



**Mill Park Rebelz Basketball Club  
Association Inc**

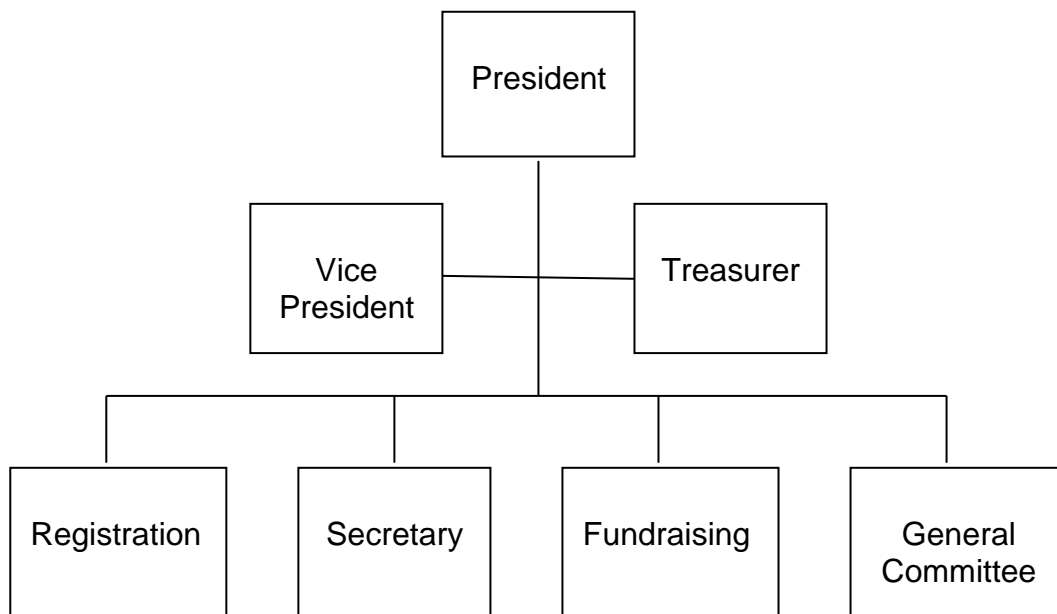
**Constitution**



### MISSION STATEMENT:

“Our objective is to create a fun and safe club atmosphere for our members by providing a supportive environment, combined with professional club policies to enhance the experience of playing basketball”.

### COMMITTEE STRUCTURE:





**STATEMENT OF PURPOSES:**

- To provide a safe and fun basketball environment for kids, parents, officials and spectators alike. For all to enjoy playing in a fun and enthusiastic environment built on every member receiving an equal and fair opportunity to participate in the sport of basketball.
- To ensure that teams are manipulated as little as possible, maintaining consistency for the players, eliminating parental influence over child placements based on skill, and builds team harmony for all players.
- All coaches must agree to ensure that all players within any one team receive equal court time, therefore providing the opportunity for all players to develop their skills and enjoy basketball equally.
- 8 player capping – This means that all teams may only have a maximum of 8 players per team, except in extenuating circumstances. Whilst some clubs will allow teams to build to over 10+ players per team for growth purposes, this reduces playing time for all players, therefore affecting a child's enjoyment and development for the game of basketball.
- Codes of Conduct – These have been drawn up and are designed in conjunction with Basketball Victoria, and are for the following people:
  1. Players
  2. Parents
  3. Supporters

These documents are required to be read and acknowledged upon membership to the club, and are available on the club website.



**1. The name of the Club shall be Mill Park Rebelz Basketball Club Association Inc.**

**2. Objects:**

- (a) The principal object is to establish, maintain and conduct a club devoted to the Mill Park Rebelz Basketball Club Association Inc with the prime objective to facilitate and enhance the opportunities for junior basketballers to play in a safe, friendly and fun environment.
- (b) To borrow, raise or secure the payment of money for the purpose of The Club in such manner as the members think fit.
- (c) The property and income of The Club shall be applied solely towards the promotion of the objects of the club (i.e. members), and no part of that property or income shall be paid or otherwise distributed, directly or indirectly, to members, except in good faith in the promotion of those objects.

