

## **Basketball Victoria**

### **By-laws (Victorian Junior Basketball Leagues)**

#### **A. Introduction**

1. These By-laws are made under Article 10.2.2 of the Constitution of Basketball Victoria Incorporated (“Basketball Victoria”), are known as “the Victorian Junior Basketball Leagues By-laws” and commence on 1 January 2004.
2. All By-laws and delegations previously made concerning the Victorian Metropolitan Junior Basketball League (“VMJBL”) and the Victorian Junior Championships are rescinded.
3. The bodies known as the VMJBL and the Victorian Junior Championship Board (“VJCB”) are hereby dissolved.

#### **B. Victorian Junior Basketball Leagues Establishment**

4. There is established the Victorian Junior Basketball Leagues (“VJBL”) as a governing body under article 15 of the constitution of Basketball Victoria.

#### **C. VJBL Charter**

5. The Charter for VJBL is:

### **CHARTER**

#### **1. Objects**

1.1 The objects of VJBL shall be to:

- On behalf of Basketball Victoria conduct the competitions known as the VMJBL, Eastern Qualifying (“EQ”), Northwest Conference (“NW”) and the Victorian Junior Championships (“the competitions”) and any other competitions from time to time delegated to it by Basketball Victoria.
- Promote and develop the highest standard of competition in Victoria and develop all participants to the limit of their ability
- Submit annual reports, quarterly financial statements and changes in by-laws and rules to the Metropolitan Council for approval.
- Conduct the business of the competitions through committees and appointed officers as required.
- Organise the selection, coaching and management of junior teams from the metropolitan area to represent Basketball Victoria.
- Liaise with designated regional qualifying competitions including the organisation of an integrated registration system and to ensure the rules of such competition are appropriate to such linked competitions.
- in conjunction with Basketball Victoria, seek and manage appropriate sponsorship for the competitions; and

- be active in the development of players, officials and administrators by setting and maintaining quality standards.

## **2. Committee of Management**

- 2.1 There shall be a Committee of Management of VJBL, whose responsibility will be to undertake the organisation and supervision of the competitions subject to the overall direction of the leagues members and supervision of Basketball Victoria's State Executive.
- 2.2 The Committee of Management shall consist of the following members:
- Chairman
  - Treasurer
  - Six (6) Ordinary Members
  - The President of Basketball Victoria or his/her nominated representative
  - The Administrator employed by the VJBL
  - Such other member who is co-opted by the committee from time to time who has a particular interest or expertise on a matter before the committee.
- 2.3 Members at the Annual General Meeting shall elect the Chairman, Treasurer and three (3) Ordinary Members for a period of two (2) years with the Chairman and three (3) Ordinary Member being elected in an even year and the Treasurer and the other Ordinary Members being elected in an odd year. At least two(2) of the Ordinary Members shall represent country basketball. Until the first election under this charter, members of the Executives of the VMJBL and the VJCB shall constitute the Committee of Management.
- 2.4 The ballot for the election of members of the Committee of Management shall be conducted at the Annual General Meeting in such usual and proper manner as the Committee of Management may direct.
- 2.5 At the first election under this Charter, the Treasurer and two (2) Ordinary Members shall be elected for one (1) year only. In the event of a ballot being required for the four (4) Ordinary Members, those elected second and third will have the one (1) year terms. In the event of no ballot being required for the Ordinary Members and in the event of a failure between the Ordinary Members to agree on which ones have two (2) year terms, a vote will be taken at the Annual General Meeting.
- 2.6 Any person who is elected as a member of the Committee of Management and is also a delegate of a Member must immediately resign as a delegate.
- 2.7 Basketball Victoria shall nominate its representative biennially.
- 2.8 The Committee of Management shall meet a minimum of eight (8) times each year and operate to an agenda that focuses on the operational, financial and marketing elements of the VJBL.

## **3. Committee of Management Voting**

- 3.1 At all meetings of the Committee of Management, the following voting rights will apply:
- 3.1.1 each member is entitled to one vote; and
- 3.1.2 the Chairman has a deliberative vote and in the case of equality, a second or casting vote.

