



**HOPPERS CROSSING BASKETBALL CLUB  
INCORPORATED**  
Incorporated Registration Number: A0025327A

## **CONSTITUTION AND RULES**

UPDATED: JUNE 2017

# Hoppers Crossing Basketball Club Inc. Constitution

Voted in at a Special General Meeting held on Saturday 24 June 2017

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## PREFACE

With the issue of this Constitution, all previous and prior documents known as "Hoppers Crossing Basketball Club Incorporated Constitution" are revoked. Detailed herein is the Constitution of the Hoppers Crossing Basketball Club (HCBC).

This Constitution applies in totality to the members, delegates and Executive of the HCBC, shall be adhered to at all times and can only be revised by majority vote at a General or Special meeting of the membership.

Where clarification or interpretation of the constitution is required, the HCBC Executive from time to time may do so.

## 1. NAME OF ASSOCIATION

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The name of the incorporated association is Hoppers Crossing Basketball Club Incorporated (in these Rules called "the Association"), also known as the Hoppers Crossing Junior Basketball Club.

## 2. DEFINITIONS

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- 1) In this Constitution unless the contrary intention appears, these words shall have the following meanings:

**Act** means the *Associations Incorporation Reform Act 2012 (Vic)* as amended from time to time;

**Annual General Meeting** means a meeting of Members convened in accordance to **Rule 8**;

**BV** means Basketball Victoria

**Committee** means the committee of management of the Association;

**Constitution** means this Constitution as amended from time to time;

**Executive Committee Member** means a member of the Executive Committee in accordance to **Rule 7.3**;

**Financial Year** means the year ending on 30 April in each year;

**General Committee Member** means a member of the committee who is not an Office Bearer of the Association under these Rules;

**General Meeting** means the annual general meeting or any special meeting of HCBC;

**HCBC** means the Hoppers Crossing Basketball Club Incorporated;

**HCJBC** means the Hoppers Crossing Junior Basketball Club;

**Life Member** means a member appointed as a Life Member under **Rule 23**;

**Ordinary Member** means a financial registered player of the Association;

**Regulations** means regulations under the Act;

**Relevant documents** have the same meaning as in the Act;

**Volunteer Member** means a registered coach, official or volunteer of the Association;

**WBA** means the Werribee Basketball Association.

- 2) In these Rules, a reference to the Secretary of the Association is a reference –
  - a) Where a person holds office under these Rules as Secretary of the Association – to that person; and
  - b) In any other case, to the public officer of the Association.
- 3) Words or expressions contained in the Rules shall be interpreted in accordance with the provisions of the *Interpretation of Legislation Act 1984* (Vic) and the Act as in force from time to time.

### 3. STATEMENT OF PURPOSE

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To act as a focus for young people in the Hoppers Crossing and surrounding areas; to learn the rules and skills of basketball, to promote and develop a spirit of co-operative team play, to stimulate interest in recreation and regular exercise, and to instil good sportsmanship, values and self-discipline.

To support and maintain an effective voluntary administration structure in order to provide the best possible opportunities for all members of the club.

### 4. AFFILIATIONS

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The Association may from time to time affiliate with such other bodies or organisations as it deems fit.

### 5. MEMBERSHIP AND FEES

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- 1) The categories of membership of the Association.
  - a) Ordinary Member
    - (i) Shall be any financial player registered in a current team of the Association; or their parent or guardian if under the age of 18.
    - (ii) Shall be entitled to one vote at Annual and Special General Meetings.
  - b) Life Member  
The committee may, if it sees fit, grant a member Life Membership. A Life Member shall:
    - (i) Be elected at a properly constituted meeting of the Association.
    - (ii) Be restricted to those whose service to the Association and to basketball has been of the highest honour.
    - (iii) Shall be entitled to one vote at Annual and Special General Meetings.
    - (iv) Refer to **Rule 23** for membership nominations and privileges.
  - c) Volunteer Member
    - (i) Shall be a registered volunteer member of the Association;
    - (ii) Shall consist of coaches and committee members, who don't have children registered as players with the Association;
    - (iii) Shall be entitled to one vote at Annual and Special General Meetings.

