MELBOURNE WOLVES BASKETBALL CLUB
CONSTITUTION

1. Name

The name of the incorporated club is "Melbourne Wolves Basketball Club Incorporated".

2. Purposes

The purposes of the Club are to promote, develop, encourage participation and support players in the sports of basketball and involvement in this sport generally as a social and sporting activity.

3. Financial year

The financial year of the Club is each period of 12 months ending on 31 December.

4. Definitions

In these Rules—

4.1 "Act" means the *Associations Incorporation Act 2012* and includes any regulations made under the Act;

4.2 "Basketball Australia" means **BA Limited**;

4.3 "Basketball Victoria" means **Basketball Victoria Inc**

4.4 "Controlling Body" means either, or all of;

i) Basketball Australia

ii) Basketball Victoria

iii) Southern Basketball Association

4.5 "By-Laws" means the By-Laws of the Controlling Body in force for the time being;

4.6 "Club" means **Melbourne Wolves Basketball Club Inc.**

4.7 "Club Member" means a registered Member of the Club;

4.8 "Club Seal" means the common seal of **Melbourne Wolves Basketball Club Inc.**

4.9 "Club Secretary" means the person elected by the Club Members to perform the duties of a secretary of the Club;

4.10 "Club Team" means a team registered by the Club for participation in any competition in which the Executive Committee has determined a Club Team may participate;

4.12 "Club Treasurer" means the person elected by the Club Members to perform the duties of a treasurer of the Club.

4.13 "Executive Committee" means the Executive Committee of the Club.

4.14 "MW" and the words "Melbourne Wolves Basketball Club" shall refer to the branch of the Club under which title the Basketball teams will compete.

4.15 Expressions referring to writing shall, unless the contrary intention appears, be construed as including reference to printing, lithography, photography and other modes of representing or reproducing words in a visible form.

4.16 "Junior Competition" consists of all teams participating in the Junior Domestic Competition;

4.17 "Player" means a registered player with the Club;

4.18 "Senior Domestic Competition" means a competition conducted for persons of all ages above a minimum age as set by the Members from time totime;

4.19 Words importing the singular number include the plural number and vice-versa.

4.20 Words or expressions contained in these Rules shall be interpreted in accordance with the provisions of the *Acts Interpretation Act 1984* and any statutory modification in force.

4.21 "Year" means calendar year and "month" means calendar month.

5. Club Membership

5.1 Membership of the Club will be on a Seasonal Basis having regard to the seasons applicable for Basketball respectively.

5.2 Membership as a Player of the Club shall consist of each Player who registers with the Club for inclusion in Club Teams, which are accepted for participation in competitions representing the Club in Basketball competitions as agreed to by the Executive Committee.

5.3 Players over the age of 18 years will be included as Club Members and shall have voting rights.

5.4 Where a Player is under the age of 18 years old, one Parent / Guardian will be entitled to inclusion as a Club Member if notification is given to the Club. In the event of a dispute between Parents or Guardians of the Player as to who should be nominated as Member the decision of the Executive Committee as to which Parent or Guardian will be the included as a Member will be final and binding. The Parent or Guardian so included will be entitled to one vote.

5.5 The Club is not obliged to accept the entry of any Person or Parent / Guardian as a Player or Member of the Club, and the decision of the Executive Committee whether to accept or reject a Player/Adult for Membership into the Club is final and binding on the Player/Member.

5.6 Members, at the time of any vote, may nominate Executive Committee Positions in accordance with procedures for such nomination as determined by the Club from time to time and all Executive Committee positions shall be elected at the Annual General Meeting of the Club.

5.7 The Executive Committee, from time to time, may appoint an Associate Member with full voting rights.

5.8 Each Player and Member of the Club agrees to abide by the Rules and Regulations of the Club and any competition in which the Club has registered a Club Team in which that player member participates including Code of Conduct Policies and Procedures.

6. Transfer of Membership

6.1 No Member may directly or indirectly transfer or agree to transfer its Membership of the club.

6.2 Any player who transfers to another club (such transfer must be in accordance with the Rules of the Club) will upon such transfer forfeit his or her membership of the Club and such membership will be cancelled the date such transfer becomes effective.

6.3 The Executive Committee may in its absolute discretion set as a precondition to approval of any transfer the payment of all outstanding membership fees owing by that member.

