



## **CLUB CONSTITUTION**

### **1. NAME**

The club will be called St Pauls Juvenile Club and will be affiliated to Basketball Ireland

### **2. HEADQUARTERS**

The headquarters of the club shall be the address of the Secretary.

### **3A Main Object**

The main object of the Club shall be the promotion of Basketball and playing opportunities for all levels of play

### **3B. SUBSIDIARY OBJECTS**

In furtherance exclusively of the foregoing main object the Club shall have the following subsidiary objects.

- to offer coaching and competitive opportunities in Basketball and such activities as the Management Committee may from time to time deem appropriate
- to promote the club within the local community
- to ensure a duty of care to all members of the club
- to provide all its services in a way that is fair to everyone
- to ensure that all present and future members receive fair and equal treatment

### **4. CLUB COLOURS**

The club colours shall be Black/White.

### **5. EQUITY**

This club is committed to ensuring that equity is incorporated across all aspects of its development. In doing so it acknowledges and adopts the following definition of sports equity:

Sports equity is about fairness in sport, equality of access, recognising inequalities and taking steps to address them. It is about changing the culture and structure of sport to ensure it becomes equally accessible to everyone in society.

The club respects the rights, dignity and worth of every person and will treat everyone equally within the context of their sport, regardless of age, ability, gender, race, ethnicity, religious belief, sexuality or social/economic status.

The club is committed to everyone having the right to enjoy their sport in an environment free from threat of intimidation, harassment and abuse.

All club members have a responsibility to oppose discriminatory behaviour and promote equality of opportunity.

The club will deal with any incidence of discriminatory behaviour seriously, according to club disciplinary procedures.

## **6. MEMBERSHIP**

Membership should consist of officers and members of the club.

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 that the club has adopted.

A candidate for membership of the club must apply in writing on a form provided for the purpose. Such a candidate will be elected at the discretion of the Management Committee.

All members other than associates must be amateurs as defined by Basketball Ireland

Associate members may be elected at the discretion of the Management Committee.

Honorary members may, on the same terms as Associate members, be nominated for election at a Management Committee meeting or Annual General Meeting. Those persons elected to hold such memberships until the next AGM.

Members will be enrolled in one of the following categories:

- Full Juvenile member
- Full Senior member
- Committee member
- Coach
- Assistant Coach
- Referee

## **7. MEMBERSHIP SUBSCRIPTIONS**

The subscription year is from 1 August to 30 July

Subscriptions shall be paid on an annual basis when joining or re-joining for current members

The rates for subscription, which shall include a maximum per family, shall be fixed by the Club in General Meeting, and can have immediate effect.

No member whose subscription still remains unpaid more than three calendar months after the due date shall be eligible to take part in any event promoted by the Club until such subscription has been paid.

The Management Committee reserves the right, in appropriate circumstances, to reduce the amount of any subscription.

## **8. OFFICERS OF THE CLUB**

The officers of the club will be:

- Chair
- Vice Chair
- Honorary Secretary
- Treasurer
- PRO
- Child Officer
- Other officers as deemed necessary

Officers will be elected annually at the Annual General Meeting.

All officers will retire each year but will be eligible for re-election.

## **9. MANAGEMENT COMMITTEE**

The management of the club shall be vested in a Management Committee consisting of a Chair, Vice Chair, Secretary and Treasurer, other officers as deemed necessary and three ordinary members.

All members of the Management Committee shall be elected and their services shall be honorary. Only these posts will have the right to vote at meetings of the Management Committee.

The Management Committee shall have the power to appoint a new officer if a position becomes vacant during the year, such officer to retire at the end of the year but will be eligible for re-election.

The Management Committee shall have the power to co-opt additional members, such members to resign at the next following Annual General Meeting.

The quorum that is required for business to be agreed at Management Committee meetings will be four including at least one of the four main officers.

The Management Committee will be convened by the Secretary of the club and hold no less than 3 meetings per year.

The Management Committee will be responsible for adopting new policy, codes of conduct and rules that affect the organisation of the club.