- 2) All members must adhere to following:
  - a) Support the objectives of the Association,
  - b) Agrees to comply with the Code of Conducts, and
  - c) Is a registered player, life member or volunteer member of the Association.
- 3) Application for membership of the Association, through registration or writing shall be
  - a) Only accepted on the approved form or online registration.
  - b) Lodged with the Registrar of the Association.
- 4) The committee can determine whether to reject an application.
- 5) If the committee approves an application for membership, the Registrar must, as soon as practicable-
  - a) Notify the applicant in writing of the approval for membership; and
  - b) Request payment within 28 days after receipt of the notification of the sum payable under these Rules as the membership fee.
- 6) The Registrar must, within 28 days after receipt of the amounts referred to in **Rule 5.5**, enter the applicant's name in the register of members.
- 7) An applicant for membership becomes a member and is entitled to exercise the rights of membership when his or her name is entered in the register of members.
- 8) If the committee rejects an application, the committee must, as soon as practicable, notify the applicant in writing that the application has been rejected.
- 9) A right, privilege, or obligation of a person by reason of membership of the Association-
  - a) Is not capable of being transferred or transmitted to another person, except as provided for in **Rule 5.1(a)**; and
  - b) Terminates upon the cessation of membership whether by death, resignation, un-financial or otherwise.
- 10) The membership player fee shall be determined by the committee prior to the commencement of each season and will be minuted.
- 11) Membership discounts may be granted to volunteers of the Association, where roles such as committee member, Coaching and/or Team Manager are undertaken; or any other discount may be offered. All discounts must be ratified by the Executive Committee and will be minuted. All discounts will apply to the current season only.

## 6. REGISTRATION OF MEMBERS

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The Registrar shall keep and maintain a register of members containing the name, address and date of entry of each member, and the register shall be available for inspection upon request.

- 1) The Association shall consist of such players playing the game of basketball, coaches and club officials that have registered with the Association.
- 2) The registered player shall be deemed a player if he/she is financial at the date specified by the committee at the commencement of each season.
  - a) The conditions of registration of players as members shall be that the player agrees to abide by the rules, by-laws, codes of conduct of both the Association and Basketball Victoria and accept all decisions made in accordance with the relevant rules, by-laws and codes of conduct.
  - b) Where a player is under the age of 18, the parent or guardian will hold the responsibility of such player.
- 3) Registration of members;
  - a) Players must register in each competition season that they play in.
  - b) Coaches and club officials must register in each competition session they participate in.
- 4) All person's over the age of 18 serving as coach and/or club officials for the Association must comply with-
  - a) Child Protection Policy and Procedures and have a valid Working with Children Check; and
  - b) Basketball Victoria's member protection procedures and provide a valid declaration form.

The Registrar shall keep records of card numbers and expiry dates as evidence of compliance.

## 7. OFFICE BEARERS AND EXECUTIVE COMMITTEE

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- 1) The Office Bearers of the Association shall be President, Vice President, Secretary and Treasurer.
- 2) Office Bearers shall be elected at the Annual General Meeting of the Association (refer to **Rule 8**) and shall continue to hold office until their successors have been duly elected at the next Annual General Meeting of the Association.
- 3) The Executive Committee shall consist of the Office Bearers and General Committee Member's elected at the Annual General Meeting of the Association. There shall be no more than three (3) general committee members elected onto the Executive Committee.
  - a) Such General Committee Members shall consist of the Registrar, Coaching Coordinator and Fundraising Coordinator.
  - b) Other duties of the club such as training venue, uniform and media coordinators will be delegated amongst the remaining General Committee Members.