**3. Definitions**

In reading this Constitution, unless the context or such otherwise indicates or requires:

- (a) 'The Club' means the Mill Park Rebelz Basketball Club Association Inc.
- (b) 'The Committee' means the Managing Committee for The Club, duly elected for the time being in accordance with these rules.
- (c) 'Annual Meeting' means Annual General Meeting.
- (d) 'Special General Meeting' means a General Meeting as defined below, called in accordance with Rule 11 hereunder, at which only business that has been described in the notice may be transacted.
- (e) 'General Meeting' means the General Meeting of The Club held monthly.
- (f) 'Financial Year' means from the 1<sup>st</sup> July each year until 30<sup>th</sup> June of the following year.

***(Words importing the masculine gender shall include the feminine gender, and vice versa. Words importing the singular shall include the plural).***



#### **4. Membership**

The Club shall keep an up-to-date register of members in respect of Ordinary, Life and Junior members. This register must be continually available for inspection by The Club.

- (a) Ordinary Member – Persons over 18 years of age.
- (b) Life Member – The Committee may elect persons who have rendered meritorious service to The Club as Life Members for such service.
- (c) Junior Member – Persons under the age of 18.

**Only Ordinary Members and Life Members shall be allowed to vote.**

#### **5. Application to become a Member**

- (a) Ordinary Member – Shall be each of the legal parents and/or guardians of a Junior Member, provided that when there is more than one Junior Member from any one family registered with The Club, then the number of Ordinary Members that shall represent that family shall not exceed two. Club appointed Coaches and Managers shall also be considered as Ordinary Members.
- (b) Life Member – An Ordinary Member may propose another Member for Life Membership to the Committee in writing, giving reasons that Life Membership should be granted. This shall then be put up for election by a three-fourths majority of those present and entitled to vote. This election is to be held at the Annual Meeting. Life Members shall be granted privileges of free admission to all Club functions and activities.
- (c) Junior Member – Shall be any person who is registered within junior competitions for the purpose of playing or learning basketball.

#### **6. Members' Rights**

The rights and privileges of every Member shall be personal and shall not be in any manner transferable by their own act or through any other person on their behalf.



## **7. Subscriptions**

- (a) The season fees of The Club shall be set by majority vote of the Management Committee prior to the commencement of the basketball season. Notice of the fees shall be notified to the members via the Club website and eNewsletters.
- (b) All subscriptions (fees) are due by the end of Grading games of that particular basketball season. A deposit of \$50 per player is required by the end of the previous season to cement the player's placing in a team.

## **8. Liability for Subscription**

Any member who has not paid fees in full by the end of Grading games of that particular basketball season will not take the court until fees are paid in full. An exception can be made if a payment plan is put in place between the player and the Team Manager, with regular payments made.

## **9. Annual General Meetings**

The Annual General Meeting of Members shall be held every calendar year within four months of the closing of the Financial Year. Notice of the meeting must be posted on the Club website for 14 days before the Meeting. At this meeting, a report shall be presented by the President on behalf of the Management Committee, and the Treasurer shall present the Club's statement of accounts and balance sheet for the previous Financial Year. Ordinary Members and Life Members shall constitute a quorum at a General Meeting, Annual General Meeting or Special Meeting. The Chairperson of these Meetings shall be the Club President, or if unavailable a person nominated and elected by the Members present.

The Order of Business of the Annual General Meeting shall be as follows:

- (a) Reading notice of Meeting
- (b) Reading minutes of the last Annual General Meeting and any other General Meeting not yet confirmed, and confirming or amending the same.
- (c) Reading of President's report, discussion and adoption or otherwise.
- (d) Reading statement of accounts and balance sheet to be received or otherwise.
- (e) Dissolution of outgoing Management Committee
- (f) Election of incoming Management Committee
- (g) Other business.



