Lang Park Basketball Club Inc

ABN 27 323 014 829

2025 ANNUAL GENERAL MEETING

MEETING PACK

NOTICE OF MEETING

The Annual General Meeting of Lang Park Basketball Club Inc

will be held on **Tuesday 18 November 2025, 7.30pm** at **Lang Park PCYC.** 40 Castlemaine Street, Milton, QLD 4064 and via online teleconference for those unable to attend in person.

Zsofia Zold

Zsofia Zold

Secretary
Date of Notice 22 October 2025

AGENDA

Item	Topic
1	Opening
2	Attendance and Apologies
3	Minutes of Previous Meeting
4	Presentation of Committee Report
5	Presentation of Financial Report and Audit Report
6	Adoption of Financial Report and Audit Report (ordinary resolution)
7	Appointment of Auditor (ordinary resolution) Proposed Auditor – *Phil Davis and Association*
8	Election of Committee • All positions are up for election.

Current Committee

President	Wade Lewis
Vice President	Ben Daniel
Treasurer	Delyse Meng
Secretary	Zsofia Zold
Committee	Kate Bowden
Committee	Alex Ilic
Committee	Lauren McConnell
Committee	Will Moore
Committee	Grace Stephens
Committee	Cynthia Harrison
Committee	Ian McLean

Attachments

- Minutes 2024 AGM
- Audited 24_25 Financial Statements (Draft)
- SGM Meeting Pack
    - Lang Park Rules V2a Draft
    - Change Proposal

Zsofia Zold

Zsofia Zold
Secretary
Date of Notice 22 October 2025

AGM and SGM MEETING MINUTES

Meeting	Management Committee
Date & Time	25 November 2024 - 7:30 PM
Venue	Microsoft Teams and Lang Park Boardroom

Attendees	WL	Wade Lewis	BD	Ben Daniel
	KB	Kate Bowden	AI	Alex Ilic
	WM	Will Moore	KS	Kylie Sakzewski
	DM	Delyse Meng	ZZ	Zsofia Zold
	GS	Grace Stephens	LM	Lauren McConnell
	CH	Cynthia Harrison	IML	Ian McLean
	KG	Kate Griffiths	XY	
Apologies	DP	Derek Power	NS	Nick Such
	AN	Andrew Noonan		

Item	Topic/Note/Action	Responsible
1.	**Welcome, Attendance & Past Minutes**	Wade/ZZ
	Initiate Teams Attendees a. Confirm Attendees and sign on/voter registration. b. Confirm Family voting allocations and vote count. c. Confirm votes in hand.	
2.	**Quorum**	Zsofia
	Confirmation of Quorum	
3.	**Previous AGM meeting minutes**	Wade
	Passed at 7:35 PM, seconded by Kate	
4.	**Committee report**	Wade
	Wade presented the Committee report. Huge thanks to the following people: **Kate B** - amazing work with the registrar role. **Grace** - the risk management work has been fantastic. We appreciate your help with the risk management area. **Volunteers** - age coordinators, coaches, managers. **Age coordinators** carry the club on their shoulders. **Kylie** - special thanks for working 10 years on the committee. Thanks for dealing with all the challenges and to help the club where it is right now. **PCYC** to run the facility and to **BBI.** **Statistics:** 1273 registered players across junior and seniors, 135 teams. Largest basketball club in QLD Two international representatives: Matt and Hillary.	

	QLD rep Club Rep team members, coaches, and managers. Wade moved to motion to accept the Committee reports at 7:54 PM Seconded by Grace	
5.	Financial Report	Wade and Delyse
	$161 000 of the bank balance Insurances and their coverage were mentioned by Delyse. Changes in the Club admin role: Kate Griffith Annual operating expenses The biggest expense items are the match fees, the court hire and facilities cost, the uniforms, and the pro-coaches. Q from XY: What is the plan with the financials in the next coming years? Wade: The club does not have a clear strategy at the moment, but this could be looked at in the near future. Delyse moved to motion to accept the Financial Report. Passed Delyse moved to motion to appoint Phil Davis and Assoc as Auditor. Passed	
6.	Roles and nominees voting	Wade

Position	Nominee	Seconded by	Roles	Voted
Committee member	Delyse Meng			
Committee member	Kate Bowden	Wade Lewis	Registrar	8:01 PM
Committee member	Cynthia Harrison		Committee member	
Committee member	Wade Lewis	Ben Daniel	President	8:00 PM
Committee member	William Moore	Ben Daniel	Committee member	
Committee member	Aleksandar Ilic		Committee member	
Kate proposed	Ben Daniel	Wade Lewis	Vice president	7:57 PM
Wade proposed	Delyse Meng	Lauren	Treasurer	7:59 PM
Wade proposed	Zsofia Zold	Mark	Secretary	8:00 PM
Committee member	Lauren McConnell		Committee member	
Committee member	Grace Stephens		Committee member	
Committee member	Ian McLean		Committee member	8:08 PM

		Wade
	AGM Closed 8:09 PM	

	SGM Meeting From 8:10 PM	Wade
	Changes proposed to the LP Constitution document. 1. Changing the legal name from '*Lang Park Basketball Club Inc*' to '*Lang Park Basketball Inc*' Impacted Clauses: Cl2 and others as referenced. Cl 4 Reasoning: Simplification of the name to provide a shorter more logical Acronym LPBI and align to our email and web address Voting outcome: **Passed** **2. Minor Edit to order of classes.** Impacted Clauses: CL5 (1) Reasoning: Member class listed in Cl5 was out of sequence with how the clauses were detailed in the following section. Voting outcome: **Passed** **3. Clarifying Junior Playing Members over the age of 18 rights under the constitution.** Impacted Clauses: • Cl5 (1) Ordinary Member • Cl5 (1) Junior Playing Member Reasoning: Enables a junior player over the age of 18 to act on behalf of themselves under the Constitution rather than have parent/guardian represent them as the Ordinary Member. Also removes the ambiguity that the player and the parent are both represented by the single Junior Playing Membership Voting outcome: **Passed** **4. Update to definition of when a membership ends.** Impacted Clause: Cl10 (6) Reasoning:	

Clarification of membership term to confirm that a membership is for a 12-month period even if you sit out a season.
Additional clause also added ending the membership period (a) if playing for a different club in the BBI comp in that period – note can play outside of BBI Comp. (b) Membership has ended as defined in more detail in Sections Cl10 (1) though (5)

Voting outcome: **Passed**

5. **Update to access to our Register of Members to protect members personal details.**

Impacted Clause: Cl13(3)

Reasoning:

Purpose of this clause is to control access to the private details of members, whilst still complying with the requirement to make the register available for inspection upon request.

The information available for inspection is limited to Names and Registration status. A request for additional information may be made in writing, with discretional decision conferred on the Committee.

Voting outcome: **Passed**

6. **Temporary quorum relaxation for management committee meetings after meeting adjournment due to inability to form a quorum.**

Impacted Clauses: Cl24 (4), (5) and (6)
Reasoning:

This improves the risk of not being able to continue to operate due to inability to form quorum. Generally only an issue for a very large committee, dealing with a flagging attendance.

Adopts a fixed minimum and a formal apology from a majority of others to enable the meeting immediately following to sit. Confirms that full committee was aware of the meeting and retains documented transparency and accountability.