- 4) The Executive Committee shall manage the business and affairs of the Association in accordance with the provisions of the rules contained therein.
- 5) Five (5) members shall form a quorum at all meetings of the Executive Committee refer to **Rule 10.8**.
- 6) At any meeting of the Executive Committee each member shall be entitled to one (1) vote. All votes shall be of equal value. The President or Chairperson shall have a deliberative vote and in the case of equality, also have the casting vote.
- 7) The Office of a committee member becomes vacant if the member:
  - a) Becomes an insolvent under administration within the meaning of the Companies (Victorian) Code.
  - b) Resigns the office by notice in writing given to the Secretary.
  - c) Ceases to be a member of the committee if the member is absent without reasonable excuse from three (3) consecutive meetings of the committee.
  - d) Non-Executive committee members will be exempt from **Rule 7.7(c)**.
- 8) The Executive Committee may fill any vacancy caused by the death or resignation of any member of the Executive Committee. The executive also reserves the right to fill this position immediately and not necessarily at an Annual General Meeting.
- 9) The Executive Committee has the power to co-opt (non-voting) members as the need arises.
- 10) The Executive Committee will be responsible for preparing position descriptions for the Office Bearers and General Members. Descriptions will highlight their role and expected deliverables.

## 8. ANNUAL GENERAL AND SPECIAL MEETINGS

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- 1) An **Annual General Meeting** of the Association shall be held before the end of July each year at such time and place the Executive Committee shall determine for the following purposes:
  - a) To receive the Annual reports, balance sheet and statements of accounts for the preceding year.
  - b) To elect office bearers/executive committee and to appoint the Auditor for the ensuing year
- 2) The Secretary shall give at least twenty-eight (28) days' notice of time, place and agenda of the meeting. This notice shall be posted on the Association's website and circulated to members via social media and electronic communication.
- 3) A **Special Meeting** may be called at any time by the President at the request of the Executive Committee. The date and place of the meeting and the business to be transacted shall be notified by the Secretary fourteen (14) days prior to the meeting.

## 9. NOMINATIONS FOR OFFICE BEARERS AND COMMITTEE MEMBERS

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- 1) Nominations for persons to fill the positions vacated by the Committee Members at the Annual General Meeting must be lodged with the Secretary of the Association not less than seven (7) days prior to the meeting. If nomination/s are received in advance, then no nomination can be taken from the floor. However, if no nominations received in advance for a particular position, then nominations can be taken from the floor.
- 2) Each nomination must have a mover and seconder before the nomination is accepted by the chair.
- 3) Committee members will hold office for the term of no more than one (1) year and then be eligible for re-election or reappointment at the next Annual General Meeting.
- 4) Candidates may nominate for more than one position, but may only be elected to one.
- 5) If only one nomination is received the person is duly elected and if more than one (1) nomination is received, then a vote will be taken.

## 10. PROTOCOLS OF THE ANNUAL GENERAL AND SPECIAL MEETINGS

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- 1) Voting rights for the Annual General Meetings and Special Meetings will be as follows:
  - a) One (1) vote per Ordinary Member
  - b) One (1) vote per Volunteer Member who is not affiliated with a financial member
  - c) One (1) vote per current Executive Committee Member of the Association
  - d) One (1) vote per Life Member of the Association
- 2) All the above voting rights are based on that person or family being financial at the time of the AGM or SGM. Any un-financial member of the Association shall have no voting powers.
- 3) The President, or in his/her absence the Chairperson, shall not have a deliberative vote, but in the case of equality, has the casting vote.
- 4) All voting, required to pass any resolution, shall be by the show of hands, unless a request for a secret ballot of a poll of members be made by the mover, The President or Chairperson.
- 5) All AGM elections shall be by secret ballot.
- 6) AGM elections shall be carried out in the following order:
  - a) President, Vice President, Secretary, Treasurer, three (3) Executive Committee members.  
The remaining general committee members will be elected by ballots and floor nominations.
  - b) A defeated candidate in an earlier election may contest a later election, if nominations are taken from the floor.
  - c) Proxy votes under any circumstances are invalid.