## **10. Special General Meetings**

The Management Committee may, at any time, call a Special General Meeting by giving adequate notice to Ordinary and Life Members. Only business, of which notice shall be given at least seven days prior to the meeting, shall be transacted at the Special General Meeting.

## **11. General Meetings**

General Meetings shall be held on a permanent and regular basis. The frequency of the General Meeting shall not be more than once per calendar month. A quorum at all meetings shall consist of no less than three Management Committee members and two Ordinary Members present and in person. In the event that a quorum is not present within thirty minutes of the commencement time of the meeting, then the meeting will be deemed to have been adjourned to the next General Meeting at which a quorum is present.

- General Meeting Resolutions – A motion shall not be resolved at any General Meeting unless the motion has first been put on notice at the previous General Meeting or delivered to the Secretary no less than twenty-one days prior to the General Meeting.

## **12. Club Management**

- (a) Business and Affairs – The business and Affairs of the Club shall be under the management of the Management Committee.
- (b) Management Committee – The Management Committee shall consist of the President, Secretary, Treasurer, Registration Officer, and any other additional position of office that may be determined by a General Meeting, provided that position is deemed necessary for the efficient and effective management of The Club.
- (c) Duties – The duties of each position of office of the Management Committee shall be, but not limited to:
  - The President shall be the Chief Executive Officer of the Club and the Chairperson of all meetings of the Management Committee and all General, Special General and Annual General Meetings. The President shall have the casting vote at all meetings. The President shall be responsible for the efficient and effective management of the Club.



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- The Secretary shall record the minutes of all meetings and maintain an accurate record of the business and affairs of the Club.
- The Treasurer shall keep a true and accurate record of all monetary transactions of the club.
- The Registration Officer shall be responsible for the delegation of players and registering said players/teams prior to each basketball season.
- An additional position of office shall be responsible for the duties assigned to the position by the General Meeting that determined the position.

### **13. Powers of the Committee**

The business of the Club shall be managed by the Management Committee, and any member who holds a position of office of the Management Committee shall have the business to do any act or conduct any business for or on behalf of the Club, provided that:

- (a) Any such act or business is in consideration to the object and purpose of the Club, and is in the best interest of the members
- (b) The member shall not do any act or conduct any business without prior consultation with either the President or Vice President
- (c) The next General Meeting is informed of the details of such an act or conduct of business.
- (d) Voting – Except as provided for elsewhere in this Constitution, any matter to be decided at any meeting of the Club shall be presented to the meeting in a form of a motion. Any vote in respect of any motion shall be determined by a simple majority vote of members with no proxy being counted. In the events that for and against are equal, the Chairperson shall have the casting vote.

### **14. Sub-Committees**

The Management Committee shall have the power to create and delegate any of its powers to a sub-committee to deal with any matter and upon such terms and conditions as the Management Committee deems necessary.





## **15. Delegation of Duties**

In the event that a member of the Management Committee is unable to carry out the duties of the position of office for which the member is responsible, then the Management Committee shall have the power to delegate those duties to another member of the Management Committee or any other Ordinary Member provided that the period of delegation does not exceed six months, and in the event that the period does exceed six months then the position shall be declared vacant.

## **16. Duration of Office**

At the time that this Constitution shall come into force, the positions of President, Secretary, Treasurer, and Registration Officer shall not become vacant unless the member resigns or the position is declared vacant at a General Meeting. Any position of office created by a General Meeting shall become vacant either twelve months from the date on which a member fills or is elected to the position, or at any time the General Meeting declares the position vacant, providing this does not occur more than once in a twelve month period.

