

**NEW SOUTH WALES BASKETBALL
ASSOCIATION**

**APPLICATION FOR MEMBERSHIP
N.S.W B.A.L**

**A VERY IMPORTANT CHANGE TO MEMBERSHIP
AND A DOCUMENT TO BE READ CAREFULLY
AND SERIOUSLY CONSIDERED BY ALL
INCORPORATED ASSOCIATIONS.**



MEMBERSHIP OF NEW SOUTH WALES BASKETBALL ASSOCIATION.

As a result of amendments made to the Constitution of NSWBAL in 1995 and again at the Extraordinary General Meeting November 8th, 1998, an important change to the interpretation of membership to NSWBAL has been made.

Traditionally, the members of NSWBAL have been the Conferences. However the definitions in the articles now clearly state “Member Means an incorporated Basketball Association, or the duly appointed representative of a Basketball Association, who has been accepted for membership by the Board of BNSW.

What does this mean?

Under clause 3 of the Constitution, an “Incorporated Basketball Association” and a representative of an unincorporated “Basketball association” qualify to be considered for membership/ To come within the definition of “Incorporated Basketball Association” or “Basketball association”, the association must have objects “relating to the control, promotion, integration and fostering of participation and development of basketball in (New South Wales)”. In addition, the objects of an association must be consistent with the objects of the Company.

ALL Member Associations are now required to apply annually for Membership of NSWBAL.

This can be done either:

1. by applying directly to NSWBAL to be a full member in the association’s own right.

OR

2. by applying through a properly incorporated Regional Conference operating in close proximity to the Association and empowered to represent the interests of the association in the region and to NSWBAL.

If successful the Association have the right to be present in form or by proxy at NSWBAL AGM’s, Extraordinary Meetings. Thus voting power would not be counted as part of any Conference that they may have or still belong to.

Membership Acceptance

The Board shall, at its next meeting after receipt of any Applications for Membership, consider and determine the Application for Membership in accordance with these Articles. In no case shall the Committee be required to give reason for the rejection of an applicant.

Tenure of Membership

Membership is from the January 1st to December 31st in a current year.

Closing Date for Membership applications

Current members and new member applications are required to be made to:

Company Secretary
N.S.W B.A.L
P.O Box 198
SYDNEY MARKETS NSW 2129
During the current year

What else do applying members need to know?

Article 21

Auditing of Member Association Accounts

It is a continuing condition of Membership of The Company by an Incorporated Basketball Association, or by a representative of a Basketball Association, that:

- (a) the Association itself prepares financial statements, has them audited by a person qualified to do so, and provides a copy of them for consideration by The Board within one (1) (1) month of the Annual General Meeting of the Association; and
- (b) where The Board at any time requires this by written notice to the Member, any Member of the Association which is an Incorporated Basketball Association or a Basketball Association (or a representative of a Basketball Association) and is not itself a Member (or any such Member of the Association specified by The Board) prepares financial statements, has them audited by a person qualified to do so, and presents copies of them to the Association of which they are a Member within one (1) month of their own Annual General Meeting.

Article 28

Disciplining of Members

The Board may by resolution censure, fine, suspend or expel from The Company any Member who (or Member being a representative whose Basketball Association):

- (c) wilfully refuses, or neglects, to comply with the provisions of this Constitution;
- (d) is guilty of any conduct which in the opinion of The Board is unbecoming of a Member or prejudicial to the interests, image or welfare of The Company or of Basketball;
- (e) makes public statements which in the opinion of The Board are damaging to the reputation of The Company or The Board;
- (f) amends its Constitution so it conflicts with this Constitution or rules and regulations or resolutions of The Company;
- (g) fails to pay to The Company any moneys due by the Member to The Company after due notice has been given;
- (h) fails to discipline any of its Members who in the opinion of The Board:
 - (i) have engaged in any conduct unbecoming of a Member of a Member or prejudicial to the interests, image or welfare of The Company or of Basketball; or

- (ii) have made public statements which in the opinion of The Board are damaging to the reputation of The Company;
- (i) wilfully refuses or neglects to register with The Company all of its Members;
- (j) fails to comply with clause 21 (concerning auditing of Association accounts).

Article 29

The Board must give a Member (and any Basketball Association represented by a Member) at least one (1) week's notice of the meeting of The Board at which such a resolution is proposed and of what is alleged against him or her and of the intended resolution and that he or she shall at such meeting and before the passing of such resolution have an opportunity of giving orally or in writing any explanation or defence he or she may think fit, and The Board must not pass such a resolution unless the Member (and any Basketball Association represented by a Member) has been given that opportunity.

