

Freeling Basketball Club Inc

Constitution and Rules 1991

Name:

The Club shall be called "Freeling Basketball Club Inc." referred to hereinafter as "The Club".

Objects:

1. To advance and promote the game of basketball within the club including its players and the wider community and at all times preserve the best interests and traditions of the game.
2. To promote and conduct either alone or jointly with any other club or persons, meeting, competitions and matches in connection with the game of basketball.
3. To do all such acts and things as may be necessary or assist in the attainment of any or all objects above as the Club may deem fit with absolute discretion.
4. And any other objects and purposes which the Club may from time to time decide to adopt provided such objects are not inconsistent with those stated above.

Affiliation:

The Club may affiliate with the Light Amateur Basketball Association and such wider organisations associated with the game of basketball from time to time and may disassociate itself therefrom as it shall see fit.

Management:

1. The Club shall be managed by a committee consisting of a PRESIDENT, VICE PRESIDENT, SECRETARY AND TREASURER (and may include an assistant secretary should the need arise), RECORDS OFFICER and up to eight additional Committee members who shall meet at least once a month during the season and as necessary for the remainder of the existing twelve month period.
2. A quorum shall be the members of the Committee
3. The Committee shall have the power to create sub-committees for specific purposes and may co-opt other members not already serving on the Committee to serve thereon. Any such sub-committee shall at times be and remain subject to the overriding authority of the Committee.
4. The Committee shall have all the powers of the Committees contained in the Associations Incorporation Act 1985 (as amended) including the power to make by-laws and regulations for the management of the Club as it sees fit from time to time.
5. Any vacancy occurring on the Committee during the course of the year may be filled by the Committee by appointing another person to the relevant position who shall hold office only until the next Annual General Meeting.

Elections:

1. Officers and Committee Members of the Club shall be elected at the Annual General Meeting of the Club each year.
2. The Club shall also elect an auditor for the ensuing year provided however that the auditor shall not be the Public Officer of the Club or a member of the Committee.

Appointment:

1. The Club shall appoint a Public Officer for the purposes of the Associations Incorporation Act 1985 as amended who shall serve until such time as a new Public Officer is appointed.

2. The Club may appoint a patron or patrons of the Club at its Annual General Meeting to serve for the ensuing year or for such longer term as may be decided by the members at the Annual General Meeting.

Membership:

1. Membership of the Club shall consist of the following categories: -
 - a. Members who shall be active playing members and who have paid the requisite membership subscriptions and fees as laid down from time to time by the Annual General Meeting.
 - b. Associate Members who shall be persons who are otherwise actively engaged in the organisation and management of the Club or in the training of the players or who are otherwise associated with the Club in a social capacity and who have paid the requisite membership subscriptions and fees as laid down from time to time by the Annual General Meeting.
 - c. Life Members who shall be elected at the Annual General Meeting upon the recommendations of the Committee. The Committee shall only recommend such persons who have in the opinion of the Committee served the Club diligently over an appropriate period of time or who otherwise merit such honour being bestowed upon them.
 - d. The Patrons of the Club.

Voting:

Only those members who are members of or above the age of sixteen years or Associate Members of or above the age of sixteen years shall be entitled to vote at the meetings of the Club or hold office within the Club.

Players:

“PLAYERS - All players must pay their subscription before being entitled to play. All players shall be subject to the discipline of the coaches of the Club who shall have the right to reprimand a player for any conduct prejudicial to the game of basketball and to the good name of the Club. Any player so disciplined shall have a right to appeal to the Committee as hereinafter provided if the player feels unjustly dealt with.”

Annual General Meetings:

1. Annual General Meeting shall be held during the month of August.
2. The order of business at the Annual General Meeting shall be as follows: -
 - (1) Minutes of the last Annual General Meeting.
 - (2) Presentation of Annual Reports.
 - (3) Election of Patron/s.
 - (4) Election of President, Vice President and other Office Bearers as required.
 - (5) Election of Auditor.
 - (6) Any other business as deemed necessary at this time.
3. Every Annual General Meeting shall be convened by notice in the School Newsletter and general advertising at least fourteen days prior to the meeting data stating time, place, date and any specific business appropriate.
4. Voting at this meeting shall be by show of hands unless a secret ballot be called for.
5. Subscriptions to be determined at this meeting – Seniors, Juniors and Associate Members.
6. A quorum at any Annual General Meeting shall be 25% of the financial membership with voting rights.

Special General Meetings:

1. The Committee may call Special General Meetings when required, giving fourteen days notice in the manner above prescribed for Annual General Meetings.
2. Voting at any Special General Meeting shall be by show of hands unless a secret ballot be called for.
3. A quorum at any Special General Meeting shall consist of 25% of the members of the Club entitled to vote.

Duties of Officers:

President:

1. Shall preside over all meetings.
2. Shall not vote with exception of a casting vote.

Secretary:

1. Shall take charge of all books, documents and the Common Seal of the Club.
2. Shall be responsible for the compilations of all records of the Club, and be directly responsible for the entry in all books of the Club of all things done for and on behalf of the Club.
3. Shall convene all meetings of the Committee, and all other meetings of the Club. All notices of meetings of the Committee shall be given in writing at least seven days prior to the intended date thereof.

