

2017

EPBF STATUTES



EPBF
STATUTES
3/25/2017

§ 1 NAME, SEAT..... 2

§ 2 MEMBERSHIPS..... 2

§ 3 PURPOSE AND TASKS..... 2

§ 4 RESPONSIBILITIES AND LEGAL BASIS..... 3

§ 5 OFFICIAL LANGUAGE..... 3

§ 6 FINANCIAL YEAR, SPORT YEAR..... 3

§ 7 MEMBERS..... 3

§ 8 ACQUISITION OF MEMBERSHIP 4

§ 9 TERMINATION OF MEMBERSHIP..... 4

§ 10 HONORARY MEMBERS AND HONORARY PRESIDENT..... 5

§ 11 RIGHTS OF THE MEMBERS 5

§ 12 DUTIES OF THE MEMBERS..... 5

§ 13 FINANCING 6

§ 14 BODIES..... 6

§ 15 GENERAL ASSEMBLY..... 6

§ 16 EXTRAORDINARY GENERAL ASSEMBLY..... 9

§ 17 BOARD..... 10

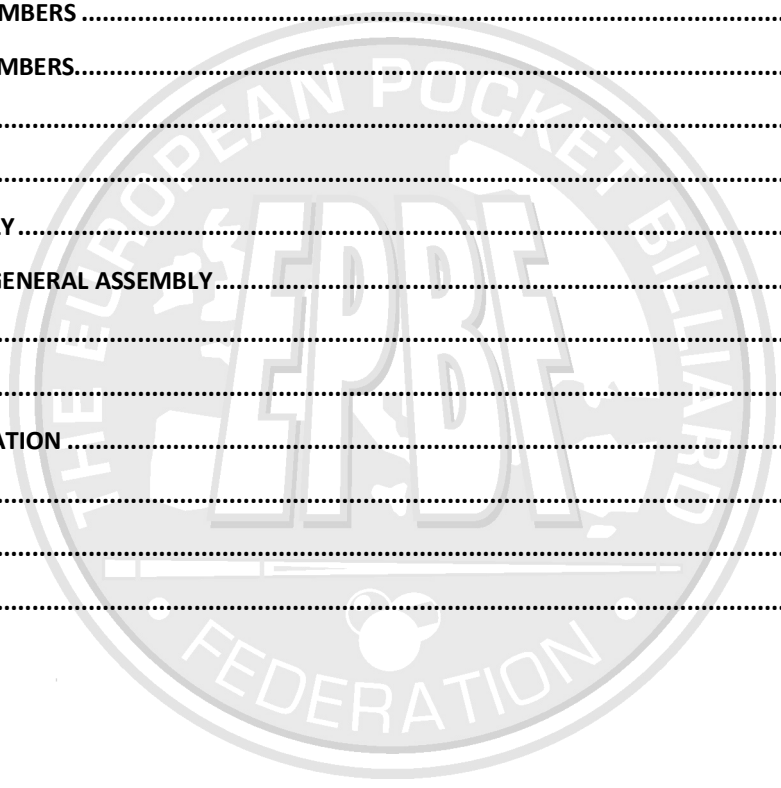
§ 18 AUDITOR..... 11

§ 19 COURT OF ARBITRATION 11

§ 20 COMMITTEES..... 11

§ 21 PENALTIES 12

§ 22 FINAL CLAUSES 12



§ 1 Name, seat

- § 1.1 The European Pocket Billiard Federation, hereafter called EPBF, is the association of the national federations of Europe, which are responsible for Pool Billiard, Black Ball, Pyramid, Artistic Pool and all further Pool Billiard referred disciplines.
- § 1.2 The seat of the federation is in principle at the residence of the president. The federation is stated at Brunssum, the Netherlands.
- § 1.3 The EPBF is politically and denominational neutral.
- § 1.4 The EPBF is founded in Trollhättan, Sweden by the “Deutscher Pool Billard Bund” and the “Svenska Billiardförbundet” on three and four November nineteen hundred seventy-eight.