## **4. Committee of Management Quorum**

- 4.1 A quorum for Committee of Management meetings shall be four (4) voting members.

## **5. Membership**

- 5.1 Any Association affiliated with Basketball Victoria or any other body affiliated with Basketball Australia may enter a team in any of the competitions. All applicants must comply with the entry criteria as set down by the VJBL. Upon acceptance of an entry into a league directly conducted by the VJBL (not being a league conducted by another body by delegation from VJBL e.g. EQ and NW), that association is deemed to be a member of the VJBL.

## **6. Powers of the Committee of Management**

- 6.1 Subject to the jurisdiction of Basketball Victoria and the supervision of the State Executive, the Committee of Management may from time to time in accordance with the Basketball Victoria Constitution make such decisions for the conduct of its own proceedings and the leagues; for the control of its funds and property; and for the efficient conduct of its administration, as the Committee of Management may see fit.
- 6.2 The Committee of Management may delegate conduct of any of the competitions to other bodies on such terms and conditions as it believes appropriate but not inconsistent with this charter and may at any time revoke that delegation.
- 6.3 The Committee of Management may appoint such staff of the VJBL as it thinks fit and subject to the Basketball Victoria Certified Agreement, as such terms and conditions it deems appropriate. Appointments must include an Administrator who is responsible for the day to day administration of the VJBL.
- 6.4 The Committee of Management may appoint such committees to assist in the conduct of the competitions as it deems appropriate and on such terms as are considered desirable and may at any time dissolve any such committee.

## **7. Rules**

A general meeting of members may make such rules for the conduct of the leagues as is deemed appropriate

## **8. Annual General Meeting**

- 8.1 The Annual General Meeting of the VJBL shall be conducted in the month of March, if that is not reasonably possible, as soon thereafter as is possible, at such time and place as the Committee of Management shall determine.
- 8.2 The purpose of the meeting shall be:
- 8.2.1 to receive the Annual Reports and the Audited Statement of Accounts for the preceding year;
- 8.2.2 to present the ensuing year's Business Plan and Budget for approval;
- 8.2.3 to elect members of the Committee of Management;
- 8.2.4 to deal with any other business or changes to rules, notice of which has been given at least 21 days before the date of the Annual General Meeting; and
- 8.2.7 to appoint the Auditor for the ensuing year.
- 8.3 Voting at meetings shall be as follows:
- 8.3.1 Each member association may send one delegate to the meeting.
- 8.3.2 Current members of the Executive Committee shall have one (1) vote each.
- 8.3.3 Association delegates may exercise votes as follows:

- Associations with ten (10) or fewer teams entered in the most recent round one of Championship Phase shall have one (1) vote.
- Associations with eleven (11) to twenty (20) teams entered in the most recent round one of Championship Phase shall have two (2) votes.
- Associations with twenty (21) or more teams entered in the most recent round one of Championship Phase shall have three (3) votes

8.3.4 Voting shall be by show of voting cards unless a secret ballot is required by a majority of votes by the persons present and entitled to vote.

8.3.5 Voting by proxy is not allowed.

8.3.6 The chairperson shall have a deliberative and a casting vote.

8.3.7 Twenty (20) members or delegates of members shall be a quorum at meetings of the league.

## **9. General Membership Meetings, including Annual General Meeting**

9.1 There shall be at least three (3) general meetings every year, the Annual General Meeting and 2 other meetings at times and places to be decided by the Committee of Management.

9.1 Twenty-eight (28) days notice shall be given of the time, place and business to be transacted to the Committee of Management and Members.

9.2 A special general meeting may be called on the written requisitioning of the Committee of Management or by 20% of Members duly registered and eligible to vote.

## **10. Nominations for Committee of Management**

10.1 Nominations for Chairman, Treasurer and Ordinary Members must be endorsed by Members and lodged in writing with the VJBL administrator at least fourteen (14) days prior to the Annual General Meeting.

