

NARROGIN INTERNATIONAL RULES BASKETBALL ASSOCIATION (INC)

Constitution

1. Name

The name of the Association formed under these Rules shall be “Narrogin International Rules Basketball Association” and after incorporation it shall be “Narrogin International Rules Basketball Association (Inc)” and it is hereinafter referred to as the Association.

2. Objects

The objects of the Association shall be to promote the sport of Basketball in Western Australia and to establish and maintain friendly co-operation between other Associations. To provide instruction to Members, to enter and engage in Championships with other Associations and to engage in social activities and to generally further the enjoyment of the sport of Basketball

3. Powers

The Association shall have the following powers:

- a) To purchase, take on lease or in exchange hire or otherwise acquire and maintain any real or personal property and any rights and privileges in relation thereto.
- b) To erect and to improve, repair, pull down and rebuild buildings and other structures.
- c) To sell, exchange, lease, mortgage, hire, dispose of, turn to account or otherwise deal with or any part of the real or personal property of the Association.
- d) To borrow or raise or secure the payment of money in such a manner as the Association thinks fit with power to issue debentures, grant mortgages charges or any other class of security upon or charging all or any of the property real or personal (both present and future) of the Association and to redeem or pay off any existing or future securities.
- e) To invest and deal with the monies of the Association not immediately required for the purposes of the Association in such manner as may from time to time be determined by the Association in General Meeting.
- f) To buy, prepare, make, supply, sell and deal in all kinds of equipment and all apparatus used in connection with the sport of Basketball and other athletic sports and past times and all kinds of liquor provisions and refreshments required or used by the members of the Association or other persons frequenting the Association or premises of the Association.
- g) To apply for the registration (licensing) of the Association pursuant to the provisions of the Licensing (liquor) Acts.
- h) To appoint, employ and pay officers and servants and to dismiss or suspend any officer or servant. To do all such things as are incidental or conducive to the attainments of the objects of the Association.

4. Income and Property

The Income and Property of the Association shall be applied solely for the promotion of its objects and no part thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise by way of pecuniary, profit to the members provided that remuneration may be paid in good faith to officers and servants of the Association or other persons or members of the Association in return for services actually rendered to the Association.

5. Membership

The membership of the Association shall consist of:

- Life Members
- Ordinary Members
- Associate Members
- Junior Members

a) *Life Members*

A Life Member shall be any person who has been elected as such prior to the adoption of these Rules or who may hereafter be elected as such at a General Meeting of the Association.

b) *Ordinary Members*

Shall be such Members who may hereafter be admitted as Ordinary Members by the Executive Committee.

c) *Associate Members*

Associate Members shall be entitled to rights and privileges of the Association as from time to time may be determined by the Management Council.

d) *Junior Members*

Shall be persons or have been Junior Members prior to the adoption of these Rules or wherever hereafter be admitted as Junior Members by the Executive Committee. Provided that no Junior Member shall be below the age of sixteen years on the first playing date each season.

6. Voting

For the purpose of all general business each member present personally shall have one vote.

- a) The Committee may expel from the Association or otherwise punish or penalise any member whose conduct, in the opinion of the Committee, is discreditable or injurious to the character or interests of the Association.
- b) Before any member is expelled or otherwise punished or penalised his conduct shall be enquired into by the Committee and the member shall be given the opportunity to defend himself and to justify or explain his conduct. Provided that a quorum is established and the majority of the Committee present when the matter is enquired into is of the opinion that the member has been guilty of such conduct or action as aforesaid, the Committee may expel or suspend him from membership or

otherwise punish or penalise him. The member charged is entitled to be present and also entitled to call witnesses on his own behalf.

7. Entrance Fees and Annual Subscriptions

Annual subscriptions and entrance fees shall be determined from time to time by the Association in a general meeting and payable in advance on or before the first playing date of each season.

8. Meetings

The Annual General Meeting of the Association shall be held prior to the commencement of each new season. These meeting to be called at any time during the months of March to August. The date of such meeting being decided by the Executive Committee.