Fixed minimum may be a problem in the event of a very small committee, but even with a small committee there should always be a level of quorum to make informed decisions. 3-4 persons are required just to discharge duties of office and be a functioning entity.

Included the last clause to remove any doubt that the reduced quorum is temporary.

Voting outcome: **Passed**

7. **Increasing the notice period of a General Meeting to 28 days**

Impacted Clause: **Cl 35 (2)**

Reasoning:

Increase the notice period to ensure that member have adequate advance notice to submit compliant committee nominations 14 days prior to the AGM per 19(1)biii.

Without this change it is possible to manipulate committee nominations by using Section 19(1)d. With only those who knew about the he AGM in advance having time to submit a compliant nomination.

We only take nominations from the floor where no prior nominations have been received hence why we need to ensure time for nomination.

Voting outcome: **Passed**

8. **Minor update to proxies**

Impacted Clause: Cl 40

Reasoning:

Lang Park decided in the original Constitution to not allow proxies.
Proxies are a major concern for BBI under their Constitution and with modern teleconference facilities it is easier to attend an AGM or General Meetings in person.
We do allow family voting as to set out in CL5(3) and have acknowledged this provision as a form of Proxy for completeness under Proxies.

Voting outcome: **Passed**

All 8 changes have passed, and these changes will be amended in the constitution.

Close of the meeting at 8:33 PM.

LANG PARK BASKETBALL CLUB INC.
ABN 27 323 014 829
STATEMENT OF COMPREHENSIVE INCOME
FOR THE YEAR ENDED 30 JUNE 2025

	NOTE	2025	2024
		$	$
Merchandise sales		32,807	35,961
Player revenues		669,529	537,126
Other revenues		2,704	1,998
Interest		47	28
Accounting		(3,174)	(2,910)
Administrator		(-)	(695)
Auditor		(1,800)	(-)
Coaching		(67,280)	(39,338)
Facility Hire		(106,963)	(73,808)
Legal		(-)	(-)
Match Fees		(259,938)	(211,549)
Nominations		(17,391)	(15,932)
Sporting equipment		(-)	(-)
Subscriptions		(737)	(1,123)
Sundry		(4,246)	(-)
Telephone & internet		(-)	(-)
Training		(-)	(1,077)
Trophy day		(8,301)	(4,208)
Employment expenses		(19,765)	(17,406)
Uniforms/merchandise		(69,561)	(63,983)
Surplus Before Income Tax Expense		145,931	143,084
Income Tax Expense		-	-
Other comprehensive income for the year net of tax		-	-
Net Surplus		145,931	143,084

The above statement of comprehensive income should be read in conjunction with the accompanying notes

LANG PARK BASKETBALL CLUB INC.
ABN 27 323 014 829
BALANCE SHEET
AS AT 30 JUNE 2025

	NOTE	2025	2024
CURRENT ASSETS		$	$
Cash and cash equivalents	2	468,998	303,348
Trade and other receivables		-	898
TOTAL CURRENT ASSETS		468,998	304,246
NON-CURRENT ASSETS			
Property, Plant and Equipment		-	-
TOTAL NON-CURRENT ASSETS		-	-
TOTAL ASSETS		468,998	304,246
CURRENT LIABILITIES			
Trade and other payables	3	161,642	142,821
TOTAL CURRENT LIABILITIES		161,642	142,821
TOTAL LIABILITIES		161,642	142,821
NET ASSETS		307,356	161,425
EQUITY			
Retained Surplus		307,356	161,425
TOTAL EQUITY		307,356	161,425

The above balance sheet should
be read in conjunction with the accompanying notes

LANG PARK BASKETBALL CLUB INC.
ABN 27 323 014 829
STATEMENT OF CHANGES IN EQUITY
FOR THE YEAR ENDED 30 JUNE 2025

	Retained Surplus	Total
Balance at 30 June 2023	18,341	18,341
Surplus attributable to members of the association	143,084	143,084
Balance at 30 June 2024	161,425	161,425
Surplus attributable to members of the association	145,931	145,931
Balance at 30 June 2025	307,356	307,356

The above statement of changes in equity should be read in conjunction with the accompanying notes

LANG PARK BASKETBALL CLUB INC.
ABN 27 323 014 829
CASH FLOW STATEMENT
FOR THE YEAR ENDED 30 JUNE 2025

	NOTE	2025	2024
		$	$
CASH FLOWS FROM OPERATING ACTIVITIES			
Receipts in the course of Operations		739,055	622,433
Payments in the course of Operations		(573,452)	(482,500)
Interest received		47	28
Interest paid		-	-
Net Cash Provided/(Used) By Operating Activities		165,650	139,961
CASH FLOWS FROM INVESTING ACTIVITIES			
(Purchase) of Plant & Equipment		(-)	(-)
Sale of Plant & Equipment		-	-
Net Cash Provided by Investing Activities		(-)	(-)
CASH FLOWS FROM FINANCING ACTIVITIES			
Repayment of Borrowings		-	-
Net Cash Provided By Financing Activities		-	-
NET INCREASE/ (DECREASE) IN CASH HELD		165,650	139,961
CASH AT THE BEGINNING OF FINANCIAL PERIOD		303,348	163,387
CASH AT END OF FINANCIAL PERIOD	2	468,998	303,348

Reconciliation of Cash from Operating Activities

RECONCILIATION OF NET CASH FROM OPERATING ACTIVITIES WITH OPERATING RESULT		
Net cash provided/(used) by operating activities	165,650	139,961
Depreciation	(-)	(-)
Increase/(Decrease) in Receivables	(898)	898
(Increase)/Decrease in Payables	(18,821)	2,225
(Increase)/Decrease in Provisions	(-)	(-)
Net Surplus	145,931	143,084

The above cash flow statement should
be read in conjunction with the accompanying notes

LANG PARK BASKETBALL CLUB INC.
ABN 27 323 014 829
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2025

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Basis of Preparation

The committee have prepared the financial statements on the basis that the Association is a non-reporting entity because there are no users dependent on general purpose financial statements. The financial statements are therefore special purpose financial statements that have been prepared in order to meet the requirements of the *Associations Incorporation Act 1981*. The Association is a not-for-profit entity for financial reporting purposes under Australian Accounting Standards.
The financial statements have been prepared in accordance with the recognition and measurement requirements specified by all Australian Accounting Standards and Interpretations, and the disclosure requirements that are mandatory under the Australian Accounting Standards applicable to entities reporting under the *Associations Incorporation Act 1981* and the significant accounting policies disclosed below, which the committee have determined are appropriate to meet the needs of members. Such accounting policies are consistent with the previous period unless stated otherwise.
The financial statements, except for the cash flow information, have been prepared on an accrual basis and are based on historical costs unless otherwise stated in the notes. The amounts presented in the financial statements have been rounded to the nearest dollar.

The association was incorporated on 16 February 2023 to run the operations of the Lang Park Basketball Club, previously operated by the Lang Park PCYC.

Accounting Policies

(a) Income Tax

The Association is exempt from income tax under Section 50-45 of the Income Tax Assessment Act 1997.

(b) Cash and cash equivalents

Cash and cash equivalents include cash on hand, deposits held at call with banks, other short term highly liquid investments with original maturities of three months or less.