§ 2 Memberships

- § 2.1 The EPBF is member of the World Pool Billiard Association (WPA). Due to this membership the EPBF is subjected to the set of rules of this federation. The regulations of the WPA are obligatory on the EPBF and their members.
- § 2.2 On further memberships at other organizations the general assembly decides. The rights of the EPBF and their members from these statutes may not be affected thereby.

§ 3 Purpose and tasks

- § 3.1 Purpose and tasks of the EPBF are particularly:
- to support the development of all Pool Billiard disciplines
 - to worldwide represent the European sport of Pool Billiard
 - to support the Youth
 - to reunite national Pool Billiard Unions and to support their efforts
 - to spread the sport of Pool Billiard
 - to determine uniform rules and regulations for the realisation of the Pool Billiard sport in Europe
 - to arrange the education of coaches and referees
 - to approve and assign international tournaments
 - to create regulations for the realisation of European Championships
 - and to assign the organisation of European Championships

§ 4 Responsibilities and legal basis

§ 4.1 The EPBF handles its own division by orders and decisions of their bodies. For this purpose in particular, it issues:

- a sport regulation
- a standing order
- a financial order
- a legal order and rules of procedure
- a honorary order

§ 4.2. If necessary, the EPBF can issue orders for further subjects by the board.

§ 4.3. The orders and decisions of the EPBF bodies, issued in numbers 1 and 2 are in these scopes binding for the members. To that extent the members ensure their commitment by adherence to their obligations in accordance with § 12 of the statutes.

Individual players, associated to the members (participating national federations) are tied to all regulations of the EPBF, especially the Sports Regulations, due to membership of national federations. Regarding to membership for individual players at national federations, this will be explicitly up in the regulations by the joined members (participating national federations)

The EPBF board is entitled, and it belongs to the right of the EPBF board, to sanction or take disciplinary measures in respect to individual players. In order to guarantee the legal position of the individual players, the Court of Arbitration has been appointed, wherefrom the rules are determined in a separate regulation.

§ 5 Official language

English is the official language of the EPBF.

§ 6 Financial year, sport year

The financial year and the sport year correspond to the calendar year.

§ 7 Members

§ 7.1 The EPBF has:

- a) provisional full members
- b) full members
- c) extraordinary members

§ 7.2 Provisional full members are European national Pool Billiard federations, which were taken up as such by the board of the EPBF and whose full membership was not yet confirmed by the general assembly.

- § 7.3. Full members are the national Pool Billiard federations of Europe, which were provisional full members for three years and whose full membership was confirmed by the general assembly.
- § 7.4 In principle, only one provisional full member or one full member from any one country can be accepted as member. However, if there are political or territory disputes that make it imperative to accept additional associations as members in order to benefit the sport or to help realize the EPBF's objectives, in these instances multiple associations from the same country can be accepted as provisional full members or full members of the EPBF.
- § 7.5 Extraordinary members can be e.g. organizations, companies or individuals, which are connected with the Pool Billiard sport and whose extraordinary membership was decided by the board of the EPBF.
- § 7.6 A member of the EPBF is not permitted to be a member of another organisation with the same aims as the EPBF which has either "European", "International" or "World" in their title. Exceptions for this rule are organisations covered within the WCBS structure.

A member who joins such an organisation will automatically forfeit their EPBF membership.

§ 8 Acquisition of membership

- § 8.1 The admission of provisional full members and of extraordinary members takes place via the board
- § 8.2 On the admission of full members the general assembly decides upon the request of the board.

§ 9 Termination of membership

- § 9.1 The membership of the EPBF ends:
- by dissolution of a national federation
 - by withdrawal
 - by expulsion
 - by termination of the membership due to failure to fulfil financial obligations
- § 9.2 The withdrawal of a provisional full or a full member can only happen at the end of the financial year. The statement must be presented to the EPBF in writing at the latest on 30 September of the current financial year.
- § 9.3 The withdrawal of an extraordinary member must be communicated in writing three months before the financial year end of the EPBF.

§ 9.4 The expulsion of a provisional full member is effected via the board, the expulsion of a full member takes place via the general assembly:

- a) if the obligations of the members , as stated in article 12 are grossly violated and the violation is continued despite a warning by the board;
- b) if the member offends in a grossly way against the principles of the written and unwritten sport laws

§ 9.5 Objection against the expulsion is possible within a period of 14 days at the court of arbitration.

