

Perth Phoenix Basketball Club
Draft Constitution May 2009

1. **Name**

The Club shall be called ***Perth Phoenix Basketball Club*** (hereinafter referred to as the Club)

2. **Aims and objectives**

- To encourage the playing of basketball through providing playing opportunities, competition and through structured tuition to develop skills and attain a desired level of ability to all age groups (male and female).
- The Club is committed to encouraging the highest ethical standards and recognising the duty of care it has towards all members. All individuals involved in the Club should conduct themselves with integrity and in a fair and equitable matter.
- To promote the club within Perth and outlying areas.

3. **Membership**

3.1 Membership shall consist of officers and members of the club who have paid the membership fee determined annually by the Committee.

3.2 Membership is open to all and no application will be refused other than on reasonable grounds. There will be no discrimination on grounds of race, occupation, religious, political or other opinions.

3.3 All members will be subject to the regulations of the constitution and by joining the club will be deemed to accept these regulations and codes of conduct which the club has adopted.

4. **Registration**

4.1 The Club will be affiliated to **basketball**Scotland and will adhere to the constitution, rules and regulations set down by that organisation.

4.2 The Club will participate in any national or regional competitions which the Committee deems appropriate, approved where necessary by the voting members.

4.3 All playing members who are to represent the Club in competitions organised by the national or regional associations, will be registered with the relevant association and pay the appropriate fees.

4.4 The Club shall not prevent the transfer of any player wishing to leave providing all subscriptions and registration fees have been paid to date.

5. **Management**

- 5.1 The affairs of the Club shall be conducted by a Committee elected for a one year term by the members attending the Annual General Meeting.
- 5.2 The Committee of the Club will consist of the Chairman, Vice-Chairman, Treasurer, Secretary plus four non-executive members all of whom shall be elected at the Annual General Meeting.
- 5.3 If the post of any officer or ordinary committee member should fall vacant after such election, the Committee shall have the power to fill the vacancy until the succeeding Annual General Meeting.
- 5.4 The Committee shall have full power to deal with all matters relating to the Club not reserved to a General Meeting in terms of the Constitution.

These include but are not limited to the following:-

- (i) Suspend or disqualify any member who contravenes the Club's or **basketball**Scotland's rules or conditions;
 - (ii) Bringing the Club into disrepute in any way;
 - (iii) Making financial decisions, through the Chairman, on behalf of the Club members, should it be necessary between Annual General Meetings;
 - (iv) Be responsible for adopting new policy, codes of conduct and rules that affect the organisation of the Club.
 - (v) Appoint sub-committees and appoint advisers as deemed necessary to fulfil the business of the Club.
- 5.5 At least 50% of the elected Committee members must be present for a quorum to be formed at any Committee meeting.

6 General Meetings

6.1 Annual General Meeting

The Club shall hold an Annual General Meeting at least once in each year, after at least 14 days notice has been given to each member. The Committee should aim to hold the AGM before the Annual General Meeting of **basketball**Scotland and any regional association the Club is affiliated to.

The following shall be included in the business transacted:-

- (i) Approve minutes of previous years AGM
- (ii) Presentation of Reports
- (iii) Appoint someone responsible to approve Club's Accounts
- (iv) Election for the forthcoming year of Committee - nominations to the Committee to be sent to the Secretary prior to the AGM
- (v) Preparation of motions to the AGM of the Scottish and Regional Associations.

- (vi) Approval of annual subscription.
- (vii) Consider changes to Constitution.
- (viii) Consider any other relevant business.

6.3 All paid up members of the Club for the current season will be entitled to vote, with all resolutions decided by a simple majority. In the case of an equality of votes, the Chair of the Club shall hold a casting, as well as a deliberative vote at all meetings.

6.4 At least 25% of the membership must be present in order for a quorum to be reached, thereby allowing any constitutional amendments.

6.5 Extraordinary General Meeting

An EGM may be called at any time throughout the year with two weeks written notice required prior to the meeting.

6.6 Any application must be supported by at least 10% of the membership.

6.7 Procedures for EGMs will be the same as for the AGM.

7 Changes to Constitution

7.1 Any changes to the Constitution shall require a two-thirds majority of those present, eligible to vote and voting at a General Meeting.

7.2 A proposal to change the Constitution must be submitted in writing, and signed by at least two members eligible to vote at a General Meeting, forwarded to the Secretary who shall make available to all members and allow seven days for submission prior to a General Meeting.

8 Finance and Accounts

8.1 The Financial Year shall run from 1st July to 30th June each year

8.2 The Club Treasurer shall be responsible for the finances of the club and preparation of Annual Accounts for the Club.

8.3 Any income received by the club will be applied towards achieving the aims of the club. Any cheques drawn should hold the signatures of the Treasurer plus at least one other office bearer.

8.4 The accounts shall be certified by an appropriate independent person elected at the Annual General Meeting.

9. Dissolution

9.1 The Club is a non-profit making organisation. All surpluses will be used to maintain, improve and develop the Club's facilities. Should the Club

cease to operate for any reason, any remaining funds in the Club's possession must be distributed to a similar or likeminded voluntary, non-profit making organisation.

- 9.2 All equipment in possession of the Club will be donated to a similar club, or in the case of any deficit existing, sold to balance any loss.
- 9.3 In no circumstances will any assets or funds be distributed to any Club or Committee members.
- 9.4 A resolution to dissolve the club can only be passed at an AGM or EGM through a majority vote of the membership.