(c) Revenue

All revenue is recognised on a cash basis when banked. Player revenues occur form summer and winter seasons. The winter season encompassed school terms 2 and 3, as a result, a portion is reflected as Income in Advance.

(d) Property, Plant & Equipment

Each class of Property, plant and equipment is carried at cost or fair value less, where applicable, any accumulated depreciation.

Freehold land and buildings and plant and equipment are measured on the cost basis.

The carrying amount is reviewed annually by the committee to ensure it is not in excess of the recoverable amount from these assets. The recoverable amount is the higher of the assets fair value and value in use.

LANG PARK BASKETBALL CLUB INC.
ABN 27 323 014 829
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2025

(f) Depreciation

The depreciable amount of all property, plant & equipment, excluding freehold land is depreciated on either the straight line or diminishing value method over the useful life to the Association commencing from the time the asset is held ready for use. The depreciation rates used for each class of depreciable assets are: plant and equipment 11.25% to 37.5%. The assets residual values and useful lives are reviewed, and adjusted if appropriate at each balance sheet date.

An asset's carrying amount is written down immediately to its recoverable amount if the assets carrying amount is greater than its estimated recoverable amount. Gains and losses on disposals are determined by comparing proceeds with the carrying amount. These gains or losses are included in the income statement.

	2025 $	2024 $
NOTE 2 – CASH AND CASH EQUIVALENTS		
ANZ accounts	468,998	303,348

NOTE 3 – TRADE AND OTHER PAYABLES

Accounts payable	5,577	4,462
Income in advance	163,317	147,595
Accruals	-	-
Net GST	(7,252)	(9,236)
	161,642	142,821

LANG PARK BASKETBALL CLUB INC.
ABN 27 323 014 829
COMMITTEE DECLARATION

The committee have determined that the Association is not a reporting entity. The committee have determined that this special purpose financial report should be prepared in accordance with the accounting policies outlined in Note 1 of the financial statements.

The committee of the Association declare that:

1. The financial statements and notes, as set out on pages 1 to 6:

    a) comply with accounting standards as detailed in Note 1 to the financial statements and the Associations Incorporation Act 1981; and
    b) give a true and fair view of the Association's financial position as at 30 June 2025 and of its performance for the year ended on that date in accordance with the accounting policies described in Note 1 to the financial statements.

2. In the director's opinion there are reasonable grounds to believe that the Association will be able to pay its debts as and when they become due and payable.

This declaration is made in accordance with the resolution of the Board of Committee.

_____
Committee Member

Dated this _____ day of _____ 2025

INDEPENDENT AUDITOR'S REPORT
TO THE MEMBERS OF
LANG PARK BASKETBALL CLUB INC.
ABN 27 323 014 829

Opinion

I have audited the accompanying financial report as at 30 June 2025, being a special purpose financial report, of LANG PARK BASKETBALL CLUB INC., which comprises the balance sheet, the income statement, statement of changes in equity, cashflow statement, a summary of significant accounting policies, other explanatory notes and the committee member's declarations.

In my opinion, the accompanying financial report as at 30 June 2025 gives a true and fair view of LANG PARK BASKETBALL CLUB INC. financial affairs on the basis of accounting set out in the Statement of Significant Accounting Policies.

Basis for Opinion

I conducted my audit in accordance with Australian Auditing Standards. My responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Report section of our report. I am independent of the entity in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants* (the Code) that are relevant to my audit of the financial report in Australia. I have also fulfilled my other ethical responsibilities in accordance with the Code.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Emphasis of Matter – Basis of Accounting

I draw attention to the notes to and forming part of the financial statements, which describes the basis of accounting. The financial report has been prepared for distribution to members for the purpose of fulfilling LANG PARK BASKETBALL CLUB INC. financial reporting obligations in accordance with Associations Incorporation Act 1981. As a result, the financial report may not be suitable for another purpose. My opinion is not modified in respect of this matter.

Committees' Responsibility for the Financial Report

Management is responsible for the preparation and fair presentation of the financial report in accordance with the financial reporting requirements of the applicable legislation and for such internal control as management determines is necessary to enable the preparation and fair presentation of a financial report that is free from material misstatement, whether due to fraud or error.

In preparing the financial report, management is responsible for assessing the entity's ability to continue as a going concern, disclosing, as applicable, matters relating to going concern and using the going concern basis of accounting unless management either intends to liquidate the entity or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the entity's financial reporting process.

INDEPENDENT AUDITOR'S REPORT
TO THE MEMBERS OF
LANG PARK BASKETBALL CLUB INC.
ABN 27 323 014 829

Auditor's Responsibility

My objectives are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this financial report.

As part of an audit in accordance with Australian Auditing Standards, I exercise professional judgment and maintain professional scepticism throughout the audit. I also:

- Identify and assess the risks of material misstatement of the financial report, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the entity's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in our auditor's report to the related disclosures in the financial report or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my auditor's report. However, future events or conditions may cause the entity to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial report, including the disclosures, and whether the financial report represents the underlying transactions and events in a manner that achieves fair presentation.

I communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

P G Davis

PHIL DAVIS & COMPANY
Chartered Accountants
BRISBANE

AUDITORS INDEPENDENCE DECLARATION
TO THE COMMITTEE LANG PARK BASKETBALL CLUB INC.

ABN 27 323 014 829

I declare to the best of my knowledge and belief, during the year ended 30 June 2025 there have been:

(i) no contraventions of the auditor independence requirements as set out in the Associations Incorporation Act 1981 in relation to the audit; and
(ii) no contraventions of any applicable code of professional conduct in relation to the audit.

P G Davis

Phil Davis & Company
Chartered Accountants

Liability limited by a scheme approved under Professional Standards Legislation

Lang Park Basketball ~~Club~~ Inc

Constitution

Adopted at General Meeting
held 16 January 2023

Revision Notes

Version	Adopted	Explanatory Notes
1	16/01/2023	Rules at Incporporation. Based on Associations Incorporation Act 1981 Model Rules revised 29 July 2022 (V7) with non standard ammendments
2		Draft Ammendments for Consideration at 2024 AGM

1 Interpretation

(1) In these rules—

Act means the *Associations Incorporation Act 1981*.

present—

(a) at a management committee meeting, see rule 23(6); or

(b) at a general meeting, see rule 37(2).

(2) A word or expression that is not defined in these model rules, but is defined in the Act has, if the context permits, the meaning given by the Act.

2 Name

The name of the incorporated association is Lang Park Basketball ~~Club~~ Inc. (***the association***).

3 Objects

The objects of the association are—

(1) To develop a local identity within the inner western and surrounding suburbs of Brisbane to encourage and promote the game of basketball through an active Association membership.

(2) To provide a collective operation that will enable females and males to learn how to play basketball and to participate in organised basketball competitions representing the Association as decided by the Management Committee from time to time.

4 Powers

(1) The association has the powers of an individual.

(2) The association may, for example—

(a) enter into contracts; and

(b) acquire, hold, deal with and dispose of property; and

(c) make charges for services and facilities it supplies; and

(d) do other things necessary or convenient to be done in carrying out its affairs.

(3) The association may take over the funds and other assets and liabilities of the present unincorporated association known as the 'Lang Park Basketball ~~Club~~' (the ***unincorporated association***).

