

Constitution

September 2013

*As endorsed by the Kilsyth Basketball Technical Officials Committee at its meeting held on
11 September 2013.*

KILSYTH BASKETBALL



1. Name of Association:-

The Branch shall be known externally as the “Victorian Basketball Referees Association Kilsyth Branch” (“VBRA Kilsyth Branch”).

2. Affiliation:-

(i) The VBRA Kilsyth Branch shall be managed under the auspices of the Kilsyth Basketball Technical Officials Committee (“TOC”). The TOC is an integral and crucial component of the governance mechanisms of Kilsyth Basketball and sits under the management and control of the Kilsyth Basketball – Basketball Commission.

(ii) The VBRA Kilsyth Branch shall at all times remain affiliated with the Victorian Basketball Referees Association (VBRA) unless otherwise advised by the VBRA.

(iii) The VBRA Kilsyth Branch shall at all times remain affiliated with Basketball Victoria.

(iv) Neither the VBRA Kilsyth Branch nor any of its members will do or omit to do anything in contravention of this Constitution or the Rules of Management of the VBRA, or the governing bodies; Kilsyth Basketball, Basketball Victoria and/or Basketball Australia.

3. Membership:-

(i) Membership of the VBRA Kilsyth Branch shall be open to any person who is eligible to be a member of the VBRA, is in good standing with Kilsyth Basketball and the VBRA and has paid the appropriate affiliation fee to the VBRA Kilsyth Branch.

(ii) An “Affiliate” member is one who only pays the VBRA Kilsyth Branch affiliation fee set annually by the TOC at one of its General Meetings. This fee gives the member an affiliated membership and right to referee Kilsyth Basketball governed competitions but does not give the member voting rights within the VBRA Kilsyth Branch.

(iii) The VBRA Kilsyth Branch shall cause a register to be kept and maintained in which shall be entered all personal details as required by; Kilsyth Basketball, the VBRA, Basketball Victoria and/or Basketball Australia

4. Objectives and Power:-

(i) To oversee all matters to do with refereeing, scoretable and statisticians for and on behalf of Kilsyth Basketball under the guidance and management of the Kilsyth Basketball Basketball Commission.

(ii) To maintain appropriate liaison with the VBRA either directly or through a TOC member so delegated.

(iii) To maintain appropriate liaison with Basketball Victoria and Basketball Australia either directly or through a TOC member so delegated.

(iv) To best represent Kilsyth Basketball referee, scoretable and statistician members.

(v) To best assist Kilsyth Basketball achieve its mission statement.

5. Technical Officials Committee:-

(i) The management and responsibility of the VBRA Kilsyth Branch shall be vested in the Kilsyth Basketball Technical Officials Committee ("TOC") which shall consist of:-

(a) President – who shall be the Kilsyth Basketball Director of Basketball Operations;

(b) Vice President – who shall be the Kilsyth Basketball General Manager;

(c) Secretary – who shall be the Kilsyth Basketball Director of Referees;

(d) Treasurer – who shall be the Kilsyth Basketball Finance Manager;

(e) Kilsyth Basketball's Technical Adviser; and,

(f) Maximum of up to four (4) further Committee Members from the VBRA Kilsyth Branch membership.

(ii) The TOC is accountable to the Kilsyth Basketball Basketball Commission and the Kilsyth Basketball Commission is answerable to the Kilsyth Basketball Board.

(iii) The TOC shall have the management and control of all related income, funds and other property of the VBRA Kilsyth Branch and shall have the responsibility to carry out the objectives of the VBRA Kilsyth Branch.

(iv) The President and Vice President of the TOC shall be active members on the Kilsyth Basketball Basketball Commission to ensure appropriate input, guidance and direction of the, and from the, VBRA Kilsyth Branch is provided to all basketball related matters, policies and procedures of Kilsyth Basketball.

(v) The TOC shall maintain all individual records and personal information of its membership as so statutorily required.

(vi) The TOC shall meet as often as is necessary, but not less than six (6) times per calendar year.

(vii) The TOC is responsible for the management, development, training, marketing, promotion and resourcing of the VBRA Kilsyth Branch membership to achieve its objectives.

(viii) The TOC will oversee the appointment of suitably qualified and experienced referees, scorebench and statisticians to any game under the control of Kilsyth Basketball.