7. Register of Members

7.1 The Club Secretary shall keep and maintain a Register of Members and Associate Members in which shall be entered the full name and address for each such Member. The Register will designate Members by branch.

7.2 Each Member shall communicate its address in writing to the Club Secretary as often as it may change, to enable accurate Registers to be maintained and in the absence of any such notice of change any notice required by the Act or the Rules will be deemed sufficiently served on the address recorded in the Register.

7.3 All Information gathered by the Club pertaining to each Member and Player of the Club will be treated according to the Privacy Policy of the Club.

8. Membership Fees

8.1 The Executive Committee may determine Membership Fees for Membership of the Club annually or prior to the commencement of each season as determined by the Controlling Body.

8.2 In setting the Membership Fee, the Executive Committee shall take into account all costs and expenses as incurred by the Club over each season.

8.3 Membership Fees shall be paid prior to the commencement of each season for inclusion in teams for the upcoming season.

8.4 Unless and until otherwise resolved by the Executive Committee by special resolution payment of Registration and Membership fees in accordance with the directions of the Controlling Body will constitute payment of fees for the Club.

9. Discipline of Members and Players

9.1 If any Member willfully refuses or neglects to comply with the provisions of the Rules of the Club, Controlling Body and its By-Laws or is guilty of any conduct, which in the opinion of the Executive Committee, is unbecoming of a Member or prejudicial to the interests of the Club, the Controlling Body, the Southern Basketball Association and Melbourne Wolves Basketball Club generally (and in the case of a Player under the age of 18 this Rule will be read and construed as referring to the conduct of both the Player and his Parents or Guardians) the Executive Committee shall have power by resolution at a Disciplinary Meeting held for that purpose (the Disciplinary Meeting) to censure, fine, or suspend the Member from the Club, or cancel the membership and to appropriately suspend or remove the Player from any Club Team consistent with the penalty imposed (in which case written reasons for such cancellation will be provided

to the member within 14 days of such cancellation) notwithstanding any other penalty which may have been given by Controlling Body's Tribunal.

9.2 The Disciplinary Meeting is to be chaired by one of the President or Vice President of the Club and is to be constituted by not less than 50% of the remaining Executive Committee and must include at least one committee member representing the branchsport in which the Member participates.

9.3 At the Disciplinary Meeting the members of the Executive Committee present in accordance with Rule 9 (b) may proceed to determine the matter and if that determination is approved by special resolution of those present and voting , the Member/s concerned shall be punished accordingly and in the case of a resolution for its expulsion the Member/s shall be expelled (with the effect that in the case of a Player under the age of 18 the Player's entitlement to play for any Club Team will be dealt with accordingly). If the Member/s or in the case of a Player under the age of 18 the Player fails to attend the Disciplinary Meeting or to lodge any written submission the Executive Committee may proceed to determine the matter, in their absence **PROVIDED THAT** at least Fourteen (14) days before the Meeting of the Executive Committee at which such a resolution is proposed the Member/s shall:

i) have had notice of such Disciplinary Meeting and of what is alleged against him/her and/or in the case of a Parent Member their child Player ,

ii) shall at such Disciplinary Meeting have had an opportunity of giving, orally or in writing, any explanation he/she may think fit by way of attempting to explain, apologise or correct any such action, comment or behaviour.

10. Disputes / Resolution and Mediation

10.1 Disputes under these Rules that may arise between Members or Players of the Club or a Member or Player and the Club shall be handled according to the following procedure:-

i) Members or Players involved in the dispute must meet and discuss the matter in dispute, and if possible resolve the dispute within 14 days after the dispute comes to the attention of all of the parties.

ii) If the Members or Players involved are unable to resolve the matter at the meeting, or if one Member or Player fails to attend that meeting, then the involved Members and Players must within 10 days, hold a meeting in the presence of a mediator.

10.2 The mediator must be:-

i) an independent person chosen by mutual agreement between the parties; or

ii) a person appointed by the Club Executive Committee who may be a Member provided such person is a not a Member of the same team or teams as any of the parties in dispute.

10.3 In the conduct of the mediation process:

i) all parties must, in good faith, attempt to settle the dispute by mediation;

ii) the mediator may not be a party to the dispute;

iii) the mediator does not determine the dispute;

iv) the mediator must ensure that all parties have every opportunity to be heard and express their views;

v) the mediator must ensure that due consideration is given by all parties of any written statements submitted by any party;

vi) natural justice will be accorded to the parties to the dispute throughout the process

10.4 If the mediation process does not result in the dispute being resolved, the parties involved may seek to resolve the dispute in accordance with the Act or otherwise at law.