(4) The association may also issue secured and unsecured notes, debentures and debenture stock for the association.

5 Classes of members

(1) The membership of the association consists of ordinary members, and any of the following classes of members—

(a) Junior Playing Members

(b) Senior Playing Members

(c) Honorary Members

~~(c)~~(d) Life Members

~~(d)(a) Honorary Members~~

Each class of membership will have the rights and privileges as described hereunder.

Ordinary Members

(a) Must be 18 years of age or older.

(b) Must be the parent or guardian of a registered Junior Playing Member. Only one parent or guardian of a Junior Playing Member may be an Ordinary Member. The parent or guardian on whom status as an Ordinary Member is to be conferred, must be nominated at the time the Junior Playing Member is registered.

(c) May attend all General Meetings.

(d) Have one vote.

(e) May submit, move and second motions as otherwise provided in these Rules.

(f) The number of Ordinary Members is limited by the number of Junior Playing Members.

Junior Playing Members

(a) Must be under ~~18~~ 20 years of age at the time of registration. If over the age of 18 years, with parent or guardian's written consent to the Secretary, the Junior Playing Member carries the rights of a Senior Playing Member and is no longer represented by a Parent or Guardian acting as an Ordinary Member under this Constitution.

(b) Must be registered as a junior basketball player of the Association.

(c) Must abide by the Rules of the Association.

(d) May attend General Meetings, but are ineligible to vote, move or second any motion put at those meetings ~~.~~

(e) Cannot hold any elected positions.

(f) Subject to the selection criteria as the Management Committee may from time to time determine, be appointed as a coach of a junior team.

(g) Has the right to be selected to represent the Association in the local basketball competition conducted by Brisbane Basketball Inc. and the rights to train and be coached such selection may from time to time afford.

(h) The number of Junior Playing Members is limited by the number of players that can be safely and efficiently trained on the court space available to the

Association. If at any time the number of applications for membership as a Junior Playing Member exceeds the number that can be safely and efficiently accommodated on the available court space, then membership will be granted on a "first come" basis. The Management Committee may grant an exception to this general rule in extenuating circumstances to be considered on a case-by-case basis.

Senior Playing Members

(a) Must be 18 years of age or older.

(b) Must be registered as a basketball player of the Association.

(c) Must abide by the Rules of the Association.

(d) May attend all General Meetings.

(e) Has one vote.

(f) May submit, move and second motions as otherwise provided in these Rules.

(g) The number of Senior Playing Members is unlimited.

Honorary Members

(a) The Management Committee may at its discretion confer the title of Honorary Member upon any person who has assisted the Association during the Management Committee's current term. Such membership shall remain in force for a period of twelve (12) months, or until revoked by two-thirds (2/3) of those present and entitled to vote at any Management Committee meeting.

(b) May attend all General Meetings.

(c) Has one vote.

(d) May submit, move and second motions as otherwise provided in these Rules.

(e) The number of Honorary Members is unlimited.

Life Members

(a) Must be nominated by a current member.

(b) The nomination must include an outline of the nominee's history of service to the Association and be submitted to the Management Committee.

(c) The Management Committee must consider all Life Member nominations at the Management Committee Meeting convened most proximally before the Association's Annual General Meeting.

(d) If two-thirds (2/3) of the Management Committee approve the nomination, then the nominee's name shall be presented at the Annual General Meeting.

(e) The members may, by a two-thirds majority of the eligible voters present at the Annual General Meeting, elect from the names presented, up to two (2) nominees as Life Members.

(f) A Life Member may attend, without charge, any Association function.

(g) May attend all General Meetings.

(h) Has one vote.

(i) May submit, move and second motions as otherwise provided in these Rules.

(j) The number of Life Members is unlimited.

(2) An individual may meet the conditions of membership in more than one class; for example, a person may be both an Ordinary Member and a Senior Playing Member. Regardless of the number of Classes of Membership an individual qualifies for, no member is entitled to cast more than one (1) vote at any meeting.

(3) For Families, where "Family" is a group of persons related by blood or marriage residing at the same address, a representative of the Family, who must be a Member, may exercise no more than three (3) votes at any General meeting on behalf of the family where Each vote represents a Member; for example;

(a) a Senior Playing Member that is also the nominated Ordinary Member for two (2) Junior Playing Members qualifies for three (3) votes as a Family, or

(b) an Ordinary Member representing four (4) Junior Playing Members qualifies for the maximum three (3) votes as a family.

(c) a Life Member who is also a Senior Playing Member, and also the Ordinary Member representing a single Junior Member qualifies for two (2) votes as a Family as they represent (2) individual members.

Notification of family members voting must be submitted prior to the stated commencement time of the General Meeting to the Secretary in the format defined by the Management Committee.

Family voting does not apply at Management Committee Meetings.

6 Automatic membership

A person who, on the day the association is incorporated, was a member of the unincorporated association and who, on or before a day fixed by the management committee, agrees in writing to become a member of the incorporated association, must be admitted by the management committee—

(a) to the equivalent class of membership of the association as the member held in the unincorporated association; or

(b) if there is no equivalent class of membership—as an ordinary member.

7 New membership

(1) An applicant for membership of the association must be proposed by 1 member of the association (the ***proposer***) and seconded by another member (the ***seconder***).

(2) An application for membership must be—

(a) in writing; and

(b) signed by the applicant and the applicant's proposer and seconder; and

(c) in the form decided by the management committee.

8 Membership fees

(1) The membership fee for each ordinary membership and for each other class of membership (if any)—

(a) is the amount decided by the members from time to time at a general meeting; and

(b) is payable when, and in the way, the management committee decides.

(2) A member of the incorporated association who, before becoming a member, has paid the member's annual subscription for membership of the unincorporated association on or before a day fixed by the management committee, is not liable to pay a further amount of annual subscription for the period before the day fixed by the management committee as the day on which the next annual subscription is payable.

9 Admission and rejection of new members

(1) The management committee must consider an application for membership at the next committee meeting held after it receives—

(a) the application for membership; and

(b) the appropriate membership fee for the application.

(2) The management committee must ensure that, as soon as possible after the person applies to become a member of the association, and before the management committee considers the person's application, the person is advised—

(a) whether or not the association has public liability insurance; and

(b) if the association has public liability insurance—the amount of the insurance.

(3) The management committee must decide at the meeting whether to accept or reject the application.

(4) If a majority of the members of the management committee present at the meeting vote to accept the applicant as a member, the applicant must be accepted as a member for the class of membership applied for.

(5) The secretary of the association must, as soon as practicable after the management committee decides to accept or reject an application, give the applicant a written notice of the decision.

10 When membership ends

(1) A member may resign from the association by giving a written notice of resignation to the secretary.

(2) The resignation takes effect at—

(a) the time the notice is received by the secretary; or

(b) if a later time is stated in the notice—the later time.

(3) The management committee may terminate a member's membership if the member—

(a) is convicted of an indictable offence; or

(b) does not comply with any of the provisions of these rules; or

(c) has membership fees in arrears for at least 2 months; or

(d) conducts himself or herself in a way considered to be injurious or prejudicial to the character or interests of the association.

(4) Before the management committee terminates a member's membership, the committee must give the member a full and fair opportunity to show why the membership should not be terminated.

