



## BY-LAW

### VOTES OF MEMBERS

1. This by-law is made under clauses 13.1.2 and 21 of the BA Constitution, being the Board's power to determine from time to time number of votes held by Constituent Association Members.
2. This by-law shall take effect on 11 December 2013 and shall remain in force until further determination by the board.
3. The guiding principles in determining votes of members, embodied in this by-law, are:
  - 3.1 the total number of votes held by Constituent Association Members shall be determined by the numbers of Registered Players in each State or Territory;
  - 3.2 each Constituent Association Member must have at least one vote;
  - 3.3 a Constituent Association Member cannot hold more than 25% of the total votes;
  - 3.4 the number of votes held by each Constituent Association Member may differ from other Constituent Association Members;
  - 3.5 The voting structure should provide some incentive for registration growth by each Constituent Association member.
4. **Registered Player** means any person (of whatever age) who participates in a basketball Competition and/or Game and submits to the relevant Constituent Member Association or Affiliated Club/ Association a completed registration form (or is named in a team or has played in a team which is so registered) accompanied by a registration fee (or similar payment), either individual or team.
5. **Competition and/or Game** means any competition or game of basketball, which will usually involve:
  - 2 groups of players (identified in some way - colours, numbers, design)
  - played at scheduled time
  - on a designated court
  - for a specified period of timeand may or may not involve:
  - a draw (schedule of games)
  - progressive points table
  - teams in approved uniforms
  - officials in prescribed clothing
  - scores being maintained manually or electronically
  - other FIBA conditions

but does not include a basketball activity which is recognised by BA as an element of the formal Aussie Hoops participation program.

**6. Number of Votes – Constituent Association Members**

The allocation of votes in the new system would be based on the number of Registered Players:

Under 15,000 registered players = 1 vote

15,000 - 100,000 registered players = 2 votes

100,000 registered players + = 3 votes

**7. Registered Player numbers**

7.1 The number of Registered Players in each State/Territory shall be determined as follows:

7.1.1 Where the State/Territory provides accurate individual data to the national database (either through TBN or by upload from another program), it will be based on the number of Registered Players as at 30 April; or if this is not available

7.1.2 the Board of BA shall determine, in its discretion, an estimate of Registered Players based on the most recently available insurance figures; or if this is not available

7.1.3 taking into account the number of stadia within the Constituent Association Member's State/Territory as at 30 April.

**8. Ordinary and Special Resolutions**

8.1 For questions decided by majority, a question will only pass if a simple majority of the votes cast are in favour **and** if 4 Constituent Association Members vote for it.

8.2 A Special Resolution is only passed if 75% of votes able to be cast support it **and** if 5 Constituent Association Members vote for it.

**By-Law Adopted 11 December 2013**