10.5 Any disputes or disagreements under these rules between any Member, Player or official and any person from any other club within the Controlling Body or with any official of the Controlling Body, shall be handled according to the following procedure:-

i) The same procedure as detailed in 10.a above **PROVIDED THAT-**

1) The incident, dispute or matter in dispute must be referred to the Club Executive Committee within 48 hours of the incident occurring or the matter of the dispute becoming known.

2) If the parties to the dispute are unable to resolve the matter within 7 days, then the matter shall be referred to or elevated to the Controlling Body's Executive for mediation and/or adjudication through the Controlling Body's Tribunal and Appeals Process.

11. Cessation of Membership

11.1 A Member, may at any time by giving notice in writing to the Club Secretary, resign his/her/their Membership of the Club.

11.2 A Member/Player shall be deemed as not current, should Player Registration and Payment of Registration Fees not be paid by the published due date for each and every seasonal team entry date, as set by the Club and published in Club communications.

11.3 Player Transfers to Other Clubs, once such transfer is approved and processed by the Club, cancels the Registered Player and Membership status within the Club as specified in Rule 6 above.

11.4 The rights of a Member are not transferable and end when membership ceases.

12. Club Annual General Meetings

12.1 The Executive Committee shall notify either in writing or on the Club Website, no less than 30 calendar days prior to any such meeting, each Member and Associate Member listed on the Club Register of Members of its intention to convene an Annual General Meeting of all Members of the Club.

12.2 Subject to proper notice the Annual General Meeting shall be held on such day and at such place as the Executive Committee shall determine.

12.3 The Annual General Meeting and its purpose shall be specified as such in the notice convening it.

12.4 The ordinary business of an Annual General Meeting shall be:

i) to confirm the minutes of the last preceding Annual General Meeting;

ii) to receive from the Executive Committee reports upon the affairs of the Club for the preceding year;

iii) to receive and consider, and, if appropriate, adopt the Club Financial statement for the preceding Financial Year in accordance with Part 7 of the Act;

iv) to elect the Executive Committee of the Club including the positions of Club President, Club Vice President, Club Secretary, Club Treasurer and three General Committee members until the next Annual General Meeting

v) to elect any other Club Committee Office Holders, and any other position deemed necessary by the Executive Committee for the successful operation of the Club as measured against the Club Purpose of Being

vi) to elect any Life Member who is recommended by the Executive Committee

vii) to nominate and elect Auditors, if required by law or in the opinion of the Executive Committee

viii) to transact any other business affecting the interest and welfare of the Club of which due notice has been given

12.5 The Agenda for the Annual General Meeting and Financial Statements shall beavailable for collection by the Members, prior to the Meeting. The Agenda and Financial Statements shall also be available at the Meeting

12.6 An Annual General Meeting shall be in addition to any other General Meeting that may be held in the same year.

13. Any Extraordinary or General Meeting

13.1 Any Meeting of Club Members and Executive Committee, other than Annual General Meeting, shall be termed a General Meeting.

13.2 The Executive Committee may, in writing, convene an Extraordinary General Meeting. Such notice shall set out the date, time and place of such Meeting, and the purpose for which it was called and notice of not less than 30 calendars days given.

13.3 The Executive Committee shall, on the requisition in writing of not less than Ten (10) per cent of registered and eligible Members convene an Extraordinary General Meeting.

13.4 The requisition for an Extraordinary General Meeting must:

i) be in writing; and

ii) state the business to be considered at the meeting and resolutions to be proposed; and

iii) include the names and signatures of the Members requesting the meeting; and

iv) be given to the Club Secretary

13.5 The Executive Committee shall cause an Extraordinary General Meeting to be held within Twenty-Eight (28) days after receipt of the requisition at a time and place as determined.

13.6 If the Executive Committee does not convene an Extraordinary General Meeting within Twenty-Eight (28) days after the date on which the request is made, the Members making the request (or any of them) may convene the Extraordinary General Meeting.

13.7 An Extraordinary General Meeting convened by The Executive Committee or Members may only consider the business stated in that request.

