

Albany Basketball Association Inc. (ABA)

Clubs Affiliation By-Law

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Affiliated Domestic clubs

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Affiliated Domestic clubs

Guiding Principles

The Albany Basketball Association's (ABA) competitions have long held a rich and positive connection to domestic basketball. Domestic Clubs can provide one of the earliest entry points into the sport of basketball, are often the first impression of the association, and begin the development of the lifelong player and volunteer at the ABA.

The importance of this relationship is recognised by the ABA, and while these relationships have informally been developing in the Associations competitions, these by-laws serve to galvanise basketball to best serve the community.

Additionally, these by-laws serve as a mechanism for domestic clubs to seek governance assistance from the Association to best serve their sub-community of the Association and legally recognise clubs as affiliated for the purpose of insurance for the Association.

Division one – Term Used

Domestic club

Domestic club is a financially incorporated Domestic club which enters its teams in the ABA's junior or senior domestic competition with obligations conferred by the process outlined in this affiliation By-Law.

Division two – Affiliation of Domestic club

1. Eligibility for Affiliation

Any Domestic club who supports the objects of the ABA is eligible to apply for affiliation status, providing the applicant:

- (i) Is a financial incorporated Domestic club with an approved constitution that is compliant with the Associations Incorporations Act 2015;
- (a) Acknowledges and agrees that it will:
 - (i) Be or remain incorporated in Western Australia;
 - (ii) Comply with and be bound by the standards and technical requirements of the Association;
 - (iii) Uphold and align to the objects set out in ABA's constitution and comply to the Rules, By-Laws, policies and procedures when entering ABA's affiliated competitions.
 - (b) Acknowledges and agrees that upon applying for affiliation the applicant is also bound by the constitution of the ABA.

- (c) Acknowledges and agrees that upon applying for affiliation the applicant may only be affiliated with ABA and its associated competitions and may not seek to affiliate with other Basketball WA affiliated associations, unless they de-affiliate with ABA.

2. Applying for Affiliation

- (a) A Domestic club who wants to become affiliated with ABA must apply to the ABA by means of the affiliation application form and annual fee.
- (b) The application form must be signed by the President of the applying Domestic club and at least one other committee member as recognised within the Domestic club's constitution.

3. Dealing with Affiliation Applications

- (a) The ABA Executive considers each application for Domestic club affiliation and decides whether to accept or reject the application.
- (b) Subject to sub-clause (c), the ABA Executive must consider applications in the order in which they are received by the ABA.
- (c) The ABA Executive may delay its consideration of an application if the Executive considers that any matter relating to the application needs to be clarified by the applicant or that the applicant needs to provide further information in support of the application.
- (d) The ABA Executive must not accept an application unless the applicant:
 - (i) Is eligible under clause 2; and
 - (ii) Has applied under clause 3.
- (e) The ABA Executive may reject an application even if the applicant:
 - (i) Is eligible under clause 2; and
 - (ii) Has applied under clause 3.
- (f) The Executive must notify the applicant of the Executives decision to accept or reject the application as soon as practicable after making the decision.
- (g) If the Executive rejects the application, the Executive is not required to give the applicant its reasons for doing so.

4. Becoming an Affiliated Domestic club

An applicant for Domestic club Affiliation becomes affiliated when:

- (a) The ABA Executive accepts the application; and
- (b) The applicant pays any affiliation fees payable to the ABA under clause 3.1.

5. De-affiliation

An Affiliated Domestic club may de-affiliate with the ABA when:

- (a) Written notice is sent to the Administrator of the ABA by the Affiliated Domestic club, indicating the intent of the affiliated domestic club to deaffiliate; or
- (b) The Affiliated Domestic club does not re-affiliate at the conclusion of the existing term of Affiliation.

Division three – Affiliation Fees

6. Affiliation Fees

- (a) The ABA Executive must determine the affiliation fee to be paid annually for Domestic club affiliation, which will be reviewed on an annual basis. The ABA acknowledges this fee is administrative in nature only and is not a source of revenue for the ABA.
- (c) An affiliated Domestic club must pay the annual affiliation fee to the CBA, via the Administrator authorised by the Board to accept payments, by August 1st each year unless determined otherwise by the ABA Executive.
- (d) If an affiliated Domestic club has not paid the annual affiliation fee within the period of two months after the due date, the affiliated Domestic club is required to discuss its intention to re-affiliated otherwise it will cease to be an affiliated Domestic club on the expiry of that period.