## **17. By-Laws**

- (a) Determination and Amendments – The Management Committee shall have the power to determine, amend, alter, add to and interpret by-laws to this Constitution provided that the provisions and conditions of any by-laws shall not apply retrospective to the date on which they are registered to this Constitution.
- (b) Application of By-Laws – All by-laws to this Constitution shall become binding upon all members of the Club from the date upon which they are registered to this Constitution.

## **18. Rules and Regulations**

- (a) Determination and Amendments – A General Meeting shall have the power to determine, amend, alter and add to rules and regulations of the Club provided that the conditions and provisions of any rule or regulation shall not apply retrospective to the date on which they are determined.
- (b) Application of Rules and Regulations – All rules and regulations and any amendments, alterations or additions to any rules or regulations shall become binding upon all members of the Club from the date on which they are determined.



## 19. Rescindments

All registered by-laws to this Constitution and any resolutions, rules and regulations determined by a General Meeting shall not be rescinded except by a three-fourths majority of Ordinary Members or Life Members present at a Special General Meeting called for that purpose.

## 20. Property and Assets

- (a) Application and Restrictions – The property and assets of the Club wherever derived shall be applied towards objects and purpose of the Club. No portion thereof shall be paid or transferred either directly or indirectly by way of a dividend, bonus or otherwise by way of profit to members generally of the Club. Should the Club, for any reason whatsoever cease to function, any member or person holding any Club monies or property shall forthwith pay or return the same to the Management Committee.
- (b) Trustees – Unless otherwise determined the members of the Management Committee shall be deemed to be trustees of the Club and to hold any property real or personal belonging to the Club.

## 21. Finance

- (a) Financial Year – The Financial Year of the Club shall be from 1<sup>st</sup> July to 30<sup>th</sup> June of the following year.
- (b) Loans – The Management Committee shall have the power to borrow for the purposes of the Club any sums of money provided that a General Meeting has approved the amount and any terms and/or conditions of repayment of the money.
- (c) Banking – The Management Committee shall have the power to open and operate any bank or other financial institution account or accounts it sees fit provided the withdrawal or any money from such accounts shall require the authority and signatures of two members of the Management Committee.



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### 22. Constitution

- (a) Application – This shall be the only Constitution of the Mill Park Rebelz Basketball Club Inc, and the terms and conditions of this Constitution shall be binding on all members.
- (b) Amendments and Additions – This Constitution shall not be altered, varied, added to or repealed without the consent of a three-fourths majority of Ordinary Members or Life Members present at a Special General Meeting called for that purpose.
- (c) Supply of Copies – The Secretary shall supply a copy of this Constitution to any Ordinary Member or Life Member without charge on a reasonable request.

### 23. Dissolution

#### Requirements for Dissolution:

The Club shall be dissolved if –

- (a) The financial Club memberships drop to ten or less
- (b) A resolution to dissolve the Club is carried out by three-fourths majority of Ordinary Members or Life Members through the conduct of a postal ballot for that purpose. Provided that the conduct of the postal ballot has been approved by a three-fourths majority of Ordinary Members or Life Members present at a Special General Meeting called for that purpose and, in the event that the conduct of the ballot is approved, then the Special General Meeting shall elect or appoint a member or a person to be the returning officer and determine the closing date for the ballot.

#### Disposal of Assets

In the event that the Club is dissolved, all property and assets of the Club shall be gifted to another basketball association with similar interests.

### 24. Winding Up

Each member of the Club undertakes to contribute to the assets of the Club in the event of the Club being wound up or dissolved during the time that the person is a member or within one year afterwards for the payment of debts and liabilities of the Club contracted before the time at which the person ceased to be a member, and of the costs, charges and expenses of winding up and for the adjustment of the rights of contributions amongst themselves such amount as may be required not exceeding ten dollars (\$10).



## **25. Public Officer**

In accordance with the provisions of the Association Incorporation Reform Act (2012), the Club shall appoint the Secretary of the Management Committee to be the Public Officer of the Club.