(5) If, after considering all representations made by the member, the management committee decides to terminate the membership, the secretary of the committee must give the member a written notice of the decision.

(6) 12 months from the payment date of the Membership Fee. Even if not currently playing. Except when -

(a) ~~if~~the member is playing for a different Club within the BBI competition; or

(b) Membership has ended

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11 Appeal against rejection or termination of membership

(1) A person whose application for membership has been rejected, or whose membership has been terminated, may give the secretary written notice of the person's intention to appeal against the decision.

(2) A notice of intention to appeal must be given to the secretary within 1 month after the person receives written notice of the decision.

(3) If the secretary receives a notice of intention to appeal, the secretary must, within 1 month after receiving the notice, call a general meeting to decide the appeal.

12 General meeting to decide appeal

(1) The general meeting to decide an appeal must be held within 3 months after the secretary receives the notice of intention to appeal.

(2) At the meeting, the applicant must be given a full and fair opportunity to show why the application should not be rejected or the membership should not be terminated.

(3) Also, the management committee and the members of the committee who rejected the application or terminated the membership must be given a full and fair opportunity to show why the application should be rejected or the membership should be terminated.

(4) An appeal must be decided by a majority vote of the members present and eligible to vote at the meeting.

(5) If a person whose application for membership has been rejected does not appeal against the decision within 1 month after receiving written notice of the decision, or the person appeals but the appeal is unsuccessful, the secretary must, as soon as practicable, refund the membership fee paid by the person.

13 Register of members

(1) The management committee must keep a register of members of the association.

(2) The register must include the following particulars for each member—

(a) the full name of the member;

(b) the postal or residential address of the member;

(c) the date of admission as a member;

(d) the date of death or time of resignation of the member;

(e) details about the termination or reinstatement of membership;

(f) any other particulars the management committee or the members at a general meeting decide.

(3) ~~The~~ A limited register must be open for inspection by members of the association at all reasonable times. The limited register including the following information

(a) the full name of the member;

(b) the date of admission as a member;

(c) the date of death or time of resignation of the member;

~~(3)~~ Other member details may be requested in writing to the secretary and must include specific details of, and justification for the requested information. The management committee may at its sole discretion grant or reject this application.

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(4) A member must contact the secretary to arrange an inspection of the register.

(5) However, the management committee may, on the application of a member of the association, withhold information about the member (other than the member's full name) from the register available for inspection if the management committee has reasonable grounds for believing the disclosure of the information would put the member at risk of harm.

14 Prohibition on use of information on register of members

(1) A member of the association must not—

(a) use information obtained from the register of members of the association to contact, or send material to, another member of the association for the purpose of advertising for political, religious, charitable or commercial purposes; or

(b) disclose information obtained from the register to someone else, knowing that the information is likely to be used to contact, or send material to, another member of the association for the purpose of advertising for political, religious, charitable or commercial purposes.

(2) Subrule (1) does not apply if the use or disclosure of the information is approved by the association.

15 Appointment or election of secretary

(1) The secretary must be an adult residing in Queensland, or in another State but not more than 65km from the Queensland border, who is—

(a) a member of the association elected by the association as secretary; or

(b) any of the following persons appointed by the management committee as secretary—

(i) a member of the association's management committee;

(ii) another member of the association; (iii) another person.

(2) If the association has not elected an interim officer as secretary for the association before its incorporation, the members of the management committee must ensure a secretary is appointed or elected for the association within 1 month after incorporation.

(3) If a vacancy happens in the office of secretary, the members of the management committee must ensure a secretary is appointed or elected for the association within 1 month after the vacancy happens.

(4) If the management committee appoints a person mentioned in subrule (1)(b)(ii) as secretary, other than to fill a casual vacancy on the management committee, the person does not become a member of the management committee.

(5) However, if the management committee appoints a person mentioned in subrule (1)(b)(ii) as secretary to fill a casual vacancy on the management committee, the person becomes a member of the management committee.

(6) If the management committee appoints a person mentioned in subrule (1)(b)(iii) as secretary, the person does not become a member of the management committee.

(7) In this rule— ***casual vacancy***, on a management committee, means a vacancy that happens when an elected member of the management committee resigns, dies or otherwise stops holding office.

16 Removal of secretary

(1) The management committee of the association may at any time remove a person appointed by the committee as the secretary.

(2) If the management committee removes a secretary who is a person mentioned in rule 15(1)(b)(i), the person remains a member of the management committee.

(3) If the management committee removes a secretary who is a person mentioned in rule 15(1)(b)(ii) and who has been appointed to a casual vacancy on the management committee under rule 15(5), the person remains a member of the management committee.

17 Functions of secretary

The secretary's functions include, but are not limited to—

(a) calling meetings of the association, including preparing notices of a meeting and of the business to be conducted

at the meeting in consultation with the president of the association; and

(b) keeping minutes of each meeting; and

(c) keeping copies of all correspondence and other documents relating to the association; and

(d) maintaining the register of members of the association.

18 Membership of management committee

(1) The management committee of the association consists of a president, treasurer, and any other members the association members elect at a general meeting.

(2) A member of the management committee, other than a secretary appointed by the management committee under rule 15(1)(b)(iii), must be a member of the association.

(3) At each annual general meeting of the association, the members of the management committee must retire from office, but are eligible, on nomination, for re-election.

(4) A member of the association may be appointed to a casual vacancy on the management committee under rule 21.

19 Electing the management committee

(1) A member of the management committee may only be elected as follows—

(a) any 2 members of the association may nominate another member (the ***candidate***) to serve as a member of the management committee;

(b) the nomination must be—

(i) in writing; and

(ii) signed by the candidate and the members who nominated him or her; and

(iii) given to the secretary at least 14 days before the annual general meeting at which the election is to be held;

(c) each member of the association present and eligible to vote at the annual general meeting may vote for 1 candidate for each vacant position on the management committee;

(d) if, at the start of the meeting, there are not enough candidates nominated, nominations may be taken from the floor of the meeting.

(2) A person may be a candidate only if the person—

(a) is an adult; and

(b) is not ineligible to be elected as a member under section 61A of the Act.

(3) A list of the candidates' names in alphabetical order, with the names of the members who nominated each candidate, must be posted in a conspicuous place in the office or usual place of meeting of the association for at least 7 days immediately preceding the annual general meeting.

(4) If required by the management committee, balloting lists must be prepared containing the names of the candidates in alphabetical order.

(5) The management committee must ensure that, before a candidate is elected as a member of the management committee, the candidate is advised—

(a) whether or not the association has public liability insurance; and

(b) if the association has public liability insurance—the amount of the insurance.

20 Resignation, removal or vacation of office of management committee member

(1) A member of the management committee may resign from the committee by giving written notice of resignation to the secretary.

(2) The resignation takes effect at—

(a) the time the notice is received by the secretary; or

(b) if a later time is stated in the notice—the later time.

(3) A member may be removed from office at a general meeting of the association if a majority of the members present and eligible to vote at the meeting vote in favour of removing the member.

(4) Before a vote of members is taken about removing the member from office, the member must be given a full and fair opportunity to show cause why he or she should not be removed from office.

(5) A member has no right of appeal against the member's removal from office under this rule.