- a) Every Annual General Meeting of the Association shall be convened by advertisement in weekly paper published in Narrogin or by such means as the Executive Committee may determine. In any case, at least Fourteen (14) clear days of notice shall be given together with the day, the hour, business and place of meeting.
- b) Voting at the Annual General Meeting shall be by show of hands but any five (5) members present may demand a poll, which shall forthwith be taken by a secret ballot and the result declared by the Chairman. In the case of equality of votes, the chairman presiding at the time shall have a casting vote.
- c) Fifteen (15) members shall constitute a quorum at the Annual General Meeting.
- d) No person, other than a financial or registered playing member of the Association shall be entitled to vote at the Annual General Meeting.
- e) In the event of a quorum not being present thirty minutes after the advertised or notified time of commencement of the meeting, the meeting shall be adjourned to a date within twenty eight days thereafter, and if a quorum of members be not present at such an adjourned meeting, it shall be adjourned sine die.
- f) In event of a meeting being so adjourned to a further date the method of reconvening shall be in accordance with paragraph (a) of this section.

At the Annual General Meeting of the Association the order of the business shall be as follows:

- a) Confirmation of the Minutes of the last Annual General Meeting and of any subsequent General Meetings.
- b) The President's Annual Report and the audited financial Statements to be read and adopted.
- c) Election of Officers
 - Patrons (3)
 - President
 - Vice Presidents (2)

- Secretary
- Assistant Secretary
- Treasurer
- Recorder
- Committee Members (10)

d) Any special business of which notice has been given.

e) General Business.

9. Special General Meeting

Special General Meetings shall be convened under the following circumstances:

- a) To fill, when necessary, major administrative positions i.e. President, Vice President, Honorary Treasurer.
- b) Whenever, in the opinion of a majority of members of the Executive Committee such a meeting is necessary.
- c) On receipt by the Executive Committee of a petition signed by at least fourteen (14) financial members of the Association, requesting the convening of a Special General Meeting. Such petition shall contain the reason for the convening of the meeting.
- d) Upon the receipt of such a petition, the Secretary will immediately convene a Special General Meeting. Such a meeting shall be held within 28 days of receipt of the petition.
- e) Notice of such Special General Meeting shall be given in accordance with the provisions of Section 8 paragraph (a).
- f) No business shall be transacted at any Special General Meeting except the business stated in the form of notice convening the meeting.
- g) Voting at Special General Meetings shall be in accordance with the provisions of Section 8 paragraph (b) and (d).
- h) Fifteen (15) Financial Members shall constitute a quorum at any Special General Meeting.
- i) In the event of a quorum not being present thirty minutes after the notified time of commencement of a Special General Meeting, such a meeting, if convened upon a petition of members, shall be forthwith dissolved. In any other case adjournment shall be ordered by the Chairman in accordance with Section 8 paragraphs (e) and (f).

10. Executive Committee

The executive of the Association shall consist of President, Vice Presidents (2), Treasurer, Secretary, Assistant Secretary, Recorder and Committee.

Powers and Duties of the Executive:

- a) To pay costs, charges and expenses preliminary and incidental to the promotion, formation and establishment of the Association.
- b) From time to time to take all steps in proceedings and to do all acts and things it may consider advisable to carry into effect the objects of the Association.
- c) To take and give receipts, releases and other discharges for money payable to the Association and for claims and demands of the Association.
- d) To form a special committee for any purpose in connection with the Association.
- e) At its discretion to appoint, remove and direct or suspend any member of the staff of the Association and to determine their respective duties and to fix their salary.
- f) The Executive Committee shall cause to be prepared a yearly financial statement of the Association as at the 30th April in each year and also an Annual Report to be presented to the Annual General Meeting.
- g) The Association shall open such bank account or bank accounts as are necessary for the efficient working of the Association.
- h) All cheques, bonds, bills of exchange, promissory notes drawn by the Association shall be signed by such two or more persons as shall be appointed for that purpose by the Executive.
- i) If any Committee Member shall fail to attend three consecutive meetings of the Association without having obtained leave of absence from the Association, his seat shall become vacant, and such member shall not be eligible for re-election during the current year of the Association.

