

BY-LAWS (MEMBERSHIP OBLIGATIONS)

1 INTRODUCTION

- 1.1 These By-laws are made under Article 10.2.2 of the Constitution of The Victorian Basketball Association Incorporated ("Basketball Victoria"), are known as "the Membership Obligations By-Laws" and commence on 1 January 2001.
- 1.2. All by-laws previously made concerning membership obligations are rescinded.

2 FINANCIAL OBLIGATIONS

- 2.1 All associations will make such payments due under the constitution and as determined from time to time by Basketball Victoria as and when they become due.

3 REPORTING REQUIREMENTS ASSOCIATIONS

- 2.2 Each Affiliated Association shall submit reports to the relevant Metropolitan or Country Council of Basketball Victoria, as follows:

- 3.1.1 prior to 1st May of each year:

- Annual Report, Balance Sheet and Business Plan.;
- Copy of the current association Constitution and By-Laws;
- Names and addresses of officers and delegates;
- Fixtures for all competition grades; and
- Player registration lists in the format prescribed by the relevant Basketball Victoria Committee of Management.

- 3.1.2 Prior to 1st November of each year:

- Statement of number of teams; senior and junior, and fixtures for all competition grades in current season;
- Name and address of delegate to Basketball Victoria for the following year;
- Referees Adviser (for approval) for following year;
- Names and addresses of Tribunal Chairman and Secretary, Association official responsible for notification duties and Tribunal members; and
- Player registration lists in the format prescribed by the relevant Basketball Victoria Committee of Management.

4 PARTNERSHIP AGREEMENT BETWEEN BASKETBALL VICTORIA AND AFFILIATED ASSOCIATIONS.

- 4.1 Prior to 30 June of each year Basketball Victoria and each affiliated association must enter into a partnership agreement in the form of the agreement contained in the schedule to these by-laws.

5. AMENDMENT OF ASSOCIATION CONSTITUTION OR BY-LAWS

- 5.1 Any affiliated association amending its constitution or by-Laws must submit the amendment to the Committee of Management of the relevant Country or Metropolitan Council within fourteen (14) days of the amendment.
- 5.2 Unless the Committee of Management decides that the amendment is contrary to the general good and advancement of basketball or is detrimental to the interests of Basketball Victoria or another association, the committee must approve the amendment as soon as possible after it has been received.

- 5.3 If the Committee of Management declines to approve an amendment the amendment must be forwarded to the Executive Committee of Basketball Victoria for a decision on whether or not it will be approved.
- 5.4 If the executive Committee of Basketball Victoria declines to approve the proposed amendment, the amendment shall be void and any action or decision taken under the amendment shall also be void.

6 BREACH OF CONSTITUTION, BY-LAWS OR PARTNERSHIP AGREEMENT

- 6.1 In addition to any penalty imposed by the Constitution, any Association which breaches any provision of the Constitution or any of its obligations under any of the Basketball Victoria by-laws or the partnership agreement under By-Law 4.1 may be fined a sum not exceeding \$1,000 or be suspended from playing in any competition.
- 6.2 The amount of any fine or the period of any suspension to be imposed under by-law 5.1 will be determined by the committee of management of the relevant Country or Metropolitan Council.
- 6.3 Prior to a fine or suspension being imposed under by-law 5.1 the relevant committee of management must have given the affiliated association at least fourteen (14) days' written notice of the alleged breach and giving the association an opportunity to rectify the breach and provide a written explanation.
- 6.4 An association fined or suspended from competition under these by-laws may appeal to the Executive Committee of Basketball Victoria within seven (7) days of the fine or suspension being notified to it and the Executive Committee will determine the appeal.