Article 30

Cessation of Membership

A Member ceases to be a Member of The Company:

- (a) if the Member dies;
- (b) if the Member resigns as a Member by notice in writing to The Company;

- (c) if the Member is a representative of a Basketball Association, and is not nominated by that Basketball Association to be its representative at least twenty four (24) hours before the Annual General Meeting or has his or her representation terminated by that Basketball Association under clause 18;
- (d) if the Member is expelled from The Company in accordance with clause 28;
- (e) if the Member is a representative of a Basketball Association and the right of that Basketball Association to representation on The Company is suspended, excluded or forfeited by The Company in accordance with clause 28; or
- (f) if the Member is a representative of a Basketball Association, and that Basketball Association is superseded by an Incorporated Basketball Association which becomes a Member of The Company.

Article 31

FEES

The amount of the Entrance Fee and Annual Subscription payable by Members of the Company is to be determined by The Company in General Meeting.

HOW TO BECOME A MEMBER OF N.S.W.B.A.L

1. Fill out the attached form application for Membership. (Schedule 1).
2. Attach a cheque for \$50.00.

3. Attach a copy of the Associations current Constitution /Articles and memorandum.
4. Attach a copy of the Annual Report presented to Association members in the current year.
5. Nominate the Association person who will hold the Associations voting right.
6. All current members of BNSW are required to fill out the application for membership form if they desire to renew membership. The attachments asked for are also required.

Points that Associations need to be aware of:

1. Associations who become members may attend the AGM or special meetings of NSWBAL or may give a proxy to a nominated person.
2. Associations may continue to be members of a Regional Conference.
3. Regional Conference voting powers will decrease by the power of the Associations belonging to the Conference, who choose to become members.
4. Regional Conferences will continue to exist unless they make a decision to wind up.
5. If a Conference decides to wind up, it is essential that it is done in accordance with the articles of wind up in the Constitution of the body or else the Office Bearers could subject the company to unnecessary financial penalties.
6. Associations who decide not to apply for membership of NSWBA Directly.
 - 6.1 Are required to become a member of a Regional Conference.
 - 6.2 Are required to nominate the Conference they desire to join (See attached form).
7. To be eligible to attend and vote at the A.G.M. of NSWBAL, an Association must be a member in the year preceding the AGM ie a member in 1999 to vote at the Year 2000 Meeting which is conducted in relation to 1999 affairs.
8. For NSWBAL Annual General Meetings (1 Delegate) and Annual Convention (1 Delegate each - Administration, Referee, Coach) travel and/or accommodation equalisation for all members may be charged, irrespective if they attend or not.

SCHEDULE 1

NEW SOUTH WALES BASKETBALL ASSOCIATION **APPLICATION FOR MEMBERSHIP N.S.W.B.A.L**

TO: Secretary
New South Wales Basketball Association Limited.
P.O Box 198
SYDNEY MARKETS NSW 2129

* 1. I am the duly appointed representative of _____
Basketball Association.

OR

* 1. I _____ Basketball Association (insert full name) is an
Association duly incorporated pursuant to _____
(insert name of statute pursuant to which the Association was incorporated eg: NSW
Associations Incorporation Act or Companys Code).

* 2. I/We *apply/applies to become a Member of the New South Wales Basketball
Association Limited and if accepted for Membership *agree/agrees to be bound by the
memorandum and articles of Association and Rules and Regulations of the said
company.

Dated: ___/___/___

Signed for and on behalf of:

.....
* Delete which ever is not applicable.

ASSOCIATION REPRESENTATIVE

Name: _____

Address: _____
_____ **P/Code:** _____

Phone:Wk (____) _____ **Hm** (____)

Fax: (____) _____

Email _____

Please return to:

B.N.S.W
P.O Box 198

SYDNEY MARKETS NSW 2129

Find attached cheque for \$50 for 200_ membership fee. Please tick

NEW SOUTH WALES BASKETBALL ASSOCIATION

To: Secretary
New South Wales Basketball Association Limited
P.O Box 198
SYDNEY MARKETS NSW 2129

_____ Association will not be seeking
individual membership of N.S.W.B.A.L.

The Association wishes to be a member of _____
Conference.

The Commissioner for the Conference is _____

Signed for and on behalf of

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Please return to: BNSW
P.O Box 198
SYDNEY MARKETS NSW 2129