all provisions of this constitution as the case may be, inclusive of any Rules and Regulations governing the members.
- 17.3 The Disciplinary Committee may, if it deems fit, and subject to such conditions as it may determine, reinstate or restore to a membership register or roll, any name which has been removed there-from.

18. ARTICLE 18: AMENDMENTS TO THE CONSTITUTION

- 18.1 Proposed amendments to the Constitution shall be submitted in writing by either an Affiliate or the Executive Committee and shall be lodged with the Secretary not later than 30 (thirty) days prior to an Annual General Meeting or an EGA specifically called for that purpose. Amendments may only be made at either of the aforesaid meetings and has to be distributed to all Affiliated Associations/Organisation/s and / or Promoter/s prior to the said Meeting. All amendments to the Constitution or Bye-Laws shall be approved by the GA of SAPU.
- 18.2 No amendments shall be effective unless the Motion to Amend has been carried by a two thirds majority vote of all Delegates present and entitled to vote at the Meeting.
- 18.3 The Secretary of SAPU shall advise all affiliated Associations /Organisation/s and / or Promoter/s at least 14 (fourteen) days prior to the Annual General Meeting or an EGA of proposed amendments in order for them to prepare their responses.
- 18.4 All Affiliated Associations /Organisation/s and/ or Promoter/s shall have to amend their Constitutions in accordance with amendments made to that of SAPU, specifically to prevent conflict to arise between the Associated Associations and SAPU.

19. ARTICLE 19: DISSOLUTION

SAPU may be dissolved if at least two-thirds of the members present and voting at a GA, convened specifically for the purpose of considering such matters, are in favour of dissolution. Not less than thirty days notice shall be given of such a Meeting and the notice

convening the meeting shall clearly state that the question of dissolution of SAPU and disposal of its assets will be considered.

If there is no quorum at such a GA, the meeting shall stand adjourned for not less than one week and the members attending such reconvened meeting shall constitute a quorum.

If upon dissolution there remains any assets whatsoever after the satisfaction of all Its liabilities, such assets shall be given or transferred to each and every currently registered Affiliated Association/Organisation/s and/ or Promoter/s, in proportion to their numbers of registered and paid up members as at the date of dissolution. The period of membership of paid up members shall not be a determining factor, except that registrations received by SAPU within a period of 45 (forty-five) days, prior to such General Meeting been convened, shall not be considered.

20. ARTICLE 20: INTERPRETATION

In the event of any doubt as to the meaning of any one of the clauses in the Constitution or of the Bye-Laws, then, and in such event, the interpretation placed thereon by the Executive Committee shall be final and binding upon all members of SAPU.

21. ARTICLE 21: GENERAL

23.1 It is a condition of membership to SAPU that the rules and regulations contained in the Constitution and/or the Bye-Laws shall be binding on all members notwithstanding the same may hereafter be amended or supplemented.

23.2 No member shall be absolved from the effects of this Constitution by virtue of not having received a copy thereof or a misinterpretation thereof.