(6) A member immediately vacates the office of member in the circumstances mentioned in section 64(2) of the Act.

21 Vacancies on management committee

(1) If a casual vacancy happens on the management committee, the continuing members of the committee may appoint another member of the association to fill the vacancy until the next annual general meeting.

(2) The continuing members of the management committee may act despite a casual vacancy on the management committee.

(3) However, if the number of committee members is less than the number fixed under rule 24(1) as a quorum of the management committee, the continuing members may act only to—

(a) increase the number of management committee members to the number required for a quorum; or

(b) call a general meeting of the association.

22 Functions of management committee

(1) Subject to these rules or a resolution of the members of the association carried at a general meeting, the management committee has the general control and management of the administration of the affairs, property and funds of the association.

(2) The management committee has authority to interpret the meaning of these rules and any matter relating to the association on which the rules are silent, but any interpretation must have regard to the Act, including any regulation made under the Act.

Note—

The Act prevails if the association's rules are inconsistent with the Act—see section 1D of the Act.

(3) The management committee may exercise the powers of the association—

(a) to borrow, raise or secure the payment of amounts in a way the members of the association decide; and

(b) to secure the amounts mentioned in paragraph (a) or the payment or performance of any debt, liability, contract, guarantee or other engagement incurred or to be entered into by the association in any way, including by the issue of debentures (perpetual or otherwise) charged upon the whole or part of the association's property, both present and future; and

(c) to purchase, redeem or pay off any securities issued; and

(d) to borrow amounts from members and pay interest on the amounts borrowed; and

(e) to mortgage or charge the whole or part of its property; and

(f) to issue debentures and other securities, whether outright or as security for any debt, liability or obligation of the association; and

(g) to provide and pay off any securities issued; and

(h) to invest in a way the members of the association may from time to time decide.

(4) For subrule (3)(d), the rate of interest must not be more than the current rate being charged for overdrawn accounts on money lent (regardless of the term of the loan) by— (a) the financial institution for the association; or

(b) if there is more than 1 financial institution for the association—the financial institution nominated by the management committee.

23 Meetings of management committee

(1) Subject to this rule, the management committee may meet and conduct its proceedings as it considers appropriate.

Note—

See also sections 70B and 70C of the Act about requirements relating to the proceedings of the management committee if a member of the committee has a material personal interest in a matter being considered at a meeting of the committee.

(2) The management committee must meet at least once every 4 months to exercise its functions.

(3) The management committee must decide how a meeting is to be called.

(4) Notice of a meeting is to be given in the way decided by the management committee.

(5) The management committee may hold meetings, or permit a committee member to take part in its meetings, by using any technology that reasonably allows the member to hear and take part in discussions as they happen.

(6) A committee member who participates in the meeting as mentioned in subrule (5) is taken to be present at the meeting.

(7) A question arising at a committee meeting is to be decided by a majority vote of members of the committee present at the meeting and, if the votes are equal, the question is decided in the negative.

(8) The president is to preside as chairperson at a management committee meeting.

(9) If there is no president or if the president is not present within 10 minutes after the time fixed for a management committee meeting, the members may choose 1 of their number to preside as chairperson at the meeting.

24 Quorum for, and adjournment of, management committee meeting

(1) At a management committee meeting, more than 50% of the members elected to the committee as at the close of the last general meeting of the members form a quorum.

(2) If there is no quorum within 30 minutes after the time fixed for a management committee meeting called on the request of members of the committee, the meeting lapses.

(3) If there is no quorum within 30 minutes after the time fixed for a management committee meeting called other than on the request of the members of the committee—

(a) the meeting is to be adjourned for at least 1 day; and

(b) the members of the management committee who are present are to decide the day, time and place of the adjourned meeting.

(4) The quorum at the management meeting immediately following subrule (3) shall be constituted by 4 members plus written apologies from equal to or greater than 50% of the remaining members elected to the management committee at the close of the last general meeting eg 4 attending committee members plus 4 written apologies (based on a committee of 12) forms a quorum.

(5) If, at an adjourned meeting mentioned in subrule (3) or (4), there is no quorum within 30 minutes after the time fixed for the meeting, the meeting lapses.

~~(4)~~(6) Subrule 24(4) only applies to the meeting immediately following the adjournment. After which subrule 24(1) reapplies.

25 Special meeting of management committee

(1) If the secretary receives a written request signed by at least 33% of the members of the management committee, the secretary must call a special meeting of the committee by giving each member of the committee notice of the meeting within 14 days after the secretary receives the request.

(2) If the secretary is unable or unwilling to call the special meeting, the president must call the meeting.

(3) A request for a special meeting must state—

(a) why the special meeting is called; and

(b) the business to be conducted at the meeting.

(4) A notice of a special meeting must state—

(a) the day, time and place of the meeting; and

(b) the business to be conducted at the meeting.

(5) A special meeting of the management committee must be held within 14 days after notice of the meeting is given to the members of the management committee.

26 Minutes of management committee meetings

(1) The secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each management committee meeting are entered in a minute book.

(2) To ensure the accuracy of the minutes, the minutes of each management committee meeting must be signed by the chairperson of the meeting, or the chairperson of the next management committee meeting, verifying their accuracy.

27 Appointment of subcommittees

(1) The management committee may appoint a subcommittee consisting of members of the association considered appropriate by the committee to help with the conduct of the association's operations.

(2) A member of the subcommittee who is not a member of the management committee is not entitled to vote at a management committee meeting.

(3) A subcommittee may elect a chairperson of its meetings.

(4) If a chairperson is not elected, or if the chairperson is not present within 10 minutes after the time fixed for a meeting, the members present may choose 1 of their number to be chairperson of the meeting.

(5) A subcommittee may meet and adjourn as it considers appropriate.

(6) A question arising at a subcommittee meeting is to be decided by a majority vote of the members present at the meeting and, if the votes are equal, the question is decided in the negative.

28 Acts not affected by defects or disqualifications

(2) An act performed by the management committee, a subcommittee or a person acting as a member of the management committee is taken to have been validly performed.

(3) Subrule (1) applies even if the act was performed when—

(a) there was a defect in the appointment of a member of the management committee, subcommittee or person acting as a member of the management committee; or

(b) a management committee member, subcommittee member or person acting as a member of the management committee was disqualified from being a member.

29 Resolutions of management committee without meeting

(1) A written resolution signed by each member of the management committee is as valid and effectual as if it had been passed at a committee meeting that was properly called and held.

(2) A resolution mentioned in subrule (1) may consist of several documents in like form, each signed by 1 or more members of the committee.

30 First annual general meeting

The first annual general meeting must be held within 6 months after the end date of the association's first reportable financial year.

31 Subsequent annual general meetings

Each subsequent annual general meeting must be held—

(a) at least once each year; and

(b) within 6 months after the end date of the association's reportable financial year.

31A Management committee members to be elected at annual general meeting

The association must elect the members of the management committee at each annual general meeting of the association.

32 Other business for annual general meeting of large incorporated associations and particular medium and small incorporated associations

(1) This rule applies if the association is—

(a) a large incorporated association to which sections 59A and 59AA of the Act apply; or

(b) a medium incorporated association to which sections 59A and 59AA of the Act apply; or

(c) a small incorporated association to which sections 59A and 59AA of the Act apply.