14. Notice of Agenda Items for a Meeting of the Club

14.1 A Member desiring to bring any business before a Committee Meeting, Annual General Meetings or Extraordinary General Meeting, may give notice of that business in writing to the President or Secretary of the Executive Committee, who shall include that business in the notice calling the next Committee or General Meeting, scheduled in due course after the receipt of the notice.

14.2 The Agenda for each Committee or General Meeting shall close 14 days prior to such Meeting and any business given to the Executive Committee within 14 days of a General Meeting shall not be considered at the then forthcoming General Meeting but at the General Meeting after.

14.3 As a Special Resolution requires 21 days' Notice to Members, then notwithstanding the provisions of Rule 13.5, a Member who wishes to move a Special Resolution at a General Meeting must give Notice to the Executive sufficient for the Members to receive proper Notice of such proposed Special Resolution.

15. Proceedings at General Meetings

15.1 All business that is transacted at an Extraordinary General Meeting and all business that is transacted at an Annual General Meeting with the exception of that specially referred to in these rules as being the ordinary business of an Annual General Meeting shall be deemed to be special business.

15.2 Special Resolutions

i) A Special Resolution is passed if no less than 75% of the Members voting at an Extraordinary General Meeting (whether in person or by postal vote) vote in favour of the resolution.

ii) The Chairperson of an Extraordinary General Meeting may, on the basis of a show of hands, declare that a resolution has been—

1) carried; or
2) carried unanimously; or
3) carried by a particular majority; or
4) lost—

iii) And an entry to that effect in the minutes of the meeting is conclusive proof of that fact

15.3 A motion proposing an alteration to the rules of the Club must be passed by Special Resolution.

16. Cessation of Membership

16.1 A Quorum of Members shall be not less than 3 Members.

16.2 No business shall be transacted at any Meeting unless a quorum of Members is present at the time when the meeting proceeds to business.

16.3 If within half an hour after the appointed time for the commencement of an Extraordinary General Meeting a quorum is not present, the Meeting, if convened upon the requisition of Members, shall be dissolved and in any other case the business of the meeting may be determined by Special Resolution of the Members present provided that any decision so made may not be implemented unless and until 30 day's notice of the resolution has been forwarded to all Members on the Register with an accompanying or endorsed notice that in the absence of any written objection of a simple majority of Members to such resolutions the resolutions will take effect 30 days after such notice has been given.

17. Chairperson of General Meetings

17.1 The President or in his/her absence the Vice President shall preside as Chairperson of each General Meeting.

17.2 If the President and Vice President are absent from any General Meeting those Members present shall elect a chairperson from those present.

17.3 In special circumstances, the Club Executive Committee, at its absolute discretion, may decide to temporarily nominate and appoint a Chairperson to preside over Club Meetings and Discussions.

18. Adjourning of Meetings

18.1 The Chairperson of a General Meeting, at which a quorum is present, may with the consent of those present, adjourn the meeting from time to time and place to place, but no business other than that left unfinished at an adjourned meeting shall be acted upon.

18.2 Where a Meeting is adjourned for more than 14 days, a notice of adjournment shall be given as in the case of a General Meeting.

19. Voting

19.1 Each Member and at the time of the meeting shall, subject to these Rules, have one vote.

19.2 As deemed appropriate by and at the complete discretion of the Executive Committee,postal votes may be made available to Members who may be unable to attend on the night of the General Meeting. In such cases, all Postal Votes must be received by the Club Secretary no less than 7 days prior to the convening of the Meeting.

19.3 A Member shall not be entitled to vote by proxy.

19.4 At any General Meeting a resolution shall be decided by a show of hands unless more than half of Members present demand a secret ballot.

19.5 The decision will be taken by simple majority unless otherwise required.

19.6 The Chairperson shall have a casting vote in the event of equality of voting.

19.7 A declaration by the Chairperson that a resolution has been carried or carried by a particular majority or lost, and an entry to that effect in the Minutes of the proceedings which shall be conclusive evidence of the fact.

20. Minutes of General Meeting

20.1 The Club Secretary must ensure that minutes are taken and kept of each General or Executive Committee meeting.

20.2 The minutes must record the business considered at the meeting, any resolution on which a vote is taken and the result of the vote.