§ 9.6 The membership of a provisional full member or a full member expires automatically, if the member does not fulfil its financial obligations to the EPBF despite a first and second reminder with period setting of 30 days and a warning of cancellation of of the membership.

§ 9.7 In case of withdrawal, expulsion or cancellation of the membership depending payment obligations to the EPBF stay in force and are to be settled.

§ 10 Honorary members and honorary president

§ 10.1 Upon the request of the board persons, who can take credit for their dedication to the Pool Billiard sport, can be appointed to honorary members and honorary president by the general assembly.

§ 10.2 The bestowal of awards and memorandums to persons, federations etc. who may take credit for their dedication to the Pool Billiard sport is arranged in an honorary order.

§ 11 Rights of the members

§ 11.1 The members handle all questions referring to the Pool Billiard sport within their ranges themselves, as far as these questions about the adoption of resolutions are not reserved by the EPBF.

§ 11.2 The members have the right to participate the EPBF general assembly through their representatives and to play a part at making decisions.

§ 11.3 According to § 15 of the statutes, only full members have voting right at general assembly.

§ 12 Duties of the members

§ 12.1 Members are obliged:

- a) to follow the statutes, the orders, decisions and resolutions of the EPBF bodies, which are binding for them.
- b) to carry out the decisions of the EPBF bodies.
- c) to submit disagreements, which accrued from the EPBF membership and this one at first to the responsible EPBF body for conclusion.
- d) to not harm the reputation of the EPBF

§ 13 Financing

- § 13.1 The EPBF meets its expenditures with contributions, entry fees and other incomes. As long as these incomes are not sufficient to meet the expenditures, the general assembly can arrange shares of the costs.
- § 13.2 The contributions of full members will be determined by general assembly.
- § 13.3 The financial obligations to the EPBF (contributions, entry fees etc.) of provisional full members and extraordinary members will be determined by the board.
- § 13.4 Full particulars are handled by the financial order.

§ 14 Bodies

- § 14.1 The bodies of the EPBF are following:
- a) the general assembly
 - b) the board
 - c) the court of arbitration
- § 14.2 For the EPBF bodies, only persons who belong to a full or extraordinary member can be elected.

§ 15 General assembly

- § 15.1 Calling of the meeting
- § 15.1.1 The EPBF will hold a general assembly (GA) every second calendar year. The GA will take place at a date during the European Championships Men & Women, fixed by the board. The GA will be announced not later than eight weeks before.
- The announcement shall include place, date and time for the Gam as well as a preliminary agenda according to § 15.6 including information about all positions that eventually are up for elections.
- The invitation for the GA will be published no later than four weeks before. The invitation shall include final agenda, report from the president, report from the sport director, report from the youth director, statement of audited accounts and finance, report from the internal auditor, report from the external auditor, budget for the next two calendar years, all notices of motion and nomination for all positions up for election.
- § 15.1.2 The general assembly will be summoned and supervised by the president or his substitute according to the terms of the bylaws.

§ 15.2 Formation of the general assembly

The general assembly is formed by:

- a) the delegates of the full members
- b) the delegates of the provisional full members
- c) the representatives of the extraordinary members
- d) the members of the board
- e) the members of the court of arbitration
- f) the honorary members
- g) the honorary president

§ 15.3 Voting right at the general assembly

§ 15.3.1 Only full members as follows have voting right:

- a) 1 votes if 1 to 999 members
- b) 2 votes if 1.000 to 3.999 members
- c) 3 votes from 4.000 members

§ 15.3.2 If a member did not fulfill all financial obligations to the general assembly of the EPBF at that time, the right to vote expires.

§ 15.4 Delegates at the general assembly

§ 15.4.1 The members have the right to send a delegate to the general assembly for each of the votes they are entitled to.

§ 15.4.2 If several delegates of a member participate at the general assembly, only a uniform casting of votes may take place.

§ 15.4.3 A transfer of votes is not permitted.

§ 15.5 Tasks of the general assembly

§ 15.5.1 The EPBF is entitled to have the adoption of resolutions in all EPBF affairs, as far as this is according to the statutes not transferred to other bodies of the EPBF.