Division four – Rights and Obligations

7. Rights and Obligations of affiliated domestic clubs;

An affiliated Domestic club of the Association;

- (a) Will uphold and enforce the Rules, By-Laws, policies and procedures published from time to time by the ABA.
- (b) Will meet all financial obligations with ABA by the appropriate date as set by ABA. Should the Domestic club be unable to meet the obligations set by the ABA, the affiliated Domestic club acknowledges and agrees that the ABA may not permit individual teams or players to continue playing in the competition until financial obligations are met.

- (c) Will abide by Clause 1(c)
- (d) Will undertake and/or do all such things or activities as are necessary, incidental or conducive to the advancement of the Domestic club and ABA's objects.
- (e) Provide the ABA with all appropriate compliance information relating to the eligibility of the Domestic clubs, which includes, but is not limited to;
 - (i) Contact details for the current Board/Committee
 - (ii) AGM Minutes
 - (iii) Association Balance Sheet and Financial Statements
 - (iv) In the absence of (iii), a solvency certificate from a member of Chartered Accountants Australia and New Zealand (CA or FCA), CPA Australia (CPA or FCPA) or Institute of Public Accountants (MIPA or FIPA) – provided they are not a member of the Affiliated Domestic Club's committee.

8. Rights and Obligations of the ABA

The ABA, in relation to affiliated Domestic clubs will –

- (a) Undertake and/or do all such things or activities as are necessary, incidental or conducive to the advancement of the Domestic club and ABA's objects.
- (b) Provide governance support to Domestic clubs by way of mechanisms afforded to the ABA through their affiliation with BWA when (and if) required by the affiliated Domestic club. This includes but is not limited to; constitution review and update, committee training, governance principles (code of conduct etc) and financial management.
- (c) Provide assistance and help facilitate communication where necessary with ALAC in regards to court bookings.
- (d) Provide promotion of the Domestic club at ABA as an official affiliated Domestic club, including provision of signage in a position and format determined by the ABA. Additionally, this includes a direct link to the club via the official ABA website.
- (e) Provide first referral rights from competition wait lists to affiliated Domestic clubs as required.
- (f) Provide a forum to meet with the ABA President and Administrator every second month, and a forum to meet with the wider ABA Board and Operational Staff (at a time other than a scheduled board meeting) twice per year.



Albany Basketball Association Inc

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ABN: 94 202 163 152

Albany Basketball Association Affiliated Club Application

I _____ Of (Name of Nominee)

_____ (Address)

Phone: _____

Email: _____

Would like to apply to have membership with the Albany Basketball Association (ABA) as an "Affiliated Club Member" as per the ABA's Constitution Part 3.2 & 3.3 recognised for

(Name Of Club)

I understand that as per Part 3.5 of the ABA Constitution I am required to and have attached or identified below the evidence of:

The Club is incorporated under the WA Associations Incorporation Act (2015);

- The Club has registered its colours and uniforms with the ABA Association (uniforms@albany.basketball)
- The Club will at all times operate with, and promote, mutual trust and confidence between the Association and the Affiliated Club's members in pursuit of the objectives.
- The Club will comply with the Constitution, By-laws and Policies of the ABA Association.
- The Club will do all that is reasonably necessary to enable the objects of the Association to be achieved.
- The Club will appoint a delegate and one substitute delegate at any time, provided that the Affiliated Club may change its delegate by notice in writing to the Association, if called upon.
- The Club will provide the ABA with a copy of their constitution, By law and financials (yearly) as per the ABA Constitution and By-Laws.

- The Club will pay the nominated fee of \$50 (fifty dollars) to the ABA via the ABA Treasurer prior to the commencement of each season. This fee is purely an Administrative fee.

Club
President: _____

(Signature) (Date)

Club Committee
Member: _____

(Signature) (Date)

ABA Admin Section:

Date Form Received: _____

Date Payment received: _____

Received by: _____

Admin Signature: _____

Date Adopted _____