Rules of the Kapiti Basketball Association (Inc)

1. Name and Boundaries

1.1 The name of the Association shall be the Kapiti Basketball Association (Incorporated) (hereafter call "the Association").
1.2 The Boundaries of the Association shall be the area of the Kapiti Coast District or such other boundaries adopted by the Association from time to time.
1.3 The Registered Office of the Association shall be at 94 Alexander Road, Raumati Beach, Paraparaumu 5032.

2. Objects

2.1 The objects of the Kapiti Basketball Association shall be:
  2.1.1 To facilitate, promote, foster and develop the game of Basketball within its boundaries.
  2.1.2 Develop Kapiti's youth through Basketball
  2.1.3 remain an active member of the NZ Basketball Federation (Inc.)

3 Definitions

Unless contrary to the context the following definitions shall apply herein:

AGM	Shall mean Annual General Meeting
FEDERATION	Shall mean the New Zealand Basketball Federation (Inc.)
MEMBER	Shall mean a member as defined in Rule 5 of these Rules.
RULES	Shall mean the Constitution and any Bylaws of the Association.
COMMITTEE	Shall mean the Executive Committees of the Association.
NOTICE	Shall mean a letter posted to last known address of any team or club or an advertisement placed in a local newspaper or a facsimile transmission.

Words referring to the masculine gender shall include also the feminine gender.

4 Powers of the Association

4.1 To act independently of but be ultimately responsible to the Federation for Basketball within the Boundaries of the Association.
4.2 To raise funds and to impose levies on members for the purpose of promoting and achieving the Associations aims and programmes.
4.3 To regulate and control the conduct of any player, team, club or official at any Tournament, game or other activity being conducted under the auspices of the Association.
4.4 To impose suspension or other penalties when necessary for any misconduct of any player, team, club or official.
4.5 To appoint sponsors, selectors, coaches and managers for representative teams.
4.6 To take any action necessary to advance the Association's objectives.

5 Membership

5.1 The financial members of any team or club playing within any competition organised by the Association, or any athlete who partakes in a programme organised by the Association shall be deemed to be members of the Association, but such membership shall lapse if the team or club cease to be a financial member of the Association.
5.2 Any officer of the Association elected in accordance with these Rules shall be deemed to be a member of the association.
5.3 Any Life Member elected in accordance with these rules shall be deemed to be a member of the Association.
5.4 Any other person or organisation nominated and elected at the Annual General Meeting or a Special Meeting in accordance with Rule 10.
5.5 Any team, club or person may, at any time, by notice in writing to the Secretary resign from the Association but will remain liable after such resignation for any debts owing to the Association by the team, club or person.

6 Life Membership

6.1 Any member of the Association or the Committee may nominate any person who has made an outstanding contribution to basketball within the Association for Life Membership. Any such nomination must be seconded by another member of the Association.
6.2 A nomination for Life Membership must be made in writing to the Secretary of the Association not less than four weeks before the AGM at which such nomination is to be put.
6.3 A Life Member may only be elected at an AGM and must be elected by a majority of not less than three quarters of the votes cast.
6.4 A Life Member shall not be liable for the payment of any membership fees other than those incurred by virtue of their membership of a team playing in a competition organised by the Association.
6.5 A Life Member may attend any General Meeting of the Association and shall have the rights of any other ordinary member at such meeting.
6.6 The membership of a Life Member may be terminated by a Special General Meeting of the Association provided such motion is carried by a majority of not less than three quarters of the votes cast.

7 Annual General Meeting

7.1 There shall be held not later than 31 October each year an Annual General Meeting of the Association at a time and place to be decided by the Committee.
7.2 At least four weeks written notice by email of the time and place of the meeting shall be given to all members of the Association.
7.3 The business of the Annual General Meeting shall be:
7.3.1 To receive the Annual Report and Statement of Accounts for the previous year.

7.3.2 To elect the Executive Officers and Committee for the ensuing year.
7.3.3 To appoint an auditor who shall hold no other office.
7.3.4 To appoint an Appeals Committee if required.
7.3.5 To consider any business put forward by a member of the Association of which at least two weeks' notice in writing has been provided to the Secretary.

7.4 The Secretary shall give written notice of the Agenda of the AGM not less than one week prior to the date of the meeting.

7.5 The Secretary shall send notice of the AGM to the Federation and any office holder of the Federation may attend and speak, but not vote at the AGM of the Association.

7.6 The Chair shall preside at all meetings of the Association. In the event of neither of these being able to take the chair at any meeting then the meeting shall elect one of its number to take the chair for that meeting.

8 Special General Meeting

8.1 The Committee may call a Special Meeting as it sees fit.

8.2 The Committee shall call a Special General Meeting on the receipt of written requisition of at least 12 members setting forth the purpose of such meeting and the motions to be discussed.
8.2.1 Such Special General Meeting shall be held within four weeks of the receipt of such request.

8.3 The Secretary shall give at least two weeks written notice by email of a Special General Meeting and such notice shall state the business to be discussed at the meeting.

8.4 Only those matters of which written notice has been given in accordance with clause 8.3 may be discussed at a Special General Meeting.

8.5 The Secretary shall send notice of a Special General Meeting to the Federation and any Office holder of the Federation may attend and speak but not vote at a Special General Meeting.

9 Executive Officers

9.1 The Executive Officers of the Association shall be a Chair Secretary, Treasurer and the Young Person Protection Officer.

9.2 All Executive Officers shall be elected at the Annual General Meeting.
9.2.1 In the event of there being insufficient nominations for any position at the AGM then the incoming Committee shall have the power to elect any person to fill a vacant position. This person shall then hold office in that position until the conclusion of the next AGM.
9.2.2 The voting for office holders shall be by a show of hands unless a secret ballot is required by a simple majority of those present and entitled to vote.

9.3 In the event of a vacancy occurring in the position of any office holder then the Committee shall have the power to elect any person to fill such vacancy and such person shall hold that position until the next AGM.

9.4 Any office holder at any time, by notice in writing to the Secretary resign their position.

10 Voting

10.1 At all General Meetings every member personally present and not being a minor (age 15 and under) shall be entitled to one vote and in the event of an equality of votes the Chair shall have a further or casting vote which shall be cast with regard to the status quo.
10.2 All motions require only a simple majority of those present and entitled to vote to be carried unless stated otherwise in these rules.
10.3 At committee meetings each Executive Officer and members shall have one vote.
10.4 At all meetings, other than for the election of officers, voting shall be by voice unless a member present and entitled to vote calls for a show of hands to be taken.
10.5 A member may elect to nominate another member to provide a proxy vote on his or her behalf by providing a proxy form to the Secretary one week prior to the General Meeting.
10.6 A secret ballot shall be held if requested by at least one quarter of the members present and entitled to vote.

11 Quorum

11.1 The quorum for any General Meeting shall be at least twelve members. The quorum at a Committee meeting shall be at least three members of the Committee.

12 Committee

12.1 The Committee shall control and direct the affairs of the Association in accordance with this Constitution and the Association's Charter (subject to any direction from a general meeting from time to time).
12.2 The Committee shall consist of the Chair, Secretary, Treasurer (or Secretary/Treasurer) and not less than 3 nor more than 5 members elected at the AGM.
12.3 The Committee may appoint sub Committees with power to act on its behalf. The Chair of the Association shall be ex officio members of any such sub Committee and the resolutions of any sub Committee appointed under this rule shall be reported back to the next meeting of the Committee.
12.4 The Committee or a sub Committee duly appointed in terms of Rule 12.3 may at its discretion levy any penalty or fine on any player, official, team club or officer. The player, team club or officer shall be given not less than (5) days notice of a meeting for hearing of evidence and shall be entitled to be present and to be heard at such meeting.
12.5 There shall be a right of appeal to the Association on any fine or penalty imposed by the Committee as referenced within the Association's Charter.

13 Finance

13.1 The Financial year of the Association shall end on 31 December each year.

13.2 All moneys received by the Association shall be banked into a Bank account in the name of the Association. All payments need to be authorised in advance by two members of the Executive (Chair, Secretary and Treasurer) and documented. On receipt of the authorisation the Treasurer can complete the transaction.

13.3 The accounts of the Association shall be audited by an auditor appointed at the AGM. The auditor shall hold no other office in the Association.

13.4 The affiliation fees for members, teams and/or clubs shall be determined by AGM each year.

13.5 A copy of the Annual Accounts as approved by the AGM shall be sent to the Federation within 60 days of the date of the AGM.

14 Bylaws

14.1 The Committee may from time to time, by resolution in its minutes, make, revoke or amend Bylaws.

14.2 If any such Bylaws shall conflict with these Rules or with the Constitution of the Federation then in such case these Rules or such Constitution shall prevail.

14.3 A General Meeting shall have the power to make, revoke or amend Bylaws.

14.3.1 Notice to make, revoke or amend a Bylaw at a General Meeting must be given in writing to the Secretary at least two weeks before the date of the meeting.

14.3.2 Motions to make, revoke or amend Bylaws shall be carried by a simple majority of those present and entitled to vote.

15 Amendments to the Constitution

15.1 Any proposed amendments to this Constitution must be given in writing to the Secretary at least four weeks prior to the date of the General meeting at which the amendment is to be put.

15.2 Amendments to the Constitution shall require two thirds majority of those present and entitled to vote.

15.3 The Secretary shall give notice to members of any proposed amendments to this Constitution at least two weeks prior to the date of the General Meeting at which such amendments are to be considered.

16 Standing Orders

All meetings of the Association shall be conducted according to Associations Charter.

17 Indemnity

The Executive Officers of the Association shall be indemnified by the Association against all losses and expense incurred in or about the discharge of their duties except such as are due to their own dishonest act, or default.

18 Dissolution

18.1 The Association may be wound up on a motion passed by a simple majority of those present and entitled to vote at a special general meeting convened for that purpose and confirmed at a later meeting held no earlier than one month from the date of the original meeting.

18.2 In the event of the winding up of the Association or its dissolution by the Registrar of Incorporated Societies any surplus funds and properties remaining after the payment of all liabilities shall be paid over to any association for development of Basketball in the Kapiti Coast region.