- § 15.5.2 Subjected to the adoption of resolutions of the general assembly are particularly:
- a) approval of the agenda
 - b) approval of the minutes of the previous general assembly
 - c) election, approval and dismissal of board members
 - d) the election of the chairman of the court of arbitration, four other members, two replacements and their recall
 - e) the election of internal auditors and the confirmation of an external auditor
 - f) the discharge of the board
 - g) the approval of the budget for the coming two calendar years and any reallocations
 - h) the determination of the contributions for full members
 - i) the approval and amendment of the statutes
 - j) the handling of requests
 - k) the admission of full members
 - l) the expulsion of full members
 - m) the appointment of honorary members and honorary presidents
 - n) the dissolution of the federation
- § 15.5.3 Decisions of the general assembly are taken up to minutes, which are signed by the president or its deputy and the minutes keeper.
- § 15.6 Agenda of the general assembly
- The agenda of the general assembly must contain following items:
- a) Determination of the ones who are entitled to vote
 - b) Accountability report of the president, the sport director and the youth director
 - c) Closing of budget of the past two calendar years
 - d) Report of the internal auditor
 - e) Report of the external auditor
 - f) Approval of the budget for the next two calendar years
 - g) Election of the board, the auditors and the court of arbitration
 - h) Requests for amendment of statutes
 - i) Other applications
- § 15.7 Voting rules and elections
- § 15.7.1 For effective adoption of resolutions the simple majority of the valid given votes is sufficient; abstentions are not taken into account.
- § 15.7.2 The expulsion of members as well as amendments of the statutes require a two third majority of the valid votes; the dissolution of the federation can be decided only with a three quarter majority. Abstentions are not taken into account.
- § 15.7.3 The elections during the general assembly are in principle secret. If only one proposal is presented, then the election can take place via open voting. In case of several proposals, that proposal is selected, which has the absolute majority (more than 50%) of the given valid votes.

§ 15.7.4 If in the first ballot no proposal attained the absolute majority, then a second ballot will take place between those two proposals, which received most votes in the first ballot; if more proposals have the same amount of votes, then a ballot between them takes place.

§ 15.7.5 With a ballot the simple majority of the valid given votes decides; with equality of votes the election will be repeated.

§ 15.8 Motions and nomination for the general assembly

Motions and nominations for the general assembly can be brought in only by the EPBF bodies and the full members. They must be present at the EPBF no later than six weeks before the general assembly. Motions and nominations, which are presented later may only be treated as a matter of urgency. The handling of these matters of urgency require a two third majority of the valid votes.

§ 15.9 Adoption of a resolution of the general assembly

A statutory summoned general assembly is and remains resolutionable, independent of the number of delegates.

§ 16 Extraordinary general assembly

§ 16.1 The board can call an extraordinary general assembly at any time for important reason. For summoning it is however obligated, that at least a third of the full members agrees to the application for summoning an extraordinary general assembly. Affairs, which were discussed in an extraordinary general assembly and were discharged by resolutions, can only be the reason to summon an extraordinary general assembly after the next statutory general assembly.

§ 16.2 Items on the agenda of an extraordinary general assembly can be only such, which led to their summoning. Other items on the agenda can only be discussed in an extraordinary general assembly, if they have the quality of an application of urgency.

§ 16.3 A duly requested extraordinary general assembly must take place at the latest eight weeks after submission of the requests. For the calculation of this time-limit the day is important, on which by entrance with the EPBF the number of applicants, which are necessary for the summoning of an extraordinary general assembly is reached. The agenda with applications is to be communicated to the members with a summoning time-limit of at least three weeks.

§ 17 Board

§ 17.1 Formation and chairmanship

§ 17.1.1 The board is formed by:

- a) the president
- b) the treasurer
- c) the sport director
- d) the youth director
- e) an assessor

§ 17.1.2 The board has the right to increase the number of the board members up to seven; the thereby appointed board members must be confirmed by the next statutory general assembly.

§ 17.1.3 A vice-president is elected within the board.

