



CONSTITUTION

FOR

**THE GREAT SOUTHERN
AMATEUR BASKETBALL ASSOCIATION
INC.**

CONSTITUTION OF THE GREAT SOUTHERN AMATEUR BASKETBALL ASSOCIATION INC.

AS ADOPTED ON 9th AUGUST 2021

1. NAME:

The organisation shall be called the GREAT SOUTHERN AMATEUR BASKETBALL ASSOCIATION INC., and hereinafter referred to as the Association.

2. OBJECTS AND PURPOSES:

To promote and advance the game of basketball within the Great Southern area.

3. POWERS:

- a) To develop and administrate the game of basketball in the Great Southern area.
- b) To manage Junior and Senior Basketball competitions as may be decided upon.
- c) To manage settlement of all disputes within the Association.
- d) Coordinate Coaches, Managers, Players, Umpires and others as nominated persons for Representative sides to compete in SA Country Senior & Junior Championships, and other tournaments as may be decided upon from time to time.
- e) To deal with matters that the Association may deem to be in the best interest of the game of Basketball within the Great Southern area.
- f) Although under the jurisdiction of the SA Country Basketball Council, the Association may, from time to time, make such regulations for the conduct of its own proceedings, for the control of its funds and property and the proper carrying out of its objects as the Association may see fit.
- g) To appoint and employ and or dismiss any person as deemed necessary for the carrying out of this Constitution.

4. MEMBERSHIP:

- a) The GSABA Management Committee and GSABA Business Administrator.
- b) All Bona Fide members of Affiliated Clubs.
- c) All elected or appointed members of committees of the Association.
- d) Life Members.
- e) Association Umpires.
- f) Patron/s.
- g) GSABA Staff.

5. MANAGEMENT COMMITTEE

- a) The Management Committee of the Association shall have a maximum of fifteen (15) members: ten (10) Club Voting Members and five (5) Executive Committee Members.

Club Voting Members

- i. The ten (10) Club Voting Members are made up of two (2) Club Voting Members per affiliated club.
- ii. Each affiliated club must nominate their two (2) Club Voting Members in writing to the GSABA Secretary at least fourteen (14) days prior to the Annual General Meeting.
- iii. The two (2) Club Voting Members per affiliated club are automatically elected to the Management Committee at the Annual General Meeting.

- iv. The Club Voting Members are the only Management Committee members entitled to vote at Management Committee meetings, other than the Chairperson who may cast a deciding vote if required.

Executive Committee Members

- i. The Executive Committee Members shall be made up of a President, Vice President, Secretary, Treasurer and Registrar.
 - ii. The Executive Committee Members are elected via nominations from the GSABA Membership (any of section 4 of this Constitution). Club Voting Members may also nominate for an Executive Committee position. iii. Nominations must be received in writing to the GSABA Secretary at least fourteen (14) days prior to the Annual General Meeting.
 - iv. If only one (1) nomination is received for a position, the person nominated is taken to be elected.
 - v. If more than one (1) nomination is received for a position, a show of hands or ballot is held in accordance with section 16, Association Voting, of this Constitution.
 - vi. If no nomination is received for a position, nominations can be received from the floor at the Annual General Meeting.
 - vii. Any vacant positions remaining are taken to be casual positions and can be covered by the Club Voting Members until filled.
- b) The Management Committee shall be elected annually at the Annual General Meeting of the Association and shall hold office until the next Annual General Meeting of the Association.
 - c) To be elected to the Management Committee, members must be present at the Annual General Meeting of the Association, or a written apology must be received by the GSABA Secretary prior to the Annual General Meeting.
 - d) The Management Committee may appoint a Business Administrator, or any other role, as required to fulfill the Association's Objects and Purposes.

6. VACANCIES:

- a) Membership of the Association Management Committee or any office bearer of the Association shall be declared vacant should the member or office bearer be in default by absenting themselves without reasonable excuse from two consecutive meetings of the Association Management Committee. Reasonable excuse shall be at the discretion of the other members of the Management Committee.