7 NEW APPLICATIONS FOR MEMBERSHIP

- 7.1 Any person intending to seek affiliation of a new association as a member of Basketball Victoria shall give notice in writing to the relevant Deputy General Manager or other officer nominated by the relevant Council.
- 7.2 The Deputy General Manager or other officer nominated by the relevant Council shall forward to any person giving notice under by-law 7.1 all relevant information and provide such assistance as is possible including:
- Advice on procedure to be followed;
 - A copy of the constitution, all by-laws and relevant policy documents of Basketball Victoria;
 - A copy of the model rules for incorporated associations; and
 - An application form as prescribed in the schedule to these By-Laws.
- 7.3 The proposed new association shall submit to the relevant Deputy General Manager or other officer nominated by the relevant Council:
- The application form signed by three (3) persons prepared to accept positions as office bearers if elected;
 - A proposed constitution and by-laws;
 - A submission as to the benefits of the proposed association to the development of basketball in the region of the association, details of teams already playing and reasons why the acceptance of the application will not or not significantly adversely impact on neighbouring association;

- Proof that all currently affiliated associations neighbouring the new association have been given at least twenty-one (21) days' notice in writing of the proposed association and inviting comments and of any reply; and
 - Details of existing and proposed competitions including any regional co-operation in the conduct of competitions.
- 7.4 Upon receipt of an application for affiliation of a new association the Deputy General Manager or other officer nominated by the relevant Council shall give written notice of the application to each neighbouring association which has not already responded to the applicant's notice under by-law 7.3 giving a further seven (7) days to respond.
- 7.5 After the seven (7) days referred to in by-law 7.4 has expired, the Deputy General Manager or other officer nominated by the relevant Council shall provide a written report on the application to a standing committee of the relevant Country or Metropolitan Council with a recommendation on whether the application should be rejected or accepted and the reasons for the recommendation.
- 7.6 Upon the receipt of a report under by-law 7.4 the standing committee may recommend to the proposed association any changes to its application or documents which it believes are necessary or recommend to the committee of management of the relevant Country or Metropolitan Council that the application be accepted or rejected and the reason for the recommendation.
- 7.7 Upon receipt of a recommendation under by-law 7.6 the committee of management shall decide to accept or reject the application.
- 7.8 If a committee of management accepts an application the association shall become either a full member or a special purpose member upon passing of its constitution and by-laws as submitted, the election of office bearers and signing of an agreement under by-law 4.
- 7.9 If a committee of management rejects an application, the association may appeal to the state executive committee and in the event of a rejection by the executive committee to the State Conference.

BASKETBALL VICTORIA

APPLICATION FOR REGISTRATION AS AN AFFILIATED ASSOCIATION

PROPOSED NAME OF ASSOCIATION:

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GEOGRAPHIC AREA OF ASSOCIATION:

.....

NAME(S) OF VENUE(S)

DETAILS OF OTHER USERS OF VENUE(S)

.....
.....

NAMES OF 5 CLOSEST AFFILIATED ASSOCIATIONS AND VENUES:

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PROPOSED COMPETITIONS (OR EXISTING NON-AFFILIATED
COMPETITIONS) INCLUDING NUMBERS OF PLAYERS AND TEAMS,
AVAILABILITY OF SUITABLY QUALIFIED REFEREES AND OTHER
OFFICIALS AND OF REGIONAL CO-OPERATION IN RUNNING
COMPETITIONS:

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Basketball Victoria is committed to the development of basketball for all those wishing to participate in the game, irrespective of age, gender, location, level or ability or other factors. Consequently, affiliated associations, as partners of Basketball Victoria should understand that the formation of an association is a commitment to promotion of basketball within the relevant community. This involves player development, coach development and referee development.

In the interests of the game, affiliated associations are required also to abide by the Constitution, By-laws and policies of Basketball Victoria and to agree to make prompt payments of all due fees and prompt returns of all required information.

STATEMENT BY THREE PROSPECTIVE OFFICE BEARERS

Having read the above statement and the Constitution and By-laws of Basketball Victoria we hereby agree to make the required commitments on

behalf of the proposed association. We acknowledge the responsibility to manage the affairs of the affiliated association in accord with the Constitution, By-laws and policies of Basketball Victoria.

1. NAME:
ADDRESS:
TELEPHONE: BusHome
Mobile
CURRENT BASKETBALL POSITIONS:
SIGNED:

2. NAME:
ADDRESS:
TELEPHONE: BusHome
Mobile
CURRENT BASKETBALL POSITIONS:
SIGNED:

3. NAME:
ADDRESS:
TELEPHONE: BusHome
Mobile
CURRENT BASKETBALL POSITIONS:
SIGNED: