

**WHYALLA BASKETBALL ASSOCIATION INCORPORATED**

# **CONSTITUTION**

Whyalla basketball Association  
PO Box2383  
Whyalla Norrie, SA, 5608

## REVISION HISTORY

Any changes to the WBA Constitution must be approved at an AGM or Special Meeting as specified by the Constitution.

### Changes to Constitution

Section	Date Approved	Reason for change
V96.0	29/9/96	Adopted at the 1996/97 AGM. Changed to reflect the operation of the WBA. Included club delegates into management. Changed Life member eligibility and process
5.1.2	17/6/12	Updated to reflect quorum of eligible members to vote.
2.4 /2.5/ 2.6	24/9/13	Updated to reflect the fact that State body Governance over rides WBA Bylaws and Policies.
5.3.1	24/11/13	Updated WBA Financial Year End
5.1.2	15/6/18	Reduced the # of members for an AGM quorum from 15 to 10.

## **1. NAME:**

The name of the Association shall be the Whyalla Basketball Association Incorporated, (hereinafter referred to as the Association).

## **2. OBJECTS:**

The objects of the Association are:-

- 2.1 To encourage, promote, facilitate, extend and foster the game of basketball in Whyalla.
- 2.2 To organise and regulate competition for teams playing basketball in Whyalla.
- 2.3 To provide amenities and facilities for the playing of basketball in Whyalla.
- 2.4 As an affiliated Association to with SACBC the WBA is bound to comply with their Bylaws and Policies
- 2.5 Any Variation from SACBC bylaws must be approved in writing by the governing body (SACBC).
- 2.6 To make By-Laws, rules, regulations and policies for the better organisation and regulation of the playing of basketball in Whyalla where not covered by SACBC bylaws and policies.
- 2.7 To provide for recreational facilities and to apply for and hold a Restricted Club Licence, pursuant to the Liquor Licensing Act, 1985 (as amended).

## **3. MEMBERSHIP:**

- 3.1 The Association shall consist of Life members, Affiliated Clubs, Management Committee, Registered Players and Non-playing members.

### **3.2 LIFE MEMBERS:**

Life Membership may be granted to members who:-

- 3.2.1 Have served for a total period of ten (10) years in an official, administrative and/or Combined Coaching capacity for the Association.

or

Have served in an exceptional capacity for a minimum period of seven (7) years.

- 3.2.2 Must be nominated in writing to the Management Committee by two (2) members entitled to vote at an AGM. This nomination is to include relevant details to support the nomination.

- 3.2.3 Nomination to be approved by the Management Committee, and endorsed by a three quarters majority at the AGM.

### **3.3 AFFILIATED CLUBS:**

- 3.3.1 Any Club, body or group of persons which proposes to field at least three (3) senior teams and promote juniors in basketball competition in Whyalla may apply, in writing, for membership of the Association as an Affiliated Club.
- 3.3.2 Must appoint one representative who may vote on its behalf at Management Committee and General Meetings.
- 3.3.3 May be suspended or disaffiliated by not less than a three quarters majority vote at a Special General Meeting called for that specific purpose by the Management Committee.
- 3.3.4 Any suspended or disaffiliated Club may appeal, within two weeks, in writing, to the South Australian Country Basketball Council.

## 4. MANAGEMENT:

- 4.1 Management shall be vested in a Management Committee of not less than twelve (12) members comprising:-  
President  
Vice President  
Secretary  
Treasurer  
Registrar
- Who shall be the Executive Officers, and other members  
One (1) Delegate (or Proxy) per Club  
Three (3) general committee Immediate Past President
- 4.1.1 The President shall be elected for a period of two (2) years. In the event of a President resigning during their term of office, the Management Committee may elect/appoint a President until the next AGM, whereupon elections will be held for a President for the next two (2) years.
- 4.1.2 The Immediate Past President is an optional position on the Management Committee for the President from the previous year. This position is seen to provide an additional experienced resource for a new committee.
- 4.2 The Management Committee shall meet as often as may be required to conduct the business of the Association, but not less than six (6) times per calendar year.
- 4.3 A quorum of the Management Committee shall be ascertained by dividing the total number of committee members by two, ignoring any fraction resulting from the division, and adding one. Voting shall be by simple majority, in the event of a tie, the President has only a casting vote.
- 4.4 Management Committee members shall cease to hold office upon:
- 4.4.1 Written resignation
- 4.4.2 Absence for 3 successive committee meetings without an explanation acceptable to the Committee.
- 4.4.3 Acts in a manner detrimental to the best interests of the Association.
- 4.5 Unfilled positions or vacancies arising in the Management Committee, may be filled by the Management Committee electing persons for the unexpired remainder of the term.
- 4.6 The Management Committee may appoint Sub-committees for specific purposes, who shall function as determined by the Management Committee.
- 4.7 The Club's Delegate, and Proxy, should be nominated in writing prior to or at the Annual General Meeting of the Association. If any Club Delegate resigns or becomes unavailable during the year, the Club must nominate in writing any replacement to the Management Committee.
- 4.8 The Management Committee may from time to time create positions, or co-opt persons they consider appropriate, to provide additional expertise to the committee.

## 5. MEETINGS:

### 5.1 SPECIAL GENERAL MEETINGS AND ANNUAL GENERAL MEETINGS

- 5.1.1 Written notice of not less than 21 days shall be provided to all Association Members. This may be by notice in a local newspaper.
- 5.1.2 A quorum shall be **10** members eligible to vote over the age of eighteen (18) years of age.