20.3 In addition, the minutes of each annual general meeting must include—

i) the names of the members attending the meeting; and

ii) postal votes given to the Chairperson of the meeting under rule 17.2; and

iii) the financial statements submitted to the Members and

20.4 The certificate signed by two committee members certifying that the financial statements give a true and fair view of the financial position and performance of the Club; and

20.5 Any audited accounts and auditor's report or report of a review accompanying the financial statements that are required under the Act.

21. Club Office Holders

21.1 The Club will consist of an Executive Committee of not less than 5.

21.2 The Executive Officers of the Club include the following:

i) President;

ii) Vice President;

iii) Treasurer;

iv) Secretary;

v) Other Executive Committee members whose role and responsibilities will be determined from time to time by the Executive Committee.

21.3 The Club, at the absolute discretion of the Executive Committee, may appoint any additional sub-committees as deemed necessary to perform the required functions of the Club.

21.4 The Club Executive Committee, may at any time, appoint a person/s to fill a position in a specialised category which is advantageous to the betterment of the Club.

22. Election of Club Committee and Other Office Holders

22.1 The Club shall elect its Executive Committee and Office Holders. Each officer of The Club shall hold office until the next Annual General Meeting after the date of their election. All retiring Office Holders shall be eligible for re-election.

22.2 Nominations of candidates for election as Office Bearers:

i) Shall be accepted only from persons who are fully financial and registered Members and eligible to vote from the Club's Register of Members as at the time of the Annual General Meeting;

ii) Shall be made in writing in the form as approved by the Executive Committee and accompanied by the written consent of the candidate; and

iii) Shall be delivered to the Executive Committee not less than 14 days before the date fixed for the holding of the Annual General meeting;

iv) Shall be available to Members with the Agenda for the Meeting;

v) If no nominations are received then nominations may be called for and received from the Members present at the Annual General Meeting.

22.3 The ballot for the election of Officer Bearers shall be conducted at the Annual General Meeting in such usual and proper manner as the Executive Committee may direct.

22.4 A person may not hold more than one office on the Executive Committee, but may hold additional positions on Other Committees as deemed necessary by the Club.

22.5 In the event of a casual vacancy in any office or in the event that no nominations are received the Executive Committee may appoint a replacement to the vacant office up to and including the Annual General Meeting next following the date of his/her appointment:

i) The Executive Committee is not obliged to make any such appointment.

ii) The Executive Committee may by written notice to such person withdraw his or her appointment at any time and without assigning any reason therefore.

iii) The Executive Committee may appoint another person to fill the vacancy, however the vacancy might arise, and such person shall hold office for such time as stipulated by the Executive Committee, but not exceeding the period of appointment of the person whom he or she replaced.

23. Executive Committee

23.1 The Executive Committee shall consist of the Office Bearers of the Club and General Committee Members elected at the AGM with all positions being voluntary and not for payment.

23.2 The Executive Committee:

i) shall control and manage the business and affairs of the Club in accordance with the policies of the Club and the Controlling Bodies; and

ii) may exercise all such powers and functions as may be exercised by the Club other than those powers and functions that are required to be exercised by General Meetings of the Members of the Club; and;

iii) subject to the Act, the Regulations and these Rules, has power to perform all such acts and things as appear to the Executive Committee to be essential for the proper management of the business and affairs of the Club and to make all by- laws and rules necessary for the proper management and administration of the Club and within the Controlling Bodies; and;

iv) shall make By-Laws and alter, amend, add to or rescind same as the occasion may require, and such By-Laws shall have full force and effect, provided that they are not inconsistent with these Rules. The By-Laws may be altered by a resolution passed at a Meeting of the Executive Committee of which notice setting out the proposed amendment has been given to the Executive Committee prior to the Meeting;

v) shall delegate to Co-ordinators and other Committees the management of their respective functions and operations. Subject to these rules, the Executive Committee shall establish the rules under which each committee shall operate.

vi) have the power from time to time to appoint Committees and to delegate to such Committees any area of business as the Executive Committee may deem fit. The Executive Committee shall establish the rules under which such a Committee shall operate, and may dissolve same at any time without assigning any reason therefore. Written notice to Members of that Committee of such a decision shall be given, after which no funds may be expended or bills incurred on behalf of the Executive Committee or of the Club.

vii) Shall make decisions for the Club in relation to Registration and/or Membership Fees, Special Functions, Community Activities, Future Directions, and such other matters as are required by these Rules and such other matters as seem to be necessary for the proper administration of the Club.

viii) shall determine the signatories to operate the Club's bank accounts and sign cheques on behalf of the Club.