The Management Committee shall have the power to appoint sub-committees as necessary and appoint advisers to the Management Committee as necessary to fulfil its business.

The Management Committee will be responsible for disciplinary hearings of members who infringe the club rules/regulations/constitution or for undesirable behaviour or under instruction from the Regional/National Governing Body. The Management Committee will be responsible for taking any action of discipline, suspension or termination of membership following such hearings.

## **10. FINANCE**

All club monies will be banked in an account held in the name of the club.

**The Club Treasurer will be responsible for the finances of the club.**

**The financial year of the club shall run from 1 August to 31 July.**

**A statement of annual accounts will be presented by the Treasurer at the AGM.**

Annual accounts shall be kept and made available to the Revenue Commissioners on request.

**Any cheques or other instrument drawn against club funds must hold the signatures of any one of the two officers of the club authorised in accordance with the Bank mandate. One of the two officers will be the Treasurer.**

## **11. ANNUAL GENERAL MEETING (AGM)**

**An Annual General Meeting (AGM) shall be held within three months of the end of each year. The Secretary shall give at least 21 days notice of the AGM. Such notice shall state time, venue and the Agenda of business to be transacted.**

**Notice shall be given by communication sent to each member of the club. Notice sent to a member of a family shall be deemed sufficient notice to the remaining members of that family at the same address.**

**The Secretary must receive any resolution for consideration at the AGM by 31 December. The AGM will receive a report from officers of the Management Committee and a statement of the audited accounts.**

**Election of officers, Management Committee members and an auditor is to take place at the AGM.**

**Nominations for officers of the Management Committee must be sent to the Secretary prior to the AGM.**

**All members, except Associate members and honorary members, have the right to vote at the AGM.**

**The Management Committee has the right to call Extraordinary General Meetings (EGMs) outside the AGM, and to have any matter placed on the Agenda for any such meeting.**

## **12. EXTRAORDINARY GENERAL MEETING (EGM)**

**The Secretary shall proceed to convene an EGM within 28 days of the receipt by him/her of a requisition in writing, stating the business to be brought before such a meeting, signed by not less than 10 members of the club having voting rights or the Management Committee.**

**Procedures for EGMs will be the same as for the AGM. However, no business other than that stated on the Agenda shall be dealt with at any such meeting.**

**If the Management Committee so decide, voting at an EGM may be extended to allow for members to vote by a postal ballot. In such case the necessary majority to change the Rules is two-thirds of the total combined votes cast by the members present at the meeting and members voting by post.**

### **13. PRESIDENTS & VICE PRESIDENTS**

The Management Committee shall have power to nominate for election at an AGM a President and/or Life Vice-Presidents and Vice Presidents of the club. Any President or Vice President elected shall retire at the next following AGM, but shall be eligible to be nominated for re-election.

The President shall, if present and willing, take the Chair at every General Meeting of the club. The President may attend Management Committee meetings, but shall not have a vote unless entitled in some other capacity.

Life Vice-Presidents and Vice Presidents shall not have any specific duties, but shall assist the President generally and deputise as required.

### **14. LIFE MEMBERSHIP**

Life membership without payment of any further subscription may be awarded to a member in recognition of particularly long or meritorious service to the club.

A candidate for Life Membership shall be nominated by at least two members of the club and his/her name shall be given to the Honorary Secretary in writing at least 28 days prior to an AGM for consideration by the Management Committee.

If approved by the Management Committee, a candidate's name shall then be put forward for election at such Annual General Meeting.

### **15. DISCIPLINE AND APPEALS**

All complaints regarding the behaviour of members should be submitted in writing to the Secretary.

The Secretary shall give the member at least seven days notice to attend a meeting of the Management Committee and shall inform him/her of the complaints made. No member shall be disciplined or expelled without first having the opportunity of appearing before the Management Committee and answering the complaints made nor unless at least two-thirds of the Management Committee then present vote in favour of termination of membership.

The Management Committee has the power to take appropriate disciplinary action including the termination of membership.