(2) The following business must be conducted at each annual general meeting of the association—

(a) receiving the association's financial statement, and audit report, for the last reportable financial year;

(b) presenting the financial statement and audit report to the meeting for adoption;

(c) for a large incorporated association—appointing an auditor or an accountant for the present financial year;

(d) for a medium or small incorporated association— appointing an auditor, an accountant or an approved person for the present financial year.

33 Other business for annual general meeting of other medium incorporated associations

(1) This rule applies if the association is a medium incorporated association to which sections 59A and 59AB of the Act apply.

(2) The following business must be conducted at each annual general meeting of the association—

(a) receiving the association's financial statement, and verification statement, for the last reportable financial year;

(b) presenting the financial statement and verification statement to the meeting for adoption;

(c) appointing an auditor, an accountant or an approved person for the present financial year.

34 Other business for annual general meeting of other small incorporated associations

(1) This rule applies if the association is a small incorporated association to which sections 59A and 59AB of the Act apply.

(2) The following business must be conducted at each annual general meeting of the association—

(a) receiving the association's financial statement, and verification statement, for the last reportable financial year;

(b) presenting the financial statement and verification statement to the meeting for adoption.

35 Notice of general meeting

(1) The secretary may call a general meeting of the association.

(2) The secretary must give at least ~~14~~ 28 days notice of the meeting to each member of the association.

(3) If the secretary is unable or unwilling to call the meeting, the president must call the meeting.

(4) The management committee may decide the way in which the notice must be given.

(5) However, notice of the following meetings must be given in writing—

(a) a meeting called to hear and decide the appeal of a person against the management committee's decision—

(i) to reject the person's application for membership of the association; or

(ii) to terminate the person's membership of the association;

(b) a meeting called to hear and decide a proposed special resolution of the association.

(6) A notice of a general meeting must state the business to be conducted at the meeting.

36 Quorum for, and adjournment of, general meeting

(1) The quorum for a general meeting is at least the number of members elected or appointed to the management committee at the close of the association's last general meeting plus 1.

(2) However, if all members of the association are members of the management committee, the quorum is the total number of members less 1.

(3) No business may be conducted at a general meeting unless there is a quorum of members when the meeting proceeds to business.

(4) If there is no quorum within 30 minutes after the time fixed for a general meeting called on the request of members of the management committee or the association, the meeting lapses.

(5) If there is no quorum within 30 minutes after the time fixed for a general meeting called other than on the request of members of the management committee or the association— (a) the meeting is to be adjourned for at least 7 days; and

(b) the management committee is to decide the day, time and place of the adjourned meeting.

(6) The chairperson may, with the consent of any meeting at which there is a quorum, and must if directed by the meeting, adjourn the meeting from time to time and from place to place.

(7) If a meeting is adjourned under subrule (6), only the business left unfinished at the meeting from which the adjournment took place may be conducted at the adjourned meeting.

(8) The secretary is not required to give the members notice of an adjournment or of the business to be conducted at an adjourned meeting unless a meeting is adjourned for at least 30 days.

(9) If a meeting is adjourned for at least 30 days, notice of the adjourned meeting must be given in the same way notice is given for an original meeting.

37 Procedure at general meeting

(1) A member may take part and vote in a general meeting in person, or by using any technology that reasonably allows the member to hear and take part in discussions as they happen.

(2) A member who participates in a meeting as mentioned in subrule (1) is taken to be present at the meeting.

(3) At each general meeting—

(a) the president is to preside as chairperson; and

(b) if there is no president or if the president is not present within 15 minutes after the time fixed for the meeting or is unwilling to act, the members present must elect 1 of their number to be chairperson of the meeting; and

(c) the chairperson must conduct the meeting in a proper and orderly way.

38 Voting at general meeting

(1) At a general meeting, each question, matter or resolution, other than a special resolution, must be decided by a majority of votes of the members present.

(2) Each member present and eligible to vote is entitled to 1 vote only and, if the votes are equal, the chairperson has a casting vote as well as a primary vote.

(3) A member is not entitled to vote at a general meeting if the member's annual subscription is in arrears at the date of the meeting.

(4) The method of voting is to be decided by the management committee.

(5) However, if at least 20% of the members present demand a secret ballot, voting must be by secret ballot.

(6) If a secret ballot is held, the chairperson must appoint 2 members to conduct the secret ballot in the way the chairperson decides.

(7) The result of a secret ballot as declared by the chairperson is taken to be a resolution of the meeting at which the ballot was held.

39 Special general meeting

(1) The secretary must call a special general meeting by giving each member of the association notice of the meeting within 14 days after—

(a) being directed to call the meeting by the management committee; or

(b) being given a written request signed by—

(i) at least 33% of the number of members of the management committee when the request is signed; or

(ii) at least the number of ordinary members of the association equal to double the number of members of the association on the management committee when the request is signed plus 1; or

(c) being given a written notice of an intention to appeal against the decision of the management committee—

(i) to reject an application for membership; or

(ii) to terminate a person's membership.

(2) A request mentioned in subrule (1)(b) must state—

(a) why the special general meeting is being called; and (b) the business to be conducted at the meeting.

(3) A special general meeting must be held within 3 months after the secretary—

(a) is directed to call the meeting by the management committee; or

(b) is given the written request mentioned in subrule (1)(b); or

(c) is given the written notice of an intention to appeal mentioned in subrule (1)(c).

(4) If the secretary is unable or unwilling to call the special meeting, the president must call the meeting.

40 Proxies

The proxies provision has been omitted and are is not used by the ~~a~~Association. Other than the provisions set out under Section 5(3) for Family Voting.

41 Minutes of general meetings

(1) The secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each general meeting are entered in a minute book.

(2) To ensure the accuracy of the minutes—

(a) the minutes of each general meeting must be signed by the chairperson of the meeting, or the chairperson of the next general meeting, verifying their accuracy; and

(b) the minutes of each annual general meeting must be signed by the chairperson of the meeting, or the chairperson of the next meeting of the association that is a general meeting or annual general meeting, verifying their accuracy.

(3) If asked by a member of the association, the secretary must, within 28 days after the request is made—

(a) make the minute book for a particular general meeting available for inspection by the member at a mutually agreed time and place; and

(b) give the member copies of the minutes of the meeting.

(4) The association may require the member to pay the reasonable costs of providing copies of the minutes.

42 By-laws

(1) The management committee may make, amend or repeal by-laws, not inconsistent with these rules, for the internal management of the association.

(2) A by-law may be set aside by a vote of members at a general meeting of the association.

43 Alteration of rules

(1) Subject to the Act, these rules may be amended, repealed or added to by a special resolution carried at a general meeting.

(2) However an amendment, repeal or addition is valid only if it is registered by the chief executive.

44 Omitted

45 Funds and accounts

(1) The funds of the association must be kept in an account in the name of the association in a financial institution decided by the management committee.

(2) Records and accounts must be kept in the English language showing full and accurate particulars of the financial affairs of the association.

(3) All amounts must be deposited in the financial institution account as soon as practicable after receipt.

(4) A payment by the association of $100 or more must be made by cheque or electronic funds transfer.