Vacancies which occur as a consequence of Death, Resignation or Default, shall be filled as follows:

- i. In the case of a Club Voting Member - the member shall be replaced by another member of that Club. The Club must nominate in written form the replacement member and they will be elected at the next Management Committee Meeting after receiving the nomination. The member elected shall serve until the next Association Annual General Meeting.
- ii. In the case of an Executive Committee Member – the member will be replaced by nomination from the Membership and be elected by majority vote of the Club Voting Members, by show of hands, ballot or email vote, as appropriate, as soon as possible. The member elected shall serve until the next Association Annual General Meeting. If no nominations are received, the position can be covered by the Club Voting Members until filled.
- iii. In the case of a Business Administrator, or any other appointed role - the Management Committee will appoint a new Business Administrator, or other role, if deemed necessary as soon as possible.

7. LIFE MEMBERSHIP:

- a) Life Membership of the Great Southern Amateur Basketball Association may be nominated to the Association, at the Annual General Meeting, provided such nomination shall be given to the Secretary at least fourteen (14) days prior to such meeting.

- b) Life Members must be elected by a majority from the members that are entitled to vote. The voting member must be present at the meeting to record a vote.
- c) The number of Life Members appointed shall not exceed two in any one year.
 - Criteria: Ten years' service to the G.S.A.B.A. Committee.
 - Ten years as an Association Coach.
 - Ten years' service as a GSABA Referee
 - Ten years' service on a Sub- Committee
 - Ten years as a Junior Development Officer
 - Ten years' service of outstanding service as a GSABA Volunteer

At the Management Committees discretion, service to G.S.A.B.A. can be rewarded with life membership before ten years' service is reached.
- d) Life Membership of the SA Country Basketball Council, may be recommended of any person or persons, by the Association as per the SA Country Basketball Council Constitution.

7.1 PLAYING LIFE MEMBERSHIP

- a) Criteria: Ten (10) years' service as a GSABA Affiliated Club player at Senior Division One (1) level.
- b) Player Life Members must be elected by a majority of those present at the meeting entitled to vote. The voting member must be present at the meeting to record a vote.
- c) Player Life Members can be elected at the Annual General Meeting or a GSABA Management Committee Meeting.

8. PATRON/S:

A Patron may be elected at an Annual General Meeting.

9. PUBLIC OFFICER:

- a) The Public Officer is elected at the Annual General Meeting.
- b) Either the Secretary or the Business Administrator will be elected as the Public Officer for the Association.

10. S A COUNTRY BASKETBALL AFFILIATION:

- a) The Association shall, in each year, make application for affiliation, and pay such fees as required to the SA Country Basketball Council.
- b) All correspondence to the SA Country Basketball Council shall be forwarded through the Business Administrator of the Great Southern Amateur Basketball Association, and the decision of the SA Country Basketball Council, in any dispute before it, shall be considered final.

11. AFFILIATION OF CLUBS:

- a) Any Basketball Club in the Great Southern area may apply for affiliation, but the Management Committee of the Association shall have the power to refuse any such application at their discretion.
- b) All affiliated Clubs shall be bound by the Constitution of the Association.

12. MEETINGS:

These shall be conducted as follows:

- a) The Association Management Committee shall meet monthly or as directed by the Business Administrator after consultation with the President, to consider matters which may arise under section 3 of this Constitution.
- b) Annual General Meeting - the Association shall conduct an Annual General Meeting each year in the month of August or September.
 - i. To receive reports and balance sheets for the last financial year.
 - ii. The financial year shall run as a fiscal year and runs from July 1st to June 30th.
 - iii. To elect the Management Committee – Club Voting Members and Executive Committee Members.
 - iv. To accept the elected and/or appointed Slammers Committee Members, High Performance Department Officers, Umpires Department Officers and any other appointed role as deemed necessary.
 - v. To appoint an Auditor.
 - vi. To appoint a Patron if so desired.
 - vii. The Business Administrator shall notify, in writing, each Club of the date, time and venue for the Annual General Meeting. Notifications of the meeting to be placed in the local newspaper at least two weeks prior to that date.
- c) Special General Meetings - A Special General Meeting may be convened at any time, providing 21 days' notice to the Clubs and all other members is given.
- d) No business shall be transacted at any Special Meeting except the business stated in the form of notice convening the meeting.
- e) Voting at any Special General Meeting shall be in accordance with the provisions of this Constitution relating to Annual General Meetings.