(ix) Members of the TOC are entitled to one (1) vote only. The President shall be entitled to one (1) ordinary vote but, in the event a vote count is tied, he/she shall be allocated a deciding second vote.

(x) The TOC will liaise with the Kilsyth Basketball Basketball Commission and endorse the appointment of the Technical Advisor and his/her assistants as required.

(xi) The TOC will work with the Kilsyth Basketball Technical Adviser and any other nominated individual to develop VBRA Kilsyth Branch referees through appropriate and necessary critiques, courses and any other educational activities as agreed.

(xii) The TOC will keep the members informed on matters relevant to VBRA Kilsyth Branch administration.

(xiii) The TOC will assist the VBRA by collection of affiliation fees, levies and applications for appointments for transmission to the appropriate persons.

(xiv) The TOC will do all other such things necessary as may be required to best assist or represent its membership.

(xv) Upon written invitation by the President of the TOC, Life Members of the VBRA Kilsyth Branch may attend a TOC General Meeting but shall not have a vote.

(xvi) Any member of the Kilsyth Basketball Board and/or Kilsyth Basketball Basketball Commission may attend a TOC General Meeting but shall not have a vote.

(xvii) The quorum for all TOC General Meetings shall be at least five (5) of the people as listed in clause 5(i).

6. Election and Appointment of Committee:-

(i) The positions on the TOC listed in clause 5(i) items (a-e) will be filled by incumbents in their appointed capacity with Kilsyth Basketball.

(ii) The people listed in clause 5(i)(f) shall be elected, annually at the Annual General Meeting of the VBRA Kilsyth Branch, for a period of 12 months when each of the four (4) positions will become vacant. So elected persons filling these positions may be re-elected year after year.

(iii) Nominations for all positions listed in clause 5(i)(f) can be made by any financial member by a nominator and seconder, with the approval of the nominee in writing. Nominations must be in the hands of the Secretary 28 days before the Annual General Meeting. Nominations for positions for which no written nomination has been received can be called for from the floor at the Annual General Meeting.

(iv) All nominations voted in at the VBRA Kilsyth AGM must be endorsed by the Kilsyth Basketball Board before commencement of duties. The Kilsyth Basketball Board has the final right of approval or non-approval of nominations.

(v) The election of the new Committee shall take place after the out-going committee members vacate all eligible positions following presentation of Annual Reports. The election shall be chaired by the President of the TOC.

(vi) Voting for all available four available positions listed in 5(i)(f) will be by secret ballot of all financial VBRA Kilsyth Branch members and life members in attendance at the Annual General Meeting.

(vii) The TOC may by resolution remove any member of the TOC (as identified in 6vi) before the expiration of his/her term of office (Rule 9) and appoint another in their stead to hold office until the expiration of the term of the first mentioned member.

(viii) Casual vacancies occurring within 5(i)(f) shall be filled by appointment or sent to the next General Meeting as agreed by the TOC by a simple majority vote.

7. Meetings of Branch:-

- i. Notice of all Annual General Meetings will be given in writing to all members no less than 21 days before the meeting.
- ii. The Annual General Meeting of the VBRA Kilsyth Branch shall be held no later than 31 May of each year. The quorum for an Annual General Meeting shall be at least 25 financial members.
- iii. Notice of all Special General Meetings will be given in writing to all members no less than 20 days before the meeting.
- iv. A Special General Meeting of the VBRA Kilsyth Branch may be called by the TOC. This must be done in writing including specific details of the proposal/s; this must be signed and dated by the President and Secretary calling the SGM. Only the business as specified in the purpose of the meeting can be tabled and discussed at this Special General Meeting.
- v. Notice of all TOC meetings shall be given to any financial member who requests it.

8. Amendments to Constitution:-

- (i) No changes may be made to this Constitution unless ratified at a TOC General Meeting.
- (ii) Suggested changes to this Constitution should be forwarded to the Secretary no less than 28 days prior to a TOC Meeting.

9. Notes on Policies:-

- (i) A set of Policies and Procedures governing all operational matters not covered in this Constitution shall operate in conjunction with this Constitution.
- (ii) Changes to any endorsed policies and procedures can be made with a simple majority vote at any TOC meeting.