The outcome of a disciplinary hearing should be notified in writing to the person who lodged the complaint and the member against whom the complaint was made within seven days of the hearing.

There will be the right to appeal to the Management Committee following disciplinary action being announced. The Management Committee should consider the appeal within 28 days of the Secretary receiving the appeal. An arbitration panel consisting of two club members, not on the Management Committee, and one person nominated by Kerry Area Basketball Board will then hear any appeal. The arbitration panel's judgement will be final.

### **16. RESIGNATION**

**A member intending to withdraw from the club shall give notice in writing to the Secretary and such notice shall be considered by the club within one calendar month of receipt.**

**Membership shall be held to have ceased on the actual date of tendering the notice, unless the member be financially indebted to the club, in which case acceptance may be withheld until the indebtedness has been met.**

**A member not having tendered his/her resignation within one month after a subscription becomes due shall be liable to such subscription. No part of any subscription shall be refundable in the event of resignation.**

## **17. DISSOLUTION**

**The club is a non-profit making organisation, and any profits realised can only be distributed on dissolution. A resolution to dissolve the club can only be passed at an AGM or EGM through a two-thirds majority vote of the membership.**

**In the event of dissolution, as distinct from merger or amalgamation, any assets of the club that remain will be distributed to the Regional Athletic Association to which the club is affiliated.**

If upon the winding up or dissolution of the Club there remains, after satisfaction of all debts and liabilities, any property whatsoever, it shall not be paid to or distributed among the members of the Club. Instead, such property shall be given or transferred to some other institution or institutions having main objects similar to the main objects of the Club. The institution or institutions to which the property is to be given or transferred shall prohibit the distribution of their income and property among their members to an extent at least as great as is imposed on the Club under or by virtue of the Income and Property clause hereof. Members of the Club shall select the relevant institution or institutions at or before the time of dissolution, and if and so far as effect cannot be given to such provisions, then the property shall be given or transferred to some charitable object. Final accounts will be prepared and submitted that will include a section that identifies and values any assets transferred along with the details of the recipients and the terms of the transfer.

## **18. ADDITIONS, ALTERATIONS OR AMENDMENTS**

**The constitution will only be changed through agreement vote at an AGM or EGM.**

**No alteration or addition may be made to the Rules except by a two-thirds majority vote of those members present at an AGM or an EGM called for the purpose.**

No addition, alteration or amendment shall be made to the provisions of the main object clause, the income and property clause, the winding up clause, the keeping of accounts clause or this clause of the Constitution for the time being in force unless the same shall have been previously approved in writing by the Revenue Commissioners.

**The Management Committee, whose decision is final, shall determine where necessary the interpretation of any rule and any matters not covered by the Rules.**

## 19 INCOME & PROPERTY

The income and property of the Club shall be applied solely towards the promotion of the main object(s) as set forth in this Constitution. No portion of the Club's income and property shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise howsoever by way of profit to members of the Club.

No officer shall be appointed to any office of the Club paid by salary or fees or receive any remuneration or other benefit in money or money's worth from the Club. However, nothing shall prevent any payment in good faith by the Club of:

- a) Reasonable and proper remuneration to any member or servant of the Club (not being an officer) for any services rendered to the Club;
- b) interest at a rate not exceeding 1% above the Euro Interbank Offered Rate (Euribor) per annum on money lent by an officer or other members of the Club to the Club;
- c) Reasonable and proper rent for premises demised and let by any member of the Club (including any officer) to the Club;
- d) Reasonable and proper out-of-pocket expenses incurred by any officer in connection with their attendance to any matter affecting the Club;
- e) fees, remuneration or other benefit in money or money's worth to any Company of which an officer may be a member holding not more than one hundredth part of the issued capital of such Company;

## 20. DECLARATION

**St Pauls Juvenile Basketball Club hereby adopts and accepts this constitution as a current operating guide regulating the action of members.**

**Date: 06/12/19**

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Paul Sheehan  
Chairman  
6/12/19

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Kathy Shine  
Secretary  
6/12/19