

Minutes



Meeting title: **Casey Basketball Association – Annual General Meeting**

Date: **Sunday 12th February, 2017**

Time: **10.00am**

Location: **Timbarra Stadium**

Attendees:

As per attached list

Item	Topic
1	Welcome
2	Apologies Tammy Bower – General Manager
3	Minutes from Previous Meetings Moved – Michelle Surroghan Seconded - Darren Casey <i>Carried Unanimously</i>
4	President Report As per attached New stadium will be opened in May 2017 The Association is trying to keep the cost to its members to a minimum, however Council is difficult to deal with and transitioning to the new facility will cost an additional \$130K per year.



Any surplus is being reinvested into the Association's various programs and representative teams.

Despite the inclusion of the additional courts, demand will still require games to be played at the satellite venues and the Association is exploring the potential for the development of another facility.

5 Treasurers Report

Surplus for the 15/16 year - \$125K

Income \$1.9M

Expend - \$1.8M

\$300K increase in revenue from the previous year is attributed to the USA trip.

Audited by Morton Watson & Young.

Moved – Chrissy Onocato

Seconded - Marc Barnard

Carried Unanimously

6 Proposed Amendments to Constitution

Chris Innes, Secretary explained that the Association had engaged 'SportsLawyers' to undertake a health check and review of the Constitution and to also assess its compatibility with the existing By-Laws of Basketball Victoria.

From the document prepared by 'SportsLawyers', the main changes are:-

- The inclusion of "Classes of Membership"; and
- Additional wording regarding Disciplinary Action and Procedures.

The Committee has also recommended:-

- a change of name from 'Committee of Management' to 'Board of Management';
- To allow those acting in an 'Official Duty' of the Association to be considered an 'Ordinary Member' and they do not have to make a formal application for membership, as their appointment to an Official Duty is deemed to be an approval;
- To amend Rule 54 (3) to include the words 'registration' and 'sheet fees' to more accurately describe the Association source of funds.



That the changes to the Constitution be accepted and the revised version be adopted.

Moved – Fiona Crockford
Seconded - Matthew Parkinson

Carried unanimously

7 Election of Office Bearers

Applications for the positions of President and Treasurer were received.

Daniel Phillips nominated for the position of President and Michael Feldman for the position of Treasurer.

Pursuant to Rule 23(4) of the Constitution, as the number of nominations received was equal to the number of vacancies to be filled, Messrs Phillips and Feldman were deemed to be elected.

No nominations were received for the general member positions.

It was explained that one of the positions for an Ordinary General Member was for only a 12 month period, due to it becoming vacant as a result of a resignation.

Nominations were then requested from those members in attendance.

Matthew Parkinson nominated for the Ordinary General Member position for the 2 year period.

As no other nominations were received Mr Parkinson was deemed to be elected.

Tammy Roos nominated for the Ordinary General Member position for the 1 year period.

As no other nominations were received Ms Roos was deemed to be elected.

8 General Business

A concern was raised regarding the current selection process for Junior Cavs. These concerns were acknowledged and that the matter had already been discussed by the Board.



PROPOSED AMENDMENTS

Clause	Existing Wording	Proposed Wording	Reason for Change
3	“Act” means the Associations Incorporation Act 1981	“Act” means Association Incorporation Reform Act 2012	Associations Incorporation Act 1981 was superseded in 2012 by the Association Incorporation Reform Act 2012
	“Financial year” means the year ending on 30 June	“Financial Year” means the year commencing 1 October and ending 30 September	Recognises the change in the Association’s financial year
6(1)	The Secretary must keep and maintain a register of members containing (a) The name and address of each member; and (b) The date on which each member’s name was entered in the register	The Secretary must keep and maintain a register of members containing the following information about each person who is a member of the Association (a) The person’s name and address (b) The class of membership of the person (c) The date on which the person became a member of the association (d) The date on which a person ceases to be a member of the association must be entered in the register of members within 14 days after that date	Align the Constitution with the requirements of the Association Incorporation Reform Act 2012
6(2)	The register is available for inspection free of charge by any	If requested to do so by one of its members and subject to Section 59	Align the Constitution with the requirements of the Association



	member upon request	of the Act, the Association must permit the member a reasonable time to inspect the register of members	Incorporation Reform Act 2012
7(2)(b)	The Secretary must record in the register of members the date on which the member ceased to be a member	Information about a person who is no longer a member of the Association, other than the name of the person and the date on which the person ceased to be a member of the Association, must be removed from the register of members within 14 days after the person ceases to be a member of the Association	Align the Constitution with the requirements of the Associations Incorporation Reform Act 2012
7(3)	A member holding members under clause 5(1) ceased to be a member if he or she of the minor being represented is no longer registered as a player in a competition conducted by the Association. Any other person ceases to be a member of the membership fee is no paid within one month f becoming due.	A member holding members under clause 5(1) ceased to be a member if he or she of the minor being represented is no longer registered as a player in a competition conducted by the Association <u>during that Financial Year</u> . Any other person ceases to be a member of the membership fee is no paid within one month f becoming due.	To provider greater clarity as to the timeframe of the membership
8	Discipline suspension and expulsion of members	Disciplinary Action and Procedures	Change of heading only – align the Constitution wording with the wording contained within the provisions Association Incorporation Reform Act 2012 to avoid any confusion.



