



Folkestone Basketball Club

Founded 1953



CONSTITUTION & RULES AND REGULATIONS

1. The name of the club shall be FOLKESTONE SAINTS BASKETBALL CLUB.
2. The club shall be affiliated to the English Basketball Association and other recognised associations as appropriate.

Aims and Objectives

3. The aims and objectives of the club shall be to encourage and promote the game of Basketball generally and in particular in the Folkestone area.

Membership

4. Membership of the club shall be by application and shall be open to all persons over the age of five. Membership fees shall be determined annually by the Club Committee. Fees are payable in advance and must be accompanied by the application form. The club committee has the right to decline any application or terminate or suspend membership.
5. Whilst the clubs home court shall be at Folkestone Sports Centre, all members shall be members or Life members of the Folkestone Sports Centre *[original clause 6]*.

Child Protection

6. Folkestone Saints Basketball Club agrees to adopt the England Basketball Child Protection Policy and Procedures.
7. All individuals involved in Basketball through Folkestone Saints Basketball Club at every level, including players, match officials, coaches, administrators, club officials or spectators agree to abide by the England Basketball Code of Ethics and Conduct ("Code") and all such individuals by participating or being involved in Basketball through Folkestone Saints Basketball Club in one of the aforementioned roles or in a role which comes within the intended ambit of this paragraph and the England Basketball Child Protection Policy and Procedures generally are deemed to have assented to and as such recognise and adhere to the principles and responsibilities embodied in the Code.
8. Each and every constituent member of Folkestone Saints Basketball Club including without limitation, all clubs and leagues, shall be responsible for the implementation of the Child Protection Policy and Procedures in relation to their individual members.
9. Any act, statement, conduct or other matter which harms a child or children or vulnerable adult, or poses or may pose a risk of harm to a child or children or vulnerable adult, shall constitute behaviour which is improper and brings the game into disrepute.
10. In these Regulations the expression "Offence" shall mean any one or more of the offences contained in Schedule 1 to the Children and Young Persons Act 1933 and

any other criminal offence which reasonably causes the Association to believe that the person accused of the offence poses or may pose a risk of harm to a child or children or vulnerable adult.

11. Upon receipt by Folkestone Saints Basketball Association of:
 - 11.1. notification that an individual has been charged with an Offence; or
 - 11.2. notification that an individual is the subject of an investigation by the Police, Social Services or any other authority relating to an Offence; or
 - 11.3. any other information which causes the organisation reasonably to believe that a person poses or may pose a risk of harm to a child or children or vulnerable adult then Folkestone Saints Basketball Club shall have the power to order that the individual be suspended from all or any specific Basketball activity for such period and on such terms and conditions as it thinks fit.
12. In reaching its determination as to whether an order under Regulation 6 should be made, Folkestone Saints Basketball Club shall give consideration, inter alia, to the following factors:
 - 12.1. whether a child is or children or vulnerable adult are or may be at risk of harm;
 - 12.2. whether the matters are of a serious nature;
 - 12.3. whether an order is necessary or desirable to allow the conduct of any investigation by Folkestone Saints Basketball Club or any other authority or body to precede unimpeded.
13. The period of an order referred to in 6 above shall not be capable of lasting beyond the date upon which any charge under the Rules of Folkestone Saints Basketball Club or any Offence is decided or brought to an end.
14. Where an order is imposed on an individual under Regulation 6 above, Folkestone Saints Basketball Club shall bring and conclude any proceedings under the Rules of Folkestone Saints Basketball Club against the person relating to the matters as soon as reasonably practicable.
15. Where a person is convicted, or is made the subject of a caution in respect of an Offence, that shall constitute a breach of the rules of Folkestone Saints Basketball Club and it shall have the power to order the suspension of the person from all or any specific Basketball activity for such a period (including indefinitely) and on such terms and conditions as it thinks fit.
16. For the purpose of these Regulations, Folkestone Saints Basketball Club shall act through the England Basketball Child Protection Disciplinary Panels.
17. Notification in writing or an order referred to above shall be given to the person concerned and/or any club with which he is associated as soon as reasonably practicable.

Executive Committee

18. The Executive Committee shall consist of a President, Chairman, Secretary, Treasurer, and Press Officer. The coaches and current team captains shall also be a member.

The named officers are elected at the Annual General Meeting. The Coach(es) and Captain(s) are appointed by the club committee.

19. Executive Committee meetings shall be held as and when required, and shall be quorate provided that a minimum of 4 voting members are present.
20. Each executive committee member shall have one vote and the Chairman shall have a casting vote. All proposals shall require a simple majority.
21. The Executive Committee has the power to discipline officers and Members. The Right of Appeal shall be to the Chairman who shall have the power to co-opt a neutral adjudicator [*original clause 7*].

Annual General Meeting

22. The Annual General Meeting shall be held as soon as possible within 2 months of the end of the season. Voting shall be by members only and each member shall have one vote. The Chairman shall have a casting vote.
23. Changes in the constitution may only be made at the AGM and shall require a two thirds majority; all other matters shall require a simple majority.
24. Life Vice Presidents shall be elected at the AGM and nominations for Vice Presidents and Life Vice Presidents shall be made in writing to the committee at least one month before the AGM [*original clause 10*].

Finances

25. The club shall have a bank account to be called Folkestone Saints Basketball Club. Additional accounts may be opened as and when required for specific purposes or projects.
26. All financial decisions and transactions shall require the approval and authorisation of at least two of the executive committee members.
27. Transactions of over £200 shall require approval at an executive committee meeting and shall require a simple majority.
28. End of year accounts must be prepared and presented to the members for approval at the AGM.

Dissolution

29. A proposal for dissolution shall require a two thirds majority.
30. In the event of the dissolution of the club, any property or monies remaining after its debts and liabilities have been settled shall be paid to the East Kent Basketball Association or The English Basketball Association to be used at their discretion.

Revised June 2005