10 Conduct of Members:-.

- (i) Any member failing to adhere to the VBRA Kilsyth Branch policies and procedures will be dealt with by the appropriate policy which may include suspension from the VBRA Kilsyth Branch or removal of affiliation with the VBRA Kilsyth Branch as so ratified by the TOC.
- (ii) Members have the right to appeal any decisions of the TOC they are unhappy with. The first point of call is to the President of Kilsyth Basketball as per the Grievance Policy of Kilsyth Basketball. If still discontent with matters then the member may follow-up their concern to the VBRA through the VBRA Grievance Policy.

11. Winding up:-

The VBRA Kilsyth Branch may be wound up at an Annual General Meeting or at a Special General Meeting by a three-fourths (3/4) majority of those financial VBRA Kilsyth Branch members present. The meeting shall be empowered to distribute funds to Kilsyth Basketball or, if Kilsyth Basketball is no longer operational, then to appropriate charitable organizations.

12. Unforeseen Matters:-

Should any matter arise for which provision has not been made in this Constitution or the Kilsyth Basketball policies, the TOC shall have the power to act as is necessary to protect the interest of the VBRA Kilsyth Branch in conjunction with guidance from Basketball Victoria.

13. Funds and Finance:-

(i) The funds of the VBRA Kilsyth Branch shall be derived from Annual Subscription and other sources as the TOC determines. Fees for VBRA membership shall also be collected by the TOC on behalf of members.

(ii) Funds of the VBRA Kilsyth Branch shall be devoted to the objectives of the TOC and controlled in a business-like manner.

(iii) The Financial Year of the VBRA Kilsyth Branch must run in line with the Financial Year of Kilsyth Basketball, which is a calendar year.

(iii) All cheques and any other negotiable instrument shall be signed by any two of the following TOC members; Treasurer, Vic-President or President, after approval by a resolution of the TOC.

(iv) The Treasurer shall:-

(a) Collect and receive all monies due to the VBRA Kilsyth Branch and make all payments as authorized by the TOC.

(b) Keep correct accounts and books showing the financial affairs of the VBRA Kilsyth Branch with full details of all receipts and expenditure connected with the activities of the VBRA Kilsyth Branch.

(v) The books of the VBRA Kilsyth Branch will be examined for and audited by an independent auditor as appointed at the Annual General Meeting or other General Meeting of Kilsyth Basketball. This audit is to be presented to the VBRA Kilsyth Branch members at the Annual General Meeting.

(vi) The amount of the Annual Subscription to the VBRA Kilsyth Branch shall be determined by the TOC at a General Meeting for the following financial year.

14. Honorarium:-

No honorarium is to be paid to any TOC member.

15. Life Members:-

Any nominations for Life Membership as recommended by the TOC should meet the strict requirements as written in the relevant VBRA policy and criteria and be elected at the Annual General Meeting by a 3/4 majority of financial VBRA Kilsyth Branch members present.

All Life Members receive free entry to all VBRA Kilsyth Branch Referee functions, workshops, Annual General Meetings and events. They will be invited to these via the form of notice stated in Rule 18. They will not be required to pay a VBRA Kilsyth Branch fee. The VBRA licence fee will only be paid by the VBRA Kilsyth Branch if the Life Member continues to remain active as an official within Kilsyth Basketball.

16. Custody of Records:-

Except as otherwise provided in this Constitution, the Secretary shall keep in his/her custody or under his/her control all books, documents and securities of the VBRA Kilsyth Branch.

17. Inspection of Records:-

All accounts, books and records of the VBRA Kilsyth Branch shall be available for inspection by financial members upon written request to the Secretary. The inspection shall be carried out under supervision of any of the President, Vice President, Secretary or Treasurer.

18. Form of Notice:-

All notices will be sent via the post or where an email address has been provided, via email.

This Constitution for the management and operation of the VBRA Kilsyth Branch was ratified at the Kilsyth Basketball Technical Officials Committee general meeting held on 11th September 2013 at the Kilsyth Sports Centre.

_____ / ____ / 2013

VBRA Kilsyth Branch – President

Rod Popp

(Kilsyth Basketball – Director of Basketball Operations).

_____ / ____ / 2013

VBRA Kilsyth Branch – Secretary

Barry Spicer

(Kilsyth Basketball – Director of Referees)