7) Procedure for committee meetings

- a) The committee shall meet when directed by the President or in his/her absence the interim chairperson. At least six (6) committee meetings of the Association will be held each year.
- b) The Executive Committee shall call a Special Meeting or Extraordinary Meeting in the case of an emergency to deal with any matter placed before it and its decision shall be accepted.
- c) A Special meeting may be convened by the President or by any members of the Executive Committee.
- d) A minimum of five (5) business days' notice shall be given to each committee member of any meeting, and in the case of a special meeting such notice shall specify the general nature of the business to be transacted, and no other business shall be transacted at such a meeting.
- e) The Secretary shall give a minimum of five (5) business days' notice to all members, to call for agenda items or papers of the next meeting.
- f) The Secretary shall keep minutes of the resolutions and proceedings of each meeting, together with a record of the names of persons present at the committee meetings and shall distribute the minutes within seven (7) days of such meetings.

8) Quorum at General Meetings

- a) No item of business may be conducted at a general meeting unless a quorum of members entitled under these rules to vote is present at the time when the meeting is considering that item.
- b) Five (5) members personally present (being members entitled under these Rules to vote at a General Meeting) constitute a quorum for the conduct of the business of a General Meeting.
- c) If, within half an hour after the appointment time for the commencement of a General Meeting, a quorum is not present-
  - (i) In the case of a meeting convened upon the request of members, the meeting must be dissolved; and
  - (ii) In any other case, the meeting shall stand adjourned to the same day in the next week at the same time and place.
- d) If, at the adjourned meeting, the quorum is not present within half an hour of the meeting time, the members personally present (not less than 3) shall be a quorum.

9) Adjournment of Meetings

- a) The person presiding may, with the consent of a majority of members present at the meeting, adjourn the meeting from time to time and place to place.
- b) No business may be conducted at an adjourned meeting other than unfinished business from the meeting that was adjourned.
- c) If a meeting is adjourned for 14 days or more, notice of the adjourned meeting must be given in accordance with **Rule 7**.

10) Poll at General Meetings

- a) If at a meeting a poll on any question is demanded by not less than three (3) members it must be taken at that meeting in such a manner as the Chairperson may direct and the resolution of the poll shall be deemed to be a resolution of the meeting on that question.
- b) A poll that is demanded on the election of the Chairperson or on the question of an adjournment must be taken immediately and a poll that is demanded on any other question must be taken at such time before the close of the meeting as the Chairperson may direct.

## 11) Manner of Determining whether a resolution is carried

- a) If a question arising at a General Meeting of the Association is determined on a show of hands:
  - (i) A declaration by the chairperson that a resolution has been 1) carried, 2) carried unanimously, 3) carried by a particular majority, 4) lost.
  - (ii) All office bearers and general members will be entitled to one (1) vote only even if they hold two (2) committee positions.
  - (iii) An entry to that effect must be entered in the minutes of the Association. This is evidence of the fact without proof of the number or proportion of the votes recorded in favour for, or against, that resolution.

## 11. DUTIES OF OFFICE BEARERS

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- 1) **Chairperson:** At all meetings of the Association and Executive Committee the President shall be chairperson and in his/her absence the Vice President. In the absence of the Vice President the meeting shall appoint its own chairperson from those present.
- 2) **President:** The role of the President is to provide the principle leadership and responsibility for the organisation and the Committee.
- 3) **Vice-President:** The role of the Vice-President is to shadow the President in providing leadership and responsibility for the club and the Committee; and to step into the President's roles where needed. It is often considered that the Vice-President will succeed the President and that this role is in preparation.
- 4) **Secretary:** It shall be the duty of the Secretary to attend all meetings and proceedings and record minutes. He/she shall conduct the correspondence of the Association, keep a record of all reports from committees and keep a register of all meetings. Except as otherwise provided in these Rules, the Secretary shall keep in his/her custody or under his/her control all books, documents and securities of the Association.
- 5) **Treasurer:** The Treasurer shall keep correct accounts of all monies received and disbursed and shall produce a financial statement at all meetings. He/she shall immediately upon their receipt, bank in the name of the Association all monies received by him/her and pay all claims against the Association only after they have been duly passed for payment by the Executive Committee. The Treasurer shall be responsible for all the property, credits and liabilities of the Association.