13. QUORUM:

A quorum for all meetings of the Association, including sub-committees, shall be half of those entitled to vote.

14. APPOINTMENT OF SUB-COMMITTEES & OFFICIALS:

- a) At its first meeting after the Annual General Meeting, the Management Committee shall appoint such Umpires sub-committees as prescribed by the Rules of the Association.
- b) The Management Committee has the power to appoint as deemed necessary other subcommittees.
- c) Umpire's sub-committee. **APPENDIX C.**
- d) Administer the Umpiring Panel as set out in the guide-lines.

The Management Committee shall have the power to make, alter or repeal at any time, all such guidelines as it may be deemed necessary or convenient or expedient in relation to the proper conduct of the business and affairs of the Association, and the attainment of its objects, within the following guidelines:

- a) The guidelines shall be binding on all members, representatives and Officials of the Association.
- b) The Management Committee shall at the Associations Nominations Meeting for each of the Winter Season and Summer Season pass the existing guidelines.
- c) All guidelines shall be clearly distinguished from the Rules and By- Laws and recorded and referred to as guidelines in the minutes of the meeting at which they are made, altered or repealed, and the motion shall include the date on which the guidelines is to come into effect.

15. CHAIRPERSON:

- a) The President shall preside over all Management Committee and General Meetings of the Association. In the absence of the President, the Vice-President, or in their absence, one of the members shall be elected Chairperson.
- b) The Convener shall preside over all meetings of the sub-committee which that person is appointed to convene, and in the absence of that person, one of the members of such subcommittee shall preside.
- c) Except at the Annual General Meeting, if a Deputy Chairperson is elected to take the Chair to open the meeting they shall retain the Chair until the end of the meeting, whether or not the person normally acting as Chairperson arrives at the meeting.
- d) At the Annual General Meeting a Returning Officer, who is not a candidate for any office will be appointed to take the Chair until the election of officers is completed.

16. ASSOCIATION VOTING: Annual General Meeting:

- a) The Secretary shall record the representation at Annual General Meetings and Special General Meetings and the voting powers of those present.
- b) The Chairperson at an Annual General Meeting or Special General Meeting shall have a casting vote only, but may refrain from exercising this right, in which case the proposal is rejected.
- c) Each Club shall be entitled ONE vote if nominating in the current summer season.

Management Committee Meeting:

- a) The Secretary or elected Minute Taker shall record those present at all meetings.
- b) The Chairperson at all meetings shall have a casting vote only, but may refrain from exercising this right, in which case the proposal is rejected, but may be brought forward again at a subsequent meeting.
- c) Each Club Voting Member present shall be entitled to vote. A Club Voting Member may appoint a Proxy for a meeting they will not be present. The Club Voting Member must notify the Secretary of their Proxy prior to commencement of the meeting.
(The Chairperson can only have casting vote).
- d) Any person present at a Management Committee Meeting can put forward a proposal/motion. Only Club Voting Members, or their Proxy, can vote.
- e) A motion must be carried by a majority of those entitled to vote and voting abstainers will not be counted.
- f) The Business Administrator has no entitlement to vote at Management Committee Meetings but in relation to legal requirements must ensure the association adheres to any requirements.

17. METHOD OF VOTING:

At all meetings, voting shall be carried out by show of hands, unless a ballot is requested by a minimum of three clubs.

18. EMPLOYED PERSONNEL:

The Association may employ or dismiss, on a contract basis, such personnel as deemed by the Association to be necessary to effectively conduct the business of the Association.

19. NOTICES:

All notices shall be deemed duly delivered or served if sent by pre-paid post to the intended recipient at their last known address or place of abode or business, as documented in the records of the Association.