(5) If a payment of $100 or more is made by cheque, the cheque must be signed by any 2 of the following—

(a) the president;

(b) the secretary;

(c) the treasurer;

(d) any 1 of 3 other members of the association who have been authorised by the management committee to sign cheques issued by the association.

(6) However, 1 of the persons who signs the cheque must be the president, the secretary or the treasurer.

(7) Cheques, other than cheques for wages, allowances or petty cash recoupment, must be crossed 'not negotiable'.

(8) A petty cash account must be kept on the imprest system, and the management committee must decide the amount of petty cash to be kept in the account.

(9) All expenditure must be approved or ratified at a management committee meeting.

46 General financial matters

(1) On behalf of the management committee, the treasurer must, as soon as practicable after the end date of each financial year, ensure a financial statement for its last reportable financial year is prepared.

(2) The income and property of the association must be used solely in promoting the association's objects and exercising the association's powers.

47 Documents

The management committee must ensure the safe custody of books, documents, instruments of title and securities of the association.

48 Financial year

The end date of the association's financial year is 30 June in each year.

49 Distribution of surplus assets to another entity

(1) This rule applies if the association—

(a) is wound-up under part 10 of the Act; and

(b) has surplus assets.

(2) The surplus assets must not be distributed among the members of the association.

(3) The surplus assets must be given to another entity—

(a) having objects similar to the association's objects; and

(b) the rules of which prohibit the distribution of the entity's income and assets to its members.

(4) In this rule— ***surplus assets*** see section 92(3) of the Act.

Lang Park Basketball Club
Special General Meeting 25 November 2024
Proposed Changes to Constitution

Item	Description	Impacted Clause	Reasoning
1	Change of Name from '*Lang Park Basketball Club Inc*' to '*Lang Park Basketball Inc*'	Cl2 and others as referenced. Cl 4	Simplification of the name to provide a shorter more logical Acronym LPBI and align to our email and web address
2	Minor Edit to order of classes. **5 Classes of members** (1) The membership of the association consists of ordinary members, and any of the following classes of members— (a) Junior Playing Members (b) Senior Playing Members (c) Honorary Members ~~(c)~~(d)Life Members Class listing correction	CL5 (1)	Member class listed in Cl5 was out of sequence with how the clauses were detailed in the following section.
3	Clarifying Junior Playing Members over the age of 18 rights under the constitution. **Junior Playing Members** (a) Must be under ~~18~~ 20 years of age at the time of registration. If over the age of 18 years, with parent or guardian's written consent to the Secretary, the Junior Playing Member carries the rights of a Senior Playing Member and is no longer represented by a Parent or Guardian acting as an Ordinary Member under this Constitution. (b) Must be registered as a junior basketball player of the Association. (c) Must abide by the Rules of the Association.	Cl5 (1) Ordinary Member Cl5 (1) Junior Playing Member	Enables a Junior player over the age of 18 to act on behalf of themselves under the Constitution rather than have parent/guardian represent them as the Ordinary Member. Also removes the ambiguity that the player and the parent are both represented by the single Junior Playing Membership
4	Update to definition of when a membership ends.	Cl10 (6)	Clarification of membership term to confirm that a

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	(6) 12 months from the payment date of the Membership Fee. Even if not currently playing. Except - (a) if the member is playing for a different Club within the BBI competition; or (b) Membership has ended		membership is for a 12 month period even if you sit out a season. Additional clause also added ending the membership period (a) if playing for a different club in the BBI comp in that period – note can play outside of BBI Comp. (b) Membership has ended as defined in more detail in Sections Cl10 (1) though (5)
5	Update to access to our Register of Members to protect members personal details. (3) ~~The~~ A limited register must be open for inspection by members of the association at all reasonable times. The limited register including the following information (a) the full name of the member; (b) the date of admission as a member; (c) the date of death or time of resignation of the member; ~~(3)~~ Other member details may be requested in writing to the secretary and must include specific details of, and justification for the requested information. The management committee may at its sole discretion grant or reject this application.	Cl13(3)	Purpose of this clause is to control access to the private details of members, whilst still complying with the requirement to make the register available for inspection upon request. The information available for inspection is limited to Names and Registration status. A request for additional information may be made in writing, with discretional decision conferred on the Committee.
6	Temporary quorum relaxation for management committee meetings after meeting adjournment due to inability to form a quorum.	Cl24 (4), (5) and (6)	This improves the risk of not being able to continue to

Item	Description	Impacted Clause	Reasoning
	24 Quorum for, and adjournment of, management committee meeting (1) At a management committee meeting, more than 50% of the members elected to the committee as at the close of the last general meeting of the members form a quorum. (2) If there is no quorum within 30 minutes after the time fixed for a management committee meeting called on the request of members of the committee, the meeting lapses. (3) If there is no quorum within 30 minutes after the time fixed for a management committee meeting called other than on the request of the members of the committee— (a) the meeting is to be adjourned for at least 1 day; and (b) the members of the management committee who are present are to decide the day, time and place of the adjourned meeting. (4) The quorum at the management meeting immediately following subrule (3) shall be constituted by 4 members plus written apologies from equal to or greater than 50% of the remaining members elected to the management committee at the close of the last general meeting eg 4 attending committee members plus 4 written apologies (based on a committee of 12) forms a quorum. (5) If, at an adjourned meeting mentioned in subrule (3) or (4), there is no quorum within 30 minutes after the time fixed for the meeting, the meeting lapses. ~~(4)~~(6) Subrule 24(4) only applies to the meeting immediately following the adjournment. After which subrule 24(1) reapplies.		operate due to inability to form quorum. Generally only an issue for a very large committee, dealing with a flagging attendance. Adopts a fixed minimum and a formal apology from a majority of others to enable the meeting immediately following to sit. Confirms that full committee was aware of the meeting and retains documented transparency and accountability. Fixed minimum may be a problem in the event of a very small committee, but even with a small committee there should always be a level of quorum to make informed decisions. 3-4 persons are required just to discharge duties of office and be a functioning entity. Included the last clause to remove any doubt that the reduced quorum is temporary.

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Item	Description	Impacted Clause	Reasoning
7	Increasing the notice period of a General Meeting to 28 days **35 Notice of general meeting** (1) The secretary may call a general meeting of the association. (2) The secretary must give at least ~~14~~ 28 days notice of the meeting to each member of the association. (3) If the secretary is unable or unwilling to call the meeting, the president must call the meeting. (4) The management committee may decide the way in which the notice must be	Cl 35 (2)	Increase the notice period to ensure that member have adequate advance notice to submit compliant committee nominations 14 days prior to the AGM per 19(1)biii. Without this change it is possible to manipulate committee nominations by using Section 19(1)d. With only those who knew about the he AGM in advance having time to submit a compliant nomination. We only take nominations from the floor where no prior nominations have been received hence why we need to ensure time for nomination .
8	Minor update to proxies **40 Proxies** The proxies provision has been omitted and are is not used by the ~~a~~Association. Other than the provisions set out under Section 5(3) for Family Voting.	Cl 40	Lang Park made a decision in the original Constitution to not allow proxies. Proxies are a major concern for BBI under their Constitution and with modern teleconference facilities it is

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			easier to attend an AGM or General Meeting in person. We do allow family voting as set out in CL5(3) and have acknowledged this provision as a form of Proxy for completeness under Proxies.