24. Vacation of Office Holder

24.1 The office of an Office Holder shall become vacant if the Office Holder:

i) ceases to be an Office Holder by virtue of the Act;

ii) becomes bankrupt (insolvent) or makes any arrangement or composition with his creditors generally;

iii) becomes of unsound mind;

iv) dies;

v) resigns their office by notice in writing to the Committee;

vi) becomes a represented person under the *Guardianship and Administration Act1986;*

vii) for more than three months is absent without permission of the Executive Committee from Meetings of the Executive Committee held during that period;

viii) fails to attend three consecutive Executive Committee Meetings without leave or apology (and such apology must be satisfactory to the Executive Committee).

25. Voting at Executive Committee

25.1 Each Executive Committee Member shall have a deliberative vote.

25.2 Subject to Rule 21and 22, the decision will be taken by simple majority save that any decision to change any club uniform will require a special resolution.

25.3 If at a Meeting a ballot on any question is demanded by not less than two Members, it shall be taken at that meeting in such manner as the Chairperson may direct but that two scrutineers shall be appointed by those present to count the votes of the meeting on that question;

25.4 The Chairperson shall have a second and casting vote in the event of equality of voting.

26. Executive Committee Quorum

A quorum for a Meeting of the Executive Committee shall be half of the total number of Executive Committee Members plus one, rounded down in the event of there being an odd number of Executive Committee Members.

27. Meetings of Executive Committee

27.1 The Executive Committee shall meet at least 4 times per annum and as often as is necessary to properly conduct the business of the Club within the Controlling Bodies.

27.2 The Executive Committee may by instrument in writing convene an Extraordinary Meeting. Such instrument shall set out the date, time and place of such Meeting, and the purpose for which it is called.

27.3 Each Executive Committee Member shall receive Notice of any Executive Committee Meeting, either via the Club Calendar of Events or by written Notice mailed or emailed to the address which has been provided to the Club Secretary.

28. Committee Roles

28.1 President:

The President shall preside as Chairperson at every meeting of the Executive Committee, and in his absence a member nominated by the President, or the Vice President shall preside as Chairperson at the meeting, and in his absence also, the Members present shall elect one of their members to be Chairperson of the meeting.

28.2 Secretary:

The secretary shall arrange the meeting place and admission to the meeting, prepare an agenda, record minutes and keep the chairperson informed of any matter, distribute copies of the minutes to all Executive Committee Members prior to the next scheduled meeting and have copies of Extraordinary and General Meetings minutes available for Members.

28.3 Treasurer:

The Treasurer shall deal efficiently and effectively with all invoices and bills, keep up to date records of all the financial transactions, ensure that funds are spent properly, issue receipts and record all money received.

28.4 Other Members of the Executive Committee shall be responsible for the duties as set out in the Duty Statement prepared by the Executive from time to time.

28.5 The Members at a General Meeting may upon a resolution approved by at least two-thirds majority of the votes cast at the meeting remove any Executive Committee Office Bearer, including Club Secretary, before the expiration of the term of office of such Executive Committee Office Bearer and appoint another person in his or her stead to hold office until the expiration of the term of the first mentioned Member.

29. Club Office Holders

29.1 For each financial year, the Committee must ensure that the requirements under the Act relating to the financial statements of the Club are met.

29.2 Without limiting subrule (a), those requirements include:

i) the preparation of the financial statements;

ii) if required, the review or auditing of the financial statements;

iii) the certification of the financial statements by the Committee;

iv) the submission of the financial statements to the annual general meeting of the Club;

v) the lodgement with Consumer Affairs Victoria, or their delegate, of the financial statements and accompanying reports, certificates, statements and fee.

30. Doping Policy

The Club may adopt and implement its own doping policy consistent with that of either Controlling Body as exists from time to time at its discretion and in the absence of the Club implementing its own doping policy the Club agrees to take such steps as it considers necessary to co-operate with the doping policies of Controlling Bodies.

31. Privacy of Information Policy

The Club may adopt and implement its own Privacy of Information Policy and/or that of either Controlling Body as exists from time to time at its discretion.

32. Anti-Discrimination Policy

The Club may adopt and implement its own Anti-Discrimination Policy and/or that of either Controlling Body as exists from time to time at its discretion.