Treasurer:

1. Shall have charge and custody of all monies belonging to the Club and shall pay all monies received by him/her to the credit of the Club's bank account.
2. Shall submit to each and every meeting of the Committee or Club a statement of receipts and expenditure covering the period between each meeting.
3. Shall make all payments authorised by the Committee or Club.
4. Shall keep proper books showing the Club's financial transactions, including numbered receipts for all monies received in an official receipt book of the Club on all occasions.
5. Shall furnish to the Club at the Annual General Meeting a detailed report of the Club's financial position. Such a report shall be accompanied by a balance sheet and statement of accounts duly audited and certified by the Club's Auditor.
6. The accounts and books of the Club shall be open to inspection by the auditor at all times and otherwise at such times and by such persons as may be determined by the Committee.
7. Shall close off the books for annual accounting purposes at the 31st day of July each year which shall be the end of the Club's financial year.

Records Officer:

Shall keep and be responsible for all timetables and statistics relating to the Club as required by the Committee from time to time.

Auditor:

1. Shall be appointed at the Annual General Meeting each year.

2. Shall examine all books and accounts of the Club immediately after the expiration of each financial year and certify as to the correctness of the balance sheet and statements of receipts and expenditure.
3. Shall have access to all books and accounts of the Club.
4. Shall be entitled to examine any office bearer of the Club in regard to the accounts of the Club.
5. Shall be authorised to obtain from any bank, statements showing balance of the Club's accounts.
6. Shall make such audits as may arise from time to time be ordered by the Club or Committee.

Alteration to Constitution:

This Constitution shall not be added to, altered, repealed or rescinded except at any ANNUAL GENERAL MEETING or a SPECIAL GENERAL MEETING convened for that purpose only. Such alteration shall be adopted only by a majority of 75% of those in attendance at the meeting. The notice for any such meeting in which it is proposed to amend, repeal or rescind the Constitution shall clearly state the nature and purpose of the proposed amendment or the reason for repeal or rescission.

Club Discipline:

The Committee shall have the power to reprimand, suspend or disqualify and/or expel any member who in its opinion has been guilty of misbehaviour in any games, tournaments, meetings or functions whatsoever held in connection with the Club or in any matter deemed detrimental to the Club or the good name thereof. The offending member/s shall be summoned by written notice from the Secretary to attend the meeting of the Committee at which it is proposed to deal with such member/s. In the event of the non-appearance of any such member/s or of any person/s to represent him/her or them it shall be proper for the committee to deal with the offender/s on evidence placed before it at such meeting. The finding of the Committee shall be observed by the member/s concerned.

No player shall at any time play in any uniform or colours which are not those registered in the name of the Club.

(This shall include jumpers and briefs.)

Any member including a member who may have been reprimanded by a coach or has been disciplined shall have a right of appeal to the Committee and if not satisfied by the decision of the Committee shall then have a right of appeal to the Club in General Meeting. All notices of intention to exercise the right of appeal shall be sent in writing to the Secretary who shall convene an appropriate meeting at the earliest possible date commensurate with requirements as to time for notices above set out.

Income and Property of the Club:

The income and property of the Club whencesoever derived shall be applied solely towards the promotion of the objectives of the Club and portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise howsoever by way of profit to the members or relatives of members of the Club provided that nothing therein shall prevent in good faith or remuneration to any officer or servant of the Club or to any member of the Club in return for any services actually rendered to the Club or reasonable and proper rent for premises let by any member to the Club.

Dissolution or Amalgamation:

The members may by resolution passed by a majority of four-fifths of the voting members present at any Annual General Meeting or Special General Meeting called for that purpose resolve to dissolve the Club or amalgamate it with any other club or body named in the resolution. In the case of

dissolution the monies and funds remaining to the credit of the Club after the payment of all its debts and liabilities shall be divided amongst such other sporting bodies having like objects as shall be decided by the said meeting PROVIDED HOWEVER that no resolution shall be passed whilst there remains fifteen (15) members desiring the continuance of the Club or the continuance of its separate identity.

If upon the winding-up or dissolution of the Club, there remains, after satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid to or distributed among members of the club, but shall be distributed to the other body or bodies having similar objects or to such charitable body or bodies, and which shall prohibit the distribution of income and property to members.

Legal Action:

No member or past member shall be entitled to bring any legal action of any kind whatsoever or institute any court proceedings of whatever nature against the Club or any Officers of the Club or any member/s of the Committee or any members of the Club for or in respect of anything done in accordance with the rules, regulations or by-laws of the Club or in connection with any cause of action arising directly or indirectly out of during or in connection with such member's membership past or present of the Club.

Public Officer:

Mr John Arthur Beaumont
10 Hanson Street
Freeling SA 5372

Occupation: Postal Manager
Post Office
Freeling SA 5372