

Killester Basketball Club - Constitution

- 1.** The name of the Club shall be Killester Basketball Club.
- 2.** The Club colours shall be orange and black. If, due to exceptional circumstances, a change-of colour is necessary, sanction for the change will have to be given by the Executive Committee.
- 3.** The Objectives of the Club shall be:
 - (a)** To provide the opportunity for the members to participate in the game of basketball whilst promoting an environment of fair play and enjoyment.
 - (b)** To further the interests of the game of basketball wherever possible.
 - (c)** To organize such events to promote the game of basketball as the members shall desire.
 - (d)** To promote the youth of the Club.
- 4.**
 - (a)** Membership of the Club shall be open to all who, having completed the necessary Application Form and having been accepted by the Executive Committee of the Club, shall pay a yearly membership fee.
 - (b)** The membership to the Club shall consist of the Executive Committee, the elected Ordinary Members the elected Life Members, the Juvenile Members and such Honorary Members as may be elected from time to time as hereafter provided for in this Constitution. All non playing Coaches, managers and Committee members shall pay a nominal fee of €1 to obtain full member status.
 - (c)** In accepting membership, a person agrees to abide by the Constitution of the Club and the rulings of the Executive Committee.
 - (d)** Voting at Annual General Meetings and Extraordinary Meetings shall be confined to the Executive Committee, Ordinary members who are 17 years of age or over at the date of the meeting and the elected Life Members. Only members fully paid up before the last date of registration shall have the right to propose or second motions or have the right to vote or be eligible for election to the committee.
 - (e)** Elected Ordinary Members of the Club shall be deemed to include that category of those elected to Family Membership including children of such families who are over the age of 18 but under the age of 21 years and involved in full time education.
 - (f)** Family Membership shall comprise of the parents/guardians and their children, always provided that such children are under the age of 18 years, which may be extended to 21 years of age provided such children are involved in full time education.
 - (g)** The Club if it so wishes may establish a category of Associate Member, which category may be invoked at the discretion of the Executive Committee. Membership of this category will not carry voting rights.
 - (h)** The Executive may bestow the category of Honorary Member on any person at it's discretion. Membership of this category will not carry voting rights.
 - (i)** The Club shall have a Special Olympics category. The Club aims to provide Special Olympics athletes with the opportunity to play basketball.

- 5.** (a) Annual membership fee shall become due on 1st September and must be paid before 1st November each year. Any members in arrears at 1st November will, at the discretion of the Executive Committee, have their membership suspended until the balance due is paid in full.
- (b) Annual membership shall expire on 31st August each year.
- (c) The membership fee shall be decided by the Executive Committee.
- 6.** (a) The affairs of the Club shall be managed and controlled by the Executive Committee consisting of the elected Chairman, Secretary, Treasurer, Vice-Chairman, and up to a maximum of ten ordinary elected members. The Executive Committee shall meet normally once a month or at least once every 45 days. Meetings shall be convened by the Honorary Secretary.
- (b) The quorum for meetings of these committees shall be one third of the committee and must include either the Chairman, Vice-Chairman, Secretary or Treasurer who shall preside at the meeting.
- (c) No decision formally passed by a meeting of the Executive or other Committees, shall be set aside or altered at a subsequent meeting, save on a motion supported by no fewer than two-thirds of those present and entitled to vote.
- 7.** (a) The Executive Committee shall have the right to co-opt to itself, further members not exceeding the total number of four, or to replace any of its appointed members who from time to time vacate their positions.
- (b) The Executive Committee may from time to time appoint such sub-committees as they may deem necessary to complete the tasks on hand, provided that all such sub-committees shall be subject to the control and direction of the Executive Committee.
- 8.** The interpretation of the Constitution shall be vested in the Executive Committee, who shall decide on all questions relating to the Constitution.
- 9.** (a) The Executive Committee shall have control of all Club activities, property and finance and all matters pertaining to the general conduct and welfare of the Club. Its decision in all matters pertaining to the general working of the Club shall be final.
- (b) No events shall be run or expenses incurred under the name of the Club, without prior sanction from the Executive Committee.
- (c) No agreement for the sale or mortgage or grant by deed of gift, of the Club premises, lands or other assets, or the deposit or the Title Deeds relating thereto shall be binding on the Club, unless same has been sanctioned by a lawfully convened General Meeting of Club Members.
- (d) The Executive Committee of the Club shall have the power to sell or mortgage Club property or to borrow money for the purpose of the Club on the security of any of the assets of the Club, and for the purpose of executing any deeds or documents necessary of such purpose, and to make any equitable deposit of Title Deeds.
- 10.** The Annual General Meeting shall be held before 31 st May each year to transact the following business:
- (a) To hear the Chairman's address and the reports of the Secretary, Treasurer and various sub-committees on the year's activities.
- (b) To elect the officers and members of the Club's Executive Committee.

(c) To consider all nominations properly before the meeting

Twenty-one days' notice shall be given to all eligible members concerning the Annual General Meeting. All nominations and motions duly proposed and seconded by voting members must be in the hands of the Club Secretary at least ten days before the meeting. A list of all nominations and motions together with Secretary's Report, Treasurer's Report and auditor's Statement of Account, shall be available at least two days before the meeting.