20. UNFORESEEN MATTERS:

Should any matter arise, for which provision has not been made in the Constitution, the Association shall have the power to take such actions as is necessary to protect the interest of Affiliated Clubs.

21. ALTERATIONS OF THE CONSTITUTION:

- a) This Constitution shall not be added too, repealed or rescinded except at a Special General Meeting convened for that purpose. No motion for an alteration or addition to this Constitution shall be submitted to a vote of the Association unless notice thereof, together with the proposed alteration or addition, in writing, signed by the proposer and seconder, shall have been received by the Secretary of the Association at least twenty one days before the date of the Special General Meeting. The alteration or amendment shall be carried by a majority of those present at the meeting entitled to vote.
- b) Such an alteration shall be registered with the Commission, as required by the Act.

22. RULES - APPENDIX A:

The Rules of the Association shall be made for the purpose of enlarging upon, extending and developing the provisions of the Constitution and the interpretations thereof, and shall be attached to the Constitution as Appendix thereto. The Rules may be repealed, altered or added to by the same procedure as is required for alteration of the Constitution, OR may be amended by the Management Committee, subject to the following conditions:

- a) That at least two thirds of the voting members of the Management Committee are present in person.
- b) That at least ten days written notice is given to each member of the intention of discussing the Rules has been given to each member of the Management Committee.
- c) One copy of every Rule so made, amended or repealed shall be sent within fourteen days to each Club Secretary and to each sub- Committee Secretary.

23. DISCIPLINARY TRIBUNAL - APPENDIX E:

All Disciplinary Tribunals will be run according to the current S.A. Country Basketball Disciplinary Tribunals By-Laws.

24. BY-LAWS - APPENDIX B:

The Management Committee shall have the power to make, alter or repeal at any time, all such Bylaws as it may be deemed necessary or convenient or expedient in relation to the proper conduct of the business and affairs of the Association, and the attainment of its objects, within the following guidelines:

- a) The By-laws shall be binding on all members, representatives and Officials of the Association.
- b) The Management Committee shall at the Associations Nominations Meeting for each of the Winter Season and Summer Season pass the existing By-laws.
- c) All By-laws shall be clearly distinguished from the Rules and recorded and referred to as By-laws in the minutes of the meeting at which they are made, altered or repealed, and the motion shall include the date on which the by-law is to come into effect.

25. ADMINISTRATION OF ASSOCIATION TEAMS - APPENDIX D:

Administer Association teams as set out in the guide-lines.

The Management Committee shall have the power to make, alter or repeal at any time, all such guidelines as it may be deemed necessary or convenient or expedient in relation to the proper conduct of the business and affairs of the Association, and the attainment of its objects, within the following guidelines:

- a) The guidelines shall be binding on all members, representatives and Officials of the Association.

- b) The Management Committee shall at the Associations Nominations Meeting for each of the Winter Season and Summer Season pass the existing guidelines.
- c) All guidelines shall be clearly distinguished from the Rules and By- Laws and recorded and referred to as guidelines in the minutes of the meeting at which they are made, altered or repealed, and the motion shall include the date on which the guidelines is to come into effect.

26. BINDING:

For the purposes of controlling the operations of the Association, the Constitution shall be equally binding on all members.

27. THE SEAL:

- a) The Association shall have a common seal upon which its corporate name shall appear in legible characters.
- b) The seal shall not be used without the expressed authorisation of the Committee, and every use of the seal shall be recorded in the minute book of the Association. The Chairperson and the Secretary shall witness the affixing of the seal.
- c) The seal shall be kept in the custody of the Secretary or any other such person the Committee may from time to time decide.

28. WINDING UP:

The Association may be wound up in the manner provided for in the Corporations Act.

- a) If after the winding up of the Association there remains "surplus assets" as defined in the Act, such surplus assets shall be appropriated in accordance to this rule by a special resolution at a General Meeting or in default by a special resolution of the Committee at the time to be given to some society or other body.