11. Secretary

The duties of the Secretary shall be to:

- a) Keep full and correct minutes of all resolutions and proceedings of every general meeting and of all committee meetings in books provided for that purpose together with a record of the names of the members present at all such meetings.
- b) Keep a register of members setting forth their names and addresses and dates of payments of subscriptions.
- c) Attend to all correspondence.
- d) Perform such other duties as the Executive may prescribe.
- e) Shall keep a book showing all alterations effecting the Constitution and By-laws.

12. Treasurer

The duties of the Treasurer shall be to:

- a) Collect and receive all monies due to the Association and make all payments authorised by the Executive.

- b) Keep correct accounts and books showing the financial affairs of the Association with full details of all receipts and disbursements and other particulars usually shown in books of accounts of a like nature and present periodical financial reports to the Executive together with all bank books or statements.
- c) Perform such other duties as the Executive may prescribe.
- d) At the discretion of the Association a fidelity bond may be required for an amount approved by the Association Members, the premium payable for the sum, shall be paid out of the funds of the Association.

13. Honorariums

Honorariums to be determined at the Annual General Meeting and subject to review at the final Committee Meeting of each season.

14. Auditor

The Auditor will audit the books and other records of the Association and submit his report in writing to the Annual General Meeting of the Association.

15. Common Seal

The Executive shall provide a common seal for the Association and shall provide for the custody thereof. The Seal shall not be used or affixed to any document except by the authority of the Executive and every document to which such seal is affixed shall be counter signed by the President and the Secretary.

16. Club Affiliation

The Association may affiliate with the Basketball Federation of WA (Inc) and will abide by the constitution and rules of the same and may continue to so affiliate each year during the life of the Association and pay the required Association registration fees.

17. Borrowing

The Association may from time to time upon a resolution passed by 2/3 majority of its numbers present personally at a properly convened meeting borrow in such manner and upon such security as it thinks fit such sums of money as may be required for the purposes of the Association.

18. Club Colours

These will be Gold with Black.

19. Honorary Guests

Members may invite honorary guests to use the Associations facilities subject to the Executive exercising their discretion at any time to limit this privilege.

20. Registered Office

The registered office of the Association shall be in Narrogin or such other place for the time being as shall be decided by the Executive.

21. Notices

Any notice required to be served on any Association member shall be in writing and may be served by the Association on a member either personally or by sending it

through the post in a prepaid envelope or wrapper addressed too such member at his place of address appearing on the register of members.

Any notice served by post shall be deemed to have been served on the day on which according to the ordinary course it would have been delivered and in providing such service it shall be sufficient to prove that the envelope or wrapper containing the notice was properly addressed and put into the Post Office.

22. Construction of Rules

In the event of any question arising as to the Construction of any of the foregoing rules or as to any matter not provided by these Rules the Executive shall have power to decide the same and its decision shall be final and binding.

23. Alteration of Rules

The Constitution and rules of the Association may be altered, added to or repealed at any ordinary or special general meeting of the Association providing that notice convening such meeting shall have specified the proposed alteration, addition or repeal and the same shall be passed approved by at least two thirds of the members present personally voting at such meeting. Any such amendment shall be subject to any ministerial approval required under the Associations Incorporation Act 1895 -1955.

24. Winding Up

The Association may be dissolved or wound up by a resolution at any general or special meeting called for such purpose of which at least fourteen (14) days notice has been given.

If upon the dissolution or winding up of the Association there remain after the satisfaction of all its debts and liabilities any property whatsoever the same shall not be paid to or distributed among the members of the Association but shall be given or transferred to some other body, association club or institution having objects similar wholly or in part to the objects of the Association and which shall prohibit the distribution of its or their income and property among its or their members or to some charitable objects or object which body association, club, institution or objects will be determined by the association at or before the said dissolution or winding up or in default thereof or in so far as effect cannot be given to such determination then such payment or distribution shall be determined by a Judge of the Supreme Court.