## 12. CUSTODY AND INSPECTION OF BOOKS AND RECORDS

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- 1) Except as otherwise provided in these Rules, the Treasurer must keep in his/her custody or under his/her control all books, documents and securities of the Association.
- 2) Subject to any restrictions that may be imposed by the Executive Committee, all books and records of the Association shall be opened for inspection by any financial member of the Association and/or affiliate body, or any committee member at a time that is reasonable to both parties designated by the Executive Committee.

- 3) Request shall be submitted in writing to the Treasurer of the Association. The Treasurer shall submit this information to the Executive Committee.

### 13. APPOINTMENT OF SUB-COMMITTEE

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- 1) The committee may at any time appoint a sub-committee (consisting of members of their own body) they may think fit and may prescribe the functions of any sub-committee. The committee shall have the power to co-opt persons to serve on a sub-committee; such persons will have voting rights on that sub-committee.
- 2) Sub-Committees will be run by sub-committee charters approved by the Executive Committee.
- 3) The sub-committees shall be governed by the Hoppers Crossing Basketball Club Inc. constitution. They may in addition have their own charters as stated in **Rule 13.2**.

### 14. DISPUTES AND MEDIATION

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- 1) The grievance procedure set out in this Rule applies to disputes between:
  - a) A member and another member
  - b) A member and the Association
- 2) The parties to the dispute must meet and discuss the matter in dispute and if possible resolve the dispute within fourteen (14) days after the dispute comes to the attention of all parties.
- 3) If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within 10 days, hold a meeting in presence of a mediator.
- 4) The mediator as referred to in **Rule 14.3**, must be:
  - a) A person chosen by agreement between the parties; or
  - b) In the absence of agreement:
    - (i) In the case of a dispute between a member and another member, a person who is appointed by the committee or the Association; or
    - (ii) In the case of a dispute between a member and the Association, a person who is a mediator appointed or employed by Werribee Basketball.
  - c) A member of the Association can be a mediator
  - d) The mediator cannot be a member who is in party to the dispute.
- 5) The parties to a dispute must, in good faith, attempt to settle the dispute by mediation.
- 6) The mediator must:
  - a) Give the parties to the mediation process every opportunity to be heard.
  - b) Allow due consideration by all parties of any written statement submitted by any party; and
  - c) Ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.
  - d) The mediator must not determine the dispute.

- 7) If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act otherwise at Law.
- 8) All reportable offences by players, teams and spectators during competition will be referred to the Basketball Victoria Tribunal. Only internal matters of discipline shall be dealt with by the Association.
- 9) Members of the Association must abide by all policy statements produced and outlined by Basketball Victoria, Werribee Basketball Association and its own Rules.