33. Code of Behaviour Policy

The Club may adopt and implement its own Code of Behaviour Policy and/or that of either Controlling Body as exists from time to time at its discretion

34. Sponsorship Policy

34.1 The Club may adopt and implement its own Sponsorship Policy and/or that of either the Basketball Australia or Basketball Victoria as exists from time to time at its discretion.

34.2 Before formally agreeing or committing to any sponsorship arrangement with external businesses, the Executive Committee must ensure that any signage, display of logos, brands or other imagery is in accordance with the Controlling Body's policies and procedures relating to such matters and does not conflict with agreements already in place through the Controlling Body.

34.3 The Executive Committee in its absolute discretion always retains the right to veto any/all marketing/branding/external imagery which it deems to be not commensurate with the required imagery of the club and/or not conducive to the imagery of the future directions of the Club.

35. Resolution In Writing

A resolution in writing which was forwarded to all Members of the Club and which has been signed by a quorum of the Members and for the time shall be as valid and effectual as if it had been passed at a meeting of the Club duly convened and held.

36. Notice

36.1 A Notice may be given by the Club to any Member by sending by post, email or fax to him/her at the address as shown in the Register of Members, or by Club newsletter.

36.2 Service of the Notice shall be deemed to be effective by properly addressing, prepaying, and posting a letter containing the notice, and to have been effected at the time at which the letter would be delivered in the ordinary course of post.

36.3 Notices may also be served in any other manner authorised by the rules of the Supreme Court of Victoria.

37. Club Funds

37.1 The funds of the Club shall be derived from Registration Fees, donations, fund raising and other

such sources as the Executive Committee determines.

37.2 All Club Funds are to be used for the provision of equipment and services, training venue costs, payment of administration and registration fees or to any other purpose, as deemed necessary by the Executive Committee in advancing the needs of the Club in developing player skills, abilities and acknowledging achievement of any players or teams within competitions conducted by the Controlling Body;

37.3 The Club may identify, attract, negotiate and confirm additional sources of revenue for the club through Sponsorship Opportunities and Other Commitments or Agreements with External Businesses or Organisations, prepared to invest in promoting their name, logo or affiliation with the Club within the Controlling Body subject to the Club's Sponsorship Policy as it exists from time to time.

38. Alteration

38.1 The Statement of Purposes shall not be altered except in accordance with the Act;

38.2 The Rules may be altered by special resolution of an Extraordinary General Meeting of the Club or except in accordance with changes to the Act.

39. Winding Up

In the event of the winding up or cancellation of the incorporation of the Club, the assets of the Club shall be disposed of in accordance with the provisions of the Act, provided that no distribution may be made to any Member, Player or Officer who is not a tax- exempt body.

40. Records

40.1 Except as otherwise provided in these Rules, the Club Secretary shall keep in their custody or under their control all books, documents and securities of the Club.

40.2 A Member of the Club may have reasonable access on a reasonable number of occasions during the year, to the books, minutes of meetings and documents of the Club during normal business hours and by prior appointment with the Club Secretary, and if deemed necessary by the Executive Committee, subject to receipt of payment of any necessary administration fee;

40.3 A Member shall keep confidential any information so obtained which is likely to cause commercial damage to the Club and shall indemnify the Club from any loss that might be sustained by reason of such disclosure.

40.4 The Executive Committee may determine that some books and documents are commercially sensitive and Player Registration records are not available for inspection by a Member. If the Member objects to the classification, then the question of whether the books or documents are commercially sensitive and of whether they ought to be made available for inspection shall be referred to the Club's Auditor. The Auditor shall decide within 28 days of the referral whether the

book or documents are commercially sensitive and whether they ought to be made available for inspection and his decision shall be final and binding on the Member and the Executive Committee.

41. Indemnity

Every Member of the Executive Committee and Other Committees of the Club and any other officer or agent for the time being of the Club shall be indemnified out of the assets of this Club, against any liability arising out of the execution of his/her duties, which is incurred by him/her in defending any proceedings whether civil or criminal, in which Judgement is given in his/her favour or in which he/she is acquitted or in connection with any application under the Act in which relief is granted to him/her by the Court in respect of any negligence default breach of duty or breach of trust.

42. Club Uniforms and Branding

All club uniforms, promotