



**CONSTITUTION**  
**TULLAMORE BASKETBALL CLUB**

ISSUED: April 2018

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## 1. Title

- 1.1. The name of the Club shall be Tullamore Basketball Club
- 1.2. Tullamore Basketball Club shall be affiliated to Basketball Ireland.

## 2. Objectives

The aims and objectives of the club will be:

***Tullamore Basketball Club aims to provide an enjoyable, safe, environment for all our members to develop basketball techniques and life skills in a fair and respectful manner, where a sense of belonging and achievement is promoted through teamwork.***

- 2.1. To provide the opportunity for the members to participate in the game of basketball whilst promoting an environment of fair play and enjoyment.
- 2.2. To further the interests of the game of basketball wherever possible.
- 2.3. To organize such events to promote the game of basketball as the members shall desire.
- 2.4. To select teams and coaches to represent the Club in competition.

## 3. Membership

- 3.1. The membership to the Club shall consist of the Ordinary Members, the Executive Committee, the Juvenile Members (under 18 years), and such Honorary Members, and Honorary Officers as may be elected from time to time as hereafter provided for in this Constitution.
- 3.2. All parent/guardians of juniors/junior players are automatically deemed Representative Members.
- 3.3. In accepting membership, a person agrees to abide by the Constitution of the Club and the rulings of the Executive Committee.
- 3.4. Application for membership shall be made to the Executive Committee. The application shall be made on the appropriate form and submitted with the relevant subscription.
- 3.5. 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.
- 3.6. The Executive may bestow the category of Honorary Member on any person at its discretion. Membership of this category will not carry voting rights.
- 3.7. The annual membership subscription shall become due on 1st September and must be paid before in line with the Registration Policy of the club. Any members in arrears, may, at the discretion of the Executive Committee, have their membership suspended until the balance due is paid in full. The foregoing will require a two-thirds majority of the members of the Executive present and entitled to vote.
- 3.8. The Executive Committee shall determine subscription rates from time to time.
- 3.9. Annual membership shall expire on 31st August each year.



#### **4. Suspension or Severance of Membership**

- 4.1. The Executive Committee has the power to terminate or suspend a membership or impose such penalty or sanction as it deems fit for conduct and/or behaviour which, in its opinion, is considered to bring the sport or Tullamore Basketball Club into disrepute.
- 4.2. For the purpose of exercising this power, the Executive Committee, having received a report in writing shall consider if the matter is of a sufficiently serious nature, shall appoint a Disciplinary Committee comprising not more than three members.
- 4.3. The Disciplinary Committee shall provide a copy of the report in question to the member(s) concerned and invite them to attend a meeting of the Disciplinary Committee to offer an explanation of the conduct at issue.
- 4.4. The Disciplinary Committee shall have the power to demand the attendance of Tullamore Basketball Club members as are required at any hearing and/or investigation.
- 4.5. On completion of its hearing/investigation the committee shall submit a written report to the Executive Committee. The report shall state its finding, conclusions and sanctions, if any, to be imposed.
- 4.6. A member whose membership has been terminated or suspended, or, on whom a penalty or sanction has been imposed, shall have the right of appeal to the Executive Committee provided the written appeal and relevant fee shall be returned within ten days of notification of the Disciplinary Committee's decision.
- 4.7. The fee shall be returned if the appeal is upheld.
- 4.8. For the purpose of hearing this appeal the Executive Committee shall appoint an Appeals Committee comprising of not more than three members.
- 4.9. No member of the original Committee shall be eligible to be a member of the Appeals Committee.
- 4.10. The findings of the Disciplinary Committee shall be suspended until the hearing of the appeal by the Appeals Committee. The Appeals Committee shall convene a meeting within seven days of receiving the appeal.
- 4.11. The Appeals Committee may confirm the findings and/or the penalty imposed by the Disciplinary Committee or at its discretion reduce or increase same.
- 4.12. The decision of the Appeals Committee shall be final.