## 15. DISCIPLINE, SUSPENSION AND EXPULSION OF MEMBERS

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- 1) Subject to these rules, if the committee is of the opinion that a member has refused or neglected to comply with these rules, or has been guilty of conduct unbecoming a member or prejudicial to the interests of the Association, the committee may by resolution:
  - a) Fine that member an amount not exceeding \$500; or
  - b) Suspend that member from membership of the Association for a specified period; or
  - c) Expel that member from this Association.
- 2) A resolution of the committee under **Rule 15.1** does not take effect unless;
  - a) At a meeting held in accordance with **Rule 15.3** the committee confirms the resolutions; and
  - b) If the member exercises a right of appeal to the Association under the rule, the Association confirms the resolution in accordance with this rule.
- 3) A meeting of the committee to confirm or revoke a resolution passed under **Rule 15.1** must be held not earlier than fourteen (14) days and not less than twenty-eight (28) days, after notice has been given to the member in accordance with **Rule 15.4(d)**.
- 4) For the purposes of giving notice in accordance with **Rule 15.3**, the Secretary must as soon as practicable, cause to be given to the member a written notice:
  - a) Setting out the resolution of the committee and the grounds on which it is based; and
  - b) Stating that the member, or his/her representative, may address the committee at a meeting to be held not earlier than fourteen (14) days and not later than twenty-eight (28) days after the notice has been given to that member; and
  - c) Stating the date, place and time of the meeting; and
  - d) Informing the member that he/she may either, attend that meeting, or give to the committee before the date of that meeting a written statement seeking the revocation of the resolution.
  - e) Informing the member that, if at the meeting, the committee confirms the resolution, he/she may not later than 48 hours after that meeting give the Secretary a notice to the effect that he/she wishes to appeal to the Association in a general meeting against the resolution.
- 5) At a meeting of the committee to confirm or revoke a resolution passed under **Rule 15.1**, the committee must:
  - a) Give the member, or his/her representative, an opportunity to be heard; and
  - b) Give due consideration to any written statement submitted by the member; and
  - c) Determine by resolution whether to confirm or to revoke the resolution.

- 6) If at the meeting of the committee, the committee confirms the resolution the member may, not later than 48 hours after that meeting, give the Secretary a notice to the effect that he/she wishes to appeal to the Association in a general meeting against the resolution.
- 7) If the Secretary receives a notice under **Rule 15.6**, he/she must notify the committee and the committee must convene a general meeting of the Association to be held within twenty-one (21) days after the date on which the Secretary received the notice.
- 8) At a general meeting of the Association convened under **Rule 15.7**:
  - a) No business other than the question of the appeal may be conducted; and
  - b) The committee may place before the meeting details of the grounds for the resolution and the reasons for passing of the resolution; and
  - c) The member, or his/her representative must be given an opportunity to be heard; and
  - d) The members present must vote by secret ballot on the question whether the resolution should be confirmed or revoked.
  - e) A resolution is confirmed if, at the general meeting, not less than two-thirds of the members vote in person, is in favour of the resolutions. In any other case, the resolution is revoked.
- 9) Any member who is suspended or expelled shall not be entitled to any refund of subscription.
- 10) Where a member is suspended, such member shall be deemed to be not a member during the period of suspension.

## 16. FINANCE, FUNDS AND ASSETS

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- 1) The Treasurer of the Association must-
  - a) Collect and receive all moneys due to the Association and make all payments authorised by the Association; and
  - b) Keep correct accounts and books showing the financial affairs of the Association with full details of all receipts and expenditure connected with the activities of the Association.
  - c) Present a monthly financial statement at each committee meeting
  - d) Present a Balance Sheet containing a summary of the assets and liabilities of the Association as at a date no greater than a week prior to the Annual General Meeting, together with a Statement of Profit and Loss for the preceding year shall be made out and submitted to the next Annual General Meeting.
- 2) All monies of the Association shall be deposited in a current account in such bank that is approved by the Executive Committee and all transactions operating on the account shall be signed and/or authorised by the Treasurer of the Association and counter signed/approved by either the President or the Vice President of the Association.
- 3) The funds of the Association will be derived from player membership fees, sponsorships, fund raising activities, grants, donations and other such sources as determined by the Executive Committee.
- 4) The Executive Committee shall make investments as it deems advisable in the interest of the Association and these shall be passed at any normal meeting.