- 5.1.3 Should there not be a quorum of members present within thirty minutes after the time appointed for assembly; the meeting shall stand adjourned for not more than 14 days.
- If at such adjourned meeting a quorum is not present, those members who are present shall be a quorum and may transact the business for which the meeting was called.
- 5.1.4 A Club failing to have a delegate present at a summoned Special General or Annual General meeting shall be fined an amount as determined from time to time by the Management Committee.

## **5.2 SPECIAL GENERAL MEETINGS May be called by:-**

- 5.2.1 Resolution of the Management Committee.
- or
- 5.2.2 A written request signed by at least half of the Affiliated Club Presidents or Secretaries, specifying the business to be conducted.
- or
- 5.2.3 A written request signed by at least 20 members eligible to vote, specifying the business to be conducted.
- 5.2.4 All special meetings called under 5.2.2 or 5.2.3 shall lapse unless the majority of the parties signing the requisition be in attendance.

## **5.3 ANNUAL GENERAL MEETINGS**

- 5.3.1 Shall be held not greater than three months after the close of the WBA Financial Year which ends on 31 March each year.
- 5.3.2 The business of the Annual General Meeting shall be to :
- (a) Receive the President's report.
  - (b) Receive the Treasurer's audited Financial Statements and budget for the current financial year.
  - (c) Election of Management Committee members as necessary.
  - (d) Conduct any other business placed on the Agenda. A minimum of 21 days' notice shall be given to the Secretary of any Agenda items.

## **6. VOTING AT SPECIAL AND ANNUAL GENERAL MEETINGS:**

- 6.1 Voting shall be by a show of hands unless a majority present request a ballot.
- 6.2 Life Members, Management Committee members, Affiliated Club Delegates, all Financial Registered Players and Non-playing Members shall have one vote at all General Meetings.
- 6.3 The President, in the event of a tied vote shall have a casting vote only.
- 6.4 Voting by proxy shall not be permitted.
- 6.5 One Parent/Guardian (i.e. signatory on Registration Form) of a Junior Player is entitled to one vote on the Junior's behalf.
- 6.6 One person may "only have one vote.

## **7. AMENDMENTS TO THE CONSTITUTION AND RULES:**

- 7.1 The Constitution may be repealed, altered or amended by resolution of three quarters majority of members present and voting at a General Meeting of which not less than twenty one (21) days written notice including notice of the proposed repeal, alteration or amendment has been advised to all members.

- 7.2 The Management Committee may make, repeal, alter, or amend Rules, By-Laws, Regulations and Policies for the proper administration of the Association.

## **8. WINDING UP OF THE ASSOCIATION:**

- 8.1 The Association may be wound up or dissolved by a resolution of three quarters of members present and voting at a Special General Meeting.
- 8.2 Upon the winding up or dissolution of the association, if there remains after the payment and discharge of all just debts and liabilities any money whatsoever, the same shall be paid to or distributed among some body or bodies having objects similar to the objects of the Association to be determined by the Management Committee at or before the winding up or dissolution or in default thereof by the Supreme Court of South Australia or any Judge thereof which may have or acquire jurisdiction in the matter.

## **9. ACCOUNTS AND FINANCE:**

- 9.1 The Financial Year shall commence on 1st. July.
- 9.2 Accounts must be passed for payment or confirmed at a meeting of the Committee, but the Treasurer and any one other Executive Officer shall independently have the power to meet general competition expenses as stipulated by the Committee.

## **10. LICENSED FACILITIES:**

### **10.1 ORDINARY MEMBERSHIP**

- 10.1.1 Applications for membership shall be on the form prescribed by the Management Committee.
- 10.1.2 Each candidate shall be nominated and seconded by financial members, both of whom shall know the candidate personally.
- 10.1.3 The nomination, plus subscription fee, shall be lodged with the Secretary. The Secretary shall cause each nomination to be displayed on the member's notice board for at least 14 days prior to election.
- 10.1.4 The Management Committee shall conduct the election. A simple majority is required.
- 10.1.5 The minimum age of Ordinary Membership to be consistent with the requirements of the current Liquor Licensing Act.

### **10.2 HONORARY/TEMPORARY MEMBERS**

- 10.2.1 Players and Officials of any other Club or Association who visit the Association for the purpose of playing basketball, shall be honorary members of the Club for that day.
- 10.2.2 The name of the honorary member and the name of the Club/Association shall be recorded in a book known as "The Honorary Members Book".
- 10.2.3 Honorary members shall enjoy all the privileges of full members except as follows:
- (a) Shall not be eligible to be elected as members of the Committee of Management.
  - (b) Shall not be entitled to vote on any issue.
  - (c) Shall not be entitled to receive any notice required to be given to full members.
  - (d) Shall not be liable to pay any entrance fee or subscription.

### **10.3 SUBSCRIPTION FEES**

- 10.3.1 The annual subscription/membership fee shall be set by the Management Committee at the Annual General Meeting.
- 10.3.2 The fee, shall be payable within 60 days of the meeting at which it was set.
- 10.3.3 Any member whose fees are unpaid at the expiration of the 60 days, shall cease to be a member.
- 10.3.4 Any member to whom clause 10.3.3 applies, shall not be re-admitted unless a new application form has been received and approved by the Committee.

**10.4 RECORDS**

- 10.4.1 All records required by the Liquor Licensing Act 1985 (as amended) shall be kept.

**10.5 FINANCIAL**

- 10.5.1 The Management Committee shall cause correct books of account to be kept showing the financial affairs.
- 10.5.2 A financial report shall be presented at each committee meeting.
- 10.5.3 All records shall be made available to financial members upon request to the Management Committee.

**10.6 GENERAL**

- 10.6.1 In any conflict between the WBA Constitution/By-Laws and the Liquor Licensing Act 1985 (as amended), then the "Act" shall prevail.