§ 17.1.4 A dual function, with exception of the office of the vice-president, is not permissible

§ 17.1.5 The board meetings are led by the president or its deputy

§ 17.2 Term of office

The president is elected for the duration of six years, all other board members for the duration of four years

§ 17.3 Tasks, assembly, quorum

§ 17.3.1 The board apprehends the tasks of the EPBF, as far as these are not explicitly reserved for the general assembly; these tasks are among others e.g.:

- to decree subordinate orders
- to set committees
- to deploy persons with special tasks
- to admit and to exclude provisional full members
- to admit and to exclude extraordinary members
- to realize and supervise the decisions made by the general assembly
- to pronounce penalties, as long as these are not reserved for other bodies

§ 17.3.2 The agency of the EPBF is incumbent on the board. The signature power is with the president or its deputy together with another board member.

§ 17.3.3 The board is entitled to immediately divest board members of their office at the EPBF by written decision in case of rough neglect of duty or ignobility until the next statutory general assembly. The involved is to be heard before. He has the right to complain at the court of arbitration within three weeks after the notification of the decision.

§ 17.3.4 The board is authorized to replace members of the board, who quit during the electoral period and then enter the electoral period of the drop-out and confirmed by the next statutory general assembly.

§ 17.3.5 The board is resolutionable, if at least half of its members are present. Resolutions of the board can also be taken in writing or by telephone. It decides by a simple majority of votes of the valid delivered votes; Abstention is not permissible, with equality of votes, the president or in his absence his deputy decides.

§ 18 Auditor

§ 18.1 The cash of the EPBF is examined by an internal auditor and an external auditor.

§ 18.2 An internal auditor and an internal sustitunional auditor are elected for the duration of four years; these auditors can be elected once again. The tasks of the auditors are determined in the financial order.

§ 18.3 The external auditor must have a national acknowledgment and is determined by the board for the duration of four years and confirmed by the general assembly.

§ 19 Court of arbitration

§ 19.1 The court of arbitration consists of a chairman and four assessors. It elects a deputy chairman from the assessors. Usually, the court of arbitration is to decide in complete occupation, however it is resolutionable with a minimal occupation of three members. The general assembly elect for the court of arbitration two replacements. If a member of the court of arbitration quit during the electoral period, one replacement enter in the electoral period of the drop-out.

§ 19.2 The members of the court of arbitration are elected for the duration of four years

§ 19.3 Members of the court of arbitration may not belong to a EPBF board. § 19.4 As the last instance, the court of arbitration decides on objections against decisions of the board.

§ 19.5 The legal order and rules of procedure handles full particulars.

§ 20 Committees

§ 20.1 If necessary, committees are used and dissolved by the board.

§ 20.2 The board is entitled to immediately divest committees members of their office at the EPBF by written decision in case of rough neglect of duty or ignobility. The involved is to be heard before. He has the right to complain at the court of arbitration within three weeks after te notification of the decision.

§ 20.3 The board is authorized to replace committee members, who quit during the election period.

§ 20.4 The board supervises the activity of committees. It can overrule the resolutions of committees and decide again about this matter.

§ 21 Penalties

§ 21.1 Tracing offences of the members against statutes, orders, resolutions and the sporty discipline is incumbent on the board as far as the statutes do not contain other regulations.

§ 21.2 Following penalties can be pronounced:

- Warning
- Reprimand
- Fine up to 1.000,00 €
- Temporarily exclusion from participation to sport practice
- Exclusion from certain events
- Exclusion from the federation

§ 21.3 Against the decision of the board summoning is permissible at the court of arbitration. It must be received by the board within three weeks reception of the decision of the board.

§ 22 Final clauses

The above statutes become effective by the resolution of the general assembly on 29.4.2005 in Veldhoven, Netherlands and replace all previous statutes.

Changes:

General Assembly in Liberec, Czech Republic, 23.7.2007 - § 19

General Assembly in St.Johann, Austria, 24.4.2009 - §§ 1, 5, 15

General Assembly in Brandenburg, Germany, 26.3.2011 - §§ 4.3, 15.8

General Assembly in Portoroz, Slovenia, 19.4.2013 - §§ 7.4; 7.6

General Assembly in Albufeira, Portugal, 25.3.2017 - §§ 15.1.1, 15.3.1, 15.8