10(3)(d)	To receive and consider the statement submitted by the Association in accordance with section 30(3) of the Act	To receive and consider the financial statement submitted by the Association in accordance with section 100(1) of the Act	Section 30(3) refers to the superseded Associations Incorporation Act 1981 and has now been replaced with Section 100 (1) of the Association Incorporation Reform Act 2012
20(2)(d)	NEW WORDING	The Committee may by instrument in writing create or establish or appoint from among its own members, special committees, sub-committees, individual officers or consultants to carry out such duties and functions, and with such names and powers, as the Committee determines. The Committee may by instrument in writing, revoke wholly or in part any delegation made under this rule, and may amend or repeal any decision made by such body or person under this rule.	To provide the Committee with the power to create sub-committees to perform functions on behalf of the Association.
20(2)(e)	NEW WORDING	The General Manager shall be appointed by the Committee for such terms and on such conditions as it thinks fit. The General Manager shall be entitled to notice of, attend and participate in debate at, all meetings of the Committee, but shall have no entitlement to vote. The Committee may excuse the General Manager from a	To acknowledge that the Association has appointed a General Manager and to provide clarity as to the powers delegated to that position.



		meeting at is discretion.	
20(2)(f)	NEW WORDING	The General Manager shall administer and manage the Association in accordance with the Act, laws of the day, By-Laws, this Constitution and at the direction of the Committee for the proper management and administration of the Association.	To acknowledge that the Association has appointed a General Manager and to provide clarity as to the powers delegated to that position.
20(2)(g)	NEW WORDING	The General Manager may, after approval from the Committee, employ such personnel as are deemed necessary from time to time.	To acknowledge that the Association has appointed a General Manager and to provide clarity as to the powers delegated to that position.
20(3)	Subject to section 23 of the Act, the committee shall consist of	The Committee shall consist of	Section 23 refers to the obsolete Associations Incorporation Act 1981
20(4)	NEW WORDING	To be eligible or elected to the Committee, a person must not be a current employee in any capacity, whether causal, part-time or full time.	Consistent with current recommendations regarding sports governance principles and ensure adequate separation between the administrative function and the Committee's responsibilities and removes the conflicts of interest that often arise.
21(5)	NEW WORDING	5(a) Office holders must be an Ordinary Committee member for 12 months before they can hold any office on the committee of management 5(b) Rule 21(5)(a) does not	Acknowledges that the position of Treasurer is an important role for the Association and that it needs to be filled by a person with strong financial literacy. It also acknowledges that the ability



		<p>apply to the position of Treasurer.</p> <p>5(c) The position of Treasurer must be held by a member who has relevant financial qualifications and or experience in financial management</p> <p>5(d) In the event that the position of Treasurer cannot be filled by a member, the Committee may appoint a Treasurer</p> <p>5(e) The appointed Treasurer must have specific skills in finance, but need not have experience in or exposure to basketball and they do not need to be a Member.</p>	<p>to attract a suitably qualified member to the position maybe problematic and therefore, will allow the position to be filled by an accountant external to the Association.</p>
29 (3)	NEW WORDING	<p>A resolution in writing, signed or assented to by facsimile or other form of electronic communication to the Committee shall be as valid and effectual as if it had been passed at a meeting of the committee.</p>	<p>Allows the committee members to make decisions outside the planned meeting schedule using modern means of communications ie e-mail,</p>
29(4)	NEW WORDING	<p>(a) The Association must comply with the Act with regard to the disclosure of material personal interest.</p> <p>(b) Office holders must disclose a material personal interest</p>	<p>New provisions to align the Constitution with requirements of the Associations Incorporation Reform Act 2012.</p> <p>It is also consistent with current</p>



		in a matter being considered at a Committee meeting and must not be present while the matter is being considered at the meeting and must not vote on the matter	recommendations regarding sports governance principles.
30	Removal of Committee Member	If the Association intends to remove any member of the Committee before the expiration of the member's terms of office and appoint another member in his or her place to hold office until the expiration of the term of the first-mentioned member, or proposes to take disciplinary action against a member in respect of that member's status as a member of the association, it must do so in accordance with Section 54 of the Act.	New provision to align the Constitution with requirements of the Associations Incorporation Reform Act 2012.
32(1)	The Treasurer of the Association must	The General Manager of the Association must	To acknowledge the change of responsibilities from the Treasurer to the General Management to ensure the efficient and effective management of the Association.
32(2)	All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by two members of the	All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by two signatories, being	Allows the Association's administrative function to operate effectively by providing powers to identified positions to process



	committee	either the General Manager, the Finance Manager or signatories as approved by the Committee.	payments rather than having to obtain approval from the Committee.
32(4)	NEW WORDING	Proper accounting records shall be kept in accordance with the Act. The books of account shall be kept in the care and control of the General Manager.	New provision to align the Constitution with requirements of the Associations Incorporation Reform Act 2012.
		The Association shall retain such records for seven (7) years after the completion of the transactions or operations to which they relate.	New provision to align the Constitution with requirements of the Associations Incorporation Reform Act 2012.
		Financial Statements must be prepared in accordance with the Australian Accounting Standards and must be submitted to the annual general meeting of the Association consistent with Section 100 of the Act.	New provision to align the Constitution with requirements of the Associations Incorporation Reform Act 2012.
		The Financial Statements must be audited in accordance with Section 99 of the Act.	New provision to align the Constitution with requirements of the Associations Incorporation Reform Act 2012.
		The Committee must appoint a properly qualified auditor consistent with the Act.	Clarifies that the decision for the appointment of auditors remains a responsibility of the Committee.