10.2 The written consent of the nominee is to be lodged with the administrator at the time of nomination.

10.3 If a person nominated for a Committee of Management position is defeated in an election for that position, they may be nominated at the Annual General Meeting for any position that is at that time not determined.

10.4 In the event of insufficient nominations being received for a particular Committee of Management position, nominations may be called from the floor at the AGM after all elections take place. The written consent of the nominee is to be tabled at the Annual General Meeting.

## **11. Banking**

11.1 All monies of the VJBL shall be deposited in a current account in such bank as shall be approved by the Committee of Management and all cheques operating on the account shall be signed by at least two of the following three: the Chairman, the administrator, the Treasurer or any other nominated Committee of Management member.

## **12. Financial Year**

12.1 The financial year shall commence on the first day of January of each year and end on the 31st day of December.

### **13. Notice of Meetings**

13.1 All notices shall be deemed duly delivered or served if sent by prepaid post, facsimile or email to addressees at the last notified address or place of abode or business of the addressee appearing in the books of the VJBL.

### **14. Unforeseen Matters**

14.1 Should any matter arise for which provision has not been made in this Charter or Competition Rules, the Committee of Management shall have the power to take such action as is necessary to protect the interests of the VJBL and its Members.

### **15. Winding Up**

15.1 With the approval of the State Executive Committee, the VJBL may be wound up should Members by a majority so decide.

## **D. Terms of VJBL's Conduct of the Competitions**

6. Basketball Victoria is the owner of the competitions.
7. Basketball Victoria has established the VJBL for the purpose of conducting the competitions on its behalf. VJBL's continuing conduct of the competitions shall be the subject of review by Basketball Victoria and VJBL every three (3) years.
8. VJBL shall conduct the competitions on Basketball Victoria's behalf and subject always to Basketball Victoria's reasonable directions in the interests of the competitions and its participants.
9. The competitions shall be conducted at various locations as directed by VJBL.
10. VJBL shall draw criteria for eligibility to enter the competitions and rules for the conduct of the competitions and submit those criteria and rules to Basketball Victoria for approval. Upon approval by Basketball Victoria, those criteria and rules will have force and effect. No alterations to the criteria and rules may be made without the express written approval of Basketball Victoria.
11. VJBL shall conduct the competitions on Basketball Victoria's behalf in a professional and financially viable manner and in such a way as to bring no discredit to Basketball Victoria.
12. VJBL shall provide reports to Basketball Victoria as requested and shall provide an annual report to Basketball Victoria in accordance with clause 10.3.1(ii)(c) of the Basketball Victoria Constitution. That annual report shall contain information on the number of participants in the competitions, the venues used, the success or otherwise of the competitions in terms of participation by players and spectators, the financial information with respect to the competitions, a comparison of that information with previous years' reports and any recommendation by VJBL on the future conduct of the competitions.
13. VJBL shall annually submit to Basketball Victoria a budget for the ensuing year and shall report at least quarterly to Basketball Victoria on actual financial performance against that budget.
14. VJBL shall not seek nor enter into any arrangement with a sponsor for the competition without first seeking advice from Basketball Victoria as to whether the sponsorship would be in conflict with Basketball Victoria's sponsorship arrangements. If Basketball Victoria advises that a proposed sponsorship arrangement would conflict with Basketball Victoria's sponsorship arrangements, VJBL shall not proceed with the sponsorship.

15. Upon the winding up of the competitions or VJBL ceasing to conduct the competitions, all assets of VJBL shall become the property of Basketball Victoria.
16. Basketball Victoria guarantees the payment of all debts incurred by VJBL in or incidental to the conduct of the competitions.
17. Basketball Victoria may withdraw VJBL's right to conduct the competitions at any time if:
  - (a) VJBL breaches these terms or the constitution or other by-laws of Basketball Victoria in a material way and fails to remedy the breach within a reasonable time after being given written notice by Basketball Victoria of the breach;
  - (b) the competitions are not being conducted as required by Basketball Victoria acting reasonably; or
  - (c) the financial forecasts or annual financial results of VJBL are substantially less than approved in the VJBL budget without reasonable explanation.