

## **CONSTITUTION FOR THE NORTHUMBERLAND AND TYNE & WEAR BASKETBALL ASSOCIATION**

### 1. NAME

The Association shall be known as the Northumberland and Tyne & Wear Basketball Association, herein referred to as the Association.

### 2. OBJECTS

The Association shall administer and promote the game of basketball in the North-East Area according to the constitution of Basketball England.

### 3. MEMBERSHIP

The Association is open to any club or individual affiliated to Basketball England. Any person who is properly registered with Basketball England and is either resident in the area or is a player of a club that has its home court within the area shall also be entitled to membership of the Association.

Persons with outstanding financial debts owed to other Leagues or Associations shall not be entitled to membership until all debts have been settled to the notified satisfaction of said Leagues or Associations. If the debt is discovered after membership then the membership shall be immediately suspended, with written notice to the person, until all debts have been settled to the notified satisfaction of said Leagues or Associations.

### 4. OFFICERS

Executive Officers of the Association shall be:

President, Chairperson, Secretary, Treasurer, Registrar, **Safeguarding Officer, Data Protection Officer**, Disciplinary Secretary, Refereeing Development Officer, Women's Development Officer, Publicity Officer, Table Officiating Development Officer, Coaching Development Officer and Junior Development Officer. Executive Officers will be elected at the AGM.

In addition, persons may be elected to the position of Lifetime Honorary Member of the Association. They shall have the voting rights of an ordinary member of the Association. Elections to this position shall occur at the Area AGM, and shall be for any extraordinary contribution to the sport in the Area over an extended period of time.

a) The Executive Officers, and any associated sub-committees, shall be elected on a simple majority vote at the AGM.

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b) Members wishing to stand for election to a Executive Committee role shall confirm this in writing to the Secretary not later than ten calendar days before the date of the AGM. The written notification of intent to stand for election that is sent to the Secretary must be accompanied by a 'pen portrait' for League members' consideration which outlines why the candidate believes they should be elected to the Executive Committee role. This written notification is not required for current Officers wishes to stand for re-election for the season following the AGM. The notification of intent to stand for election shall be included with all other AGM papers circulated by the Secretary seven calendar days before the AGM.

c) In very exceptional circumstances at the AGM, members may be unable to fill an Executive Committee role. In such cases members may agree to defer formal election to the role to the TyneMet League Registration Meeting held at the beginning of the season in order to give elected Officers and members additional time to identify suitable candidates. Sub-paragraph 4. b) will apply to these election processes too.

d) In extremely rare circumstances, members may choose to leave an Executive Committee role unfilled.

## 5. ORGANISATION

The affairs of the Association shall be managed by an Executive Committee consisting of the Executive Officers named above, plus one representative from any sanctioned league. In addition, the Executive Committee may co-opt not more than three other members whose services may be considered to be of value to the Association. The Sports Council Northern Region, affiliated Schools' Basketball Association(s) and National League Teams with their home court in the area shall be invited to nominate one of their members to attend Executive Committee meetings, but without the power to vote.

A quorum of three Executive Committee members is necessary for the transaction of business. The Executive Committee may set up sub-committees as required. Meetings of the Executive Committee shall be held to coincide with meetings of the TyneMet Basketball League Executive Committee meetings, and on such occasions as the Chairperson of the Association or the Secretary shall decide. Seven days' notice of a meeting of the Executive Committee shall be given to all members. Items for consideration by the Committee, other than those already listed on a proposed agenda, shall be forwarded in writing to the Secretary not later than three days before the date of the arranged meeting. All resolutions shall be decided by a simple majority vote and in the event of a tie the Chairperson of the meeting shall have the casting vote. Any member of the Executive Committee who has a

vested interest in a particular issue shall forego his/her voting rights in that particular issue. In this instance the quorum shall be reduced accordingly.

#### 6. FINANCE

The finances of the Association shall be administered by a Treasurer/Registrar under the direction of the Executive Committee. The Association funds shall be lodged at a bank and all cheques, drafts, etc., drawn on the Association account shall be signed by the Treasurer/Registrar and countersigned by the Chairperson or the Secretary.

The financial year of the Association shall end on 31 May and a statement of accounts, up to that date, will be presented at the AGM. A current statement of finance shall be presented at all other meetings of the Executive Committee. Auditors shall be appointed annually to carry out an examination of the books.

#### 7. ANNUAL GENERAL MEETING

The AGM of the Association will be held before the end of July of each year when annual reports of the Executive Officers and audited accounts, made up to the 31 May, shall be presented. At least 21 days' notice, specifying the place, date and time, together with the agenda shall be given to all club secretaries, who will advise their members. Each affiliated league, association and club shall be entitled to have a voting representative at the AGM.

***Executive Officers of the Area shall also be entitled to one vote at the AGM, notwithstanding other provisions made under this Article.*** All resolutions shall be decided by a simple majority and in the event of a tie the Chairperson of the meeting shall have a casting vote. Any individual may only vote in one capacity.

#### 8. EXTRA-ORDINARY GENERAL MEETING

An Extra-Ordinary General Meeting of the Association shall be convened on a resolution of the Executive Committee, or within one month of receipt by the Secretary, of a resolution signed by representatives of at least five clubs. Twenty-one days' notice of place, date and time shall be given to all member clubs. Any 75% of persons holding voting rights shall form a quorum at an EGM.

#### 9. AMENDMENTS TO THE CONSTITUTION

Amendments to this constitution can only be made at the AGM or EGM. Written notice of any proposed amendment must be sent to the Secretary at least six weeks before the meeting. A majority in excess of opposition of one third of the votes cast shall be necessary to carry any resolution in respect of the constitution of the Association. Other

resolutions shall be decided by a simple majority and in the event of a tie the Chairperson of the meeting shall have the casting vote.

#### 10. DISCIPLINE

The Association shall have the power to take appropriate disciplinary action against leagues, clubs, officials and members within its jurisdiction adopting Basketball England guidance as appropriate. Any Executive Officer can be removed from office if his/her conduct is proved to be detrimental to or contrary to the best interests of the Association by either a unanimous vote of the remainder of the Executive Committee or following a resolution at an EGM. Any Executive Officer so censured will have the right of appeal. The Executive Committee shall have the power to institute disciplinary procedures against any member whom it deems to have brought the Association into disrepute. These procedures may warn, censure, suspend or expel the member. Any member so censured will have the right of appeal.

#### 11. APPEALS

Members may appeal to the Association against any decision made by any sanctioned League or Committee. On appeal the person or group shall have the right to appear or give evidence to the Association Executive Committee. Appeals to the Association shall be accompanied by a £75 deposit which will be returned if the appeal is upheld. The Appeal will be heard by an Appeals Panel consisting of three members of the Executive Committee. Members of the Appeals Panel shall not have been involved in the decision-making processes concerned with the matter of the Appeal prior to the Appeals Hearing. Appeals against the Association shall be made to the North Regional Management Committee of Basketball England and include the appropriate fee.

#### 12. DISSOLUTION

In the event of the Association being dissolved for any reason its assets shall be conveyed to Basketball England. They will dispose of those assets as they deem fit.

#### 13. COMPETITIONS

The Association shall sanction any league or competition provided that the majority of its members are members of the Association. Leagues or competitions will function under the jurisdiction of the Association. Sanction shall not be unreasonably withheld. All clubs,

players and referees taking part in the leagues or competitions sanctioned as above, must be affiliated to Basketball England.

#### 14. SPECIAL CONSIDERATIONS

Any point not covered by this constitution shall be left to the discretion of the Executive Committee and reported to the AGM.

Reviewed and adopted at the AGM, **June 2021**

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