## 5. The Executive Committee

- 5.1. The government and general direction of the affairs of Tullamore Basketball Club shall be exercised by the Executive Committee.
- 5.2. The Executive Committee shall be elected at the AGM, and shall be comprised of the following;
  - Chairperson,
  - Deputy Chair
  - Secretary,
  - Treasurer,
  - Fixtures / Venues secretary (deputy Sec)
  - Registrations Officer (deputy Finance)
  - Public Relations Officer
  - Child Welfare Officer
- The Executive Committee shall normally convene once every two months.
- 5.3. The Secretary shall convene meetings upon giving seven days' notice.
- 5.4. The Executive Committee, at its first meeting following the AGM, shall elect further officers as deemed necessary such as External Board Liaison Officer, Coaching Officer, Parents/Children Liaison Officer, Public Relations Officer, and Equipment & Facilities Officer. These elected officers will be members of the Executive Committee but will not carry voting rights.
- 5.5. The quorum for meetings of these committees shall be at least one half of the Committee and must include the Chairperson or Deputy Chairperson.
- 5.6. 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.
- 5.7. 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. Members co-opted to the Executive Committee will not carry voting rights.
- 5.8. 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.
- 5.9. The interpretation of the Constitution shall be vested in the Executive Committee, who shall decide on all questions relating to the Constitution.
- 5.10. 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.
- 5.11. No events shall be run or expenses incurred under the name of the Club, without prior sanction from the Executive Committee.
- 5.12. 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.
- 5.13. 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.
- 5.14. 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.
- 5.15. 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 Chairperson shall have a second or casting vote.



## 6. General Meetings

- 6.1. The Annual General Meeting shall be held before 30 June each year to transact the following business:
  - 6.1.1. To hear the Chairperson's address and the reports of the Secretary, Treasurer and various sub-committees on the year's activities.
  - 6.1.2. To elect the Chairperson, Treasurer, Secretary and members of the Club's Executive Committee.
  - 6.1.3. To consider all nominations properly before the meeting.
- 6.2. 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 the Secretary's Report, Treasurer's Report and auditor's Statement of Account, shall be available at least two days before the meeting.
- 6.3. No member may serve more than five consecutive years on the Executive Committee.
- 6.4. 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 and still tied, the presiding officer shall be deemed to have a casting vote and shall declare his/her vote.
- 6.5. 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 an Extraordinary General Meeting.
- 6.6. 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.
- 6.7. An Extraordinary 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 subject of such a meeting and no other business shall be transacted thereat.
- 6.8. For the purpose of paragraph (6.7), access to the Club Register may not be unreasonably refused.
- 6.9. The procedure for EGM's shall be the same as for the AGM.



## **7. Exceptional Matters**

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

## **8. Cessation of Club**

8.1 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.

## **9. Other Activities**

9.1 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 its committee at the Annual General Meeting of its members as laid down in its terms of reference.

## **10. Child Protection Guidelines**

10.1 This section contains Tullamore Basketball Club child protection guidelines (a code of behaviour for coaches and volunteers).

It is important that our code of behaviour reflects the child centred ethos of our organisation:

- listening to children/and young people
- valuing and respecting children as individuals
- involving older children in decision making, as appropriate
- encouraging and praising children
- keeping children and young people safe

10.2 It is also important for the protection of all concerned that coaches, volunteers, children and young people have guidelines on what is expected and what is not accepted, with respect to their behaviour.

10.3 Guidelines for Coaches and volunteers include the following:

- Coaches and volunteers should not spend excessive amounts of time alone with children away from others.
- Meetings with individual children or young people should take place as openly as possible.
- If privacy is needed, the door should be left open and other Coaches or volunteers informed of the meeting.
- Coaches and volunteers are advised not to make unnecessary physical contact with children and young people.
- However, there may be occasions when physical contact is unavoidable, such as providing comfort and reassurance for a distressed child, or physical support in the context of the sport.
- In all cases, physical contact should only take place with the consent of the child or young person, and they should understand that it is a physical game.
- It is not good practice to take children alone in a car on journeys, however short. Where this is unavoidable, it should be with the full knowledge and consent of the parents and other Tullamore Basketball Club committee members.



- Coaches and volunteers should not meet with children outside organised activities unless it is with the knowledge and consent of their parents.
- Leaders, who are involved in relationships with other leaders, or older members, should ensure that their personal relationships do not affect their leadership role within the organisation.

#### 10.4 Coaches and volunteers should never:

- Engage in sexually provocative or rough physical games, including horse-play – apart from structured sports activities
- Allow children to use inappropriate language unchallenged.
- Make sexually suggestive comments about, or to, a child, even in fun.
- Let allegations a child makes go without being addressed and recorded.
- Do things of a personal nature for children that they can do themselves.
- It is best practice for coaches/volunteers to work in pairs and be transparent in all of their involvement with the young people.