- 11.** The office of Chairman shall not be held by the same person for more than five consecutive years at a time.
- 12.** In the event of an election for any position on the Executive Committee the vote shall be taken by a show of hands. Should there be more than two nominees for any position the candidate with the lowest number of votes shall be eliminated, such procedure to be continued until the successful candidate received more than 50% of the votes of those members present and eligible to vote. In the event of a tie, a secret ballot shall be held. Should the votes remain unchanged, the presiding officer shall be deemed to have vacated his position.
- 13.** A half yearly General Meeting may be held on a date to be decided by the Executive Committee.
- 14.** (a) A Special General Meeting shall be called within fourteen days if directed by the Executive Committee or demanded in writing by not less than 30 voting members, who in their requisition shall state the object of such a meeting and no other business shall be transacted thereat.

(b) For the purpose of paragraph(a), access to the Club Register may not be unreasonably refused

(c) The procedure for general meetings shall be the same as for the AGM.
- 15.** Separate sections other than those already constituted may be formed for the promotion and control of other sporting social or cultural activities as deemed necessary by the Executive Committee. The terms of reference of each section must be submitted to and ratified by the Executive Committee. Each section shall elect it's committee at the Annual General Meeting of it's members as laid down in it's terms of reference.
- 16.** Alterations or additions to the constitution or rules may be made by resolution passed at an Annual General Meeting by two thirds majority vote of the members present and entitled to vote.
- 17.** Save where otherwise stated in these Rules, decisions at all meetings shall be by simple majority of those present and voting. In the event of a tie the presiding Chairman shall have a second or casting vote.
- 18.** All Club funds shall be kept in an approved Bank. Cheques shall be signed or accounts held by any two officers duly appointed by the Executive Committee.
- 19.** Private loans from the Club are not permissible.
- 20.** (a) The Executive Committee shall have the power to appoint a Disciplinary Committee comprising three voting members of the Club.

(b) The Honorary Officers of the Club and members of the Executive Committee shall not be eligible for appointment to the Disciplinary Committee.

(c) The Disciplinary Committee shall have the power, only to be exercised in accordance with this rule, to fine, to suspend or to terminate the membership of members of the Club.

(d) The Disciplinary Committee having received a report in writing shall consider at one of its meetings whether

the reported action is in breach of the Rules, Bye-laws, Regulations or the General Code of Discipline of the Club. If the Disciplinary Committee decides the matter is of a sufficiently serious nature it shall provide the member or members concerned with a copy of the report in question and invite them to attend a meeting(s) of the Disciplinary Committee to offer an explanation of the conduct at issue.

(e) If no explanation is offered or in the opinion of the Disciplinary Committee, the explanation is unsatisfactory, the Disciplinary Committee shall be empowered to

(i) Impose a fine not exceeding ten pounds for the offence.

(ii) Suspend the member for a period not exceeding three months.

(f) If the Disciplinary Committee decide by a unanimous decision that it is in the best interests of the Club that a membership of a member be terminated, then the Disciplinary Committee shall refer to the Executive Committee for sanction.

21. **(a)** There shall be a right of appeal to the Executive Committee against any decision of the Disciplinary Committee.

(b) The appeal shall be made to the Honorary Secretary in writing within seven days of the decision being made known in writing to the member concerned, accompanied by a deposit of ten pounds, which shall be refundable if the appeal is upheld.

(c) The findings of the Disciplinary Committee shall be suspended until the hearing of the appeal by the Executive Committee who shall convene a meeting within seven days of receiving the appeal.

(d) The Executive Committee may confirm the findings and/or the penalty imposed by the Disciplinary Committee or at its discretion reduce or increase same.

(e) In the event of the Executive Committee deciding to confirm the decision of the Disciplinary Committee to terminate the membership of the member concerned or of its own accord to increase the penalty to such effect, it may only do so by a majority of not less than three-quarters of the overall membership of the Executive Committee.

22. Any personal belongings of members, visitors and others brought to, or kept at, or left on the premises of the Club or its environs shall be at the sole risk of the owners, and neither the Club nor any Committee of the Club shall be responsible for any loss or damage thereto however arising; but this rule shall not prejudice any claim by the Club or its owners against Insurance Companies in case of fire, or when, otherwise covered by insurance.

23. On any matter not provided for in these Rules or in the IBA Constitution, the Executive Committee shall have power to decide.

24. In the event of the Club ceasing to exist, any assets of the Club at the time of its dissolution shall be disposed of in a manner deemed proper by the outgoing Executive Committee.

25. Additions to or alterations or incisions of the constitution shall be submitted in writing to the Secretary at least 10 days before the date of the Annual General Meeting or together with a request for a Special General Meeting.

26. Killester Basketball Club is a company limited by guarantee in accordance with the Company's Act 1963.

This constitution, supersedes all other constitutions previously drawn up by the Killester Basketball Club.



Appendix of Amendments

Original Draft by Helen King and Colma Lowe. September 1998

Amendment No.1 by Leesa Grennell to include Club Colours and Paragraph 6.© September 2002

Amendment No.2 Motion proposed by Jimmy Behan and passed at 2004 AGM to include Special Olympics Category; Paragraph 4.(i)

Amendment No.3 Motion proposed by Martin Grennell and passed at 2004 AGM to register Killester Basketball Club as a company limited by guarantee in accordance with the company's Act 1963; Paragraph 26.