- 5) The financial year of the Association shall commence on the first day of May each year and end on the 30<sup>th</sup> day of April of the next year.
- 6) The income and funds of the Association will be utilised solely for the objectives of the Association, recruiting players, purchasing uniforms and equipment, match fees and promoting the Association. No portions of the Association funds in anyway shape or form shall be paid or transferred either directly or indirectly to any individual members of the club.
- 7) In the event of winding up or the cancelation of the incorporation of the Association, the assets of the Association must be disposed of in accordance with **Rule 21**.

## 17. ALTERATION TO RULES AND INTERPRETATION

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- 1) The Statement of Purpose and Constitution shall not be altered, varied, added to or revoked except at an Annual General Meeting of the Association or at a Special Meeting called for that purpose.
- 2) Notice of the proposed amendment must be given in writing and lodged in accordance with **Rule 17.1**.
- 3) Alterations to the rules must receive the assent of not less that seventy-five (75) percent of the members present and voting at such meeting.

## 18. INTERPRETATION OF RULES - DISPUTATION

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If a dispute arises involving the interpretation of the rules or is outside the jurisdiction of the rules, the matter shall be referred to the Werribee Basketball Association.

## 19. COMMON SEAL

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- 1) The Common Seal of the Hoppers Crossing Basketball Club shall be kept in the custody of the Secretary of the Association.
- 2) The Common Seal should not be affixed to any instrument except by the authority of the Executive Committee at the affixing of the Common Seal and shall be attested by the signature of two (2) members of the Executive Committee or one (1) member of the committee and the public officer.

## 20. OFFICIAL UNIFORM AND COLOURS

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- 1) The Association's official uniform will consist of the following items that is recognised as the official game day apparel:

- a) Players reversible singlet
  - b) Players shorts
  - c) Players warm-up top
  - d) Coaches polo
- 2) The official uniform design shall be approved by the Executive Committee and recognised as the chosen design for a minimum period of three (3) years.
  - 3) The official colours are green, white and black
  - 4) The official uniform design and style per item shall be:
    - a) Playing uniform colours shall be predominately green with black and white trim / highlights
    - b) Playing uniform alternative top shall be predominantly white with black and green trim / highlights
    - c) Players warm-up top and coaches' polo will consist of only the uniform colours
  - 5) Uniform design and colours are subject to the approval of the WBA.

## 21. DISSOLUTION OF THE CLUB

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- 1) The Association may be wound up by special resolution carried at an Annual General Meeting or a special meeting called for that purpose.
- 2) In the event of the dissolution of the Association, any remainder of the net assets after discharge of all its debts, and other legal and moral obligations, shall not be distributed to its members, but shall be disposed of in accordance with the provisions of the *Associations Incorporations Reform Act 2012 (VIC)*.

## 22. BY-LAWS

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The Executive Committee shall have the power to construct by-laws and issue directives as the occasions may from time to time require. Such by-laws and directives shall have full force and effect providing they are not inconsistent with the Rules of the Association.

The Executive Committee shall enforce the by-laws of the Werribee Basketball Association and Basketball Victoria.

## 23. LIFE MEMBERS

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- 1) Persons are eligible to be nominated for Life Membership of the Association by a member upon meeting the requirement of a minimum of ten (10) years distinguished service to the Association.

- 2) Seconded nominations should be lodged in writing stating clearly the grounds for nomination with the Secretary for acceptance by the Executive Committee and to be present at the Annual General Meeting for approval.
- 3) Honorary Life Membership, without voting rights, may be granted by the Executive Committee at their discretion.
- 4) Privileges of Life Membership:
  - a) Life Members have the right to observe any committee meetings.
  - b) They hold full voting rights in their capacity as Life Members at the Annual General Meeting and Special Meeting only. They also have the right for a separate vote in their capacity should they hold a position on the Executive Committee or are part of the outgoing Executive Committee.
  - c) Free entry to all Association Functions.
  - d) Free playing membership for the remainder of their junior playing career (up to U20s only).

## 24. UNFORSEEN MATTERS

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Should any matters arise for which provision has not been made in the constitution the Executive Committee shall take such action as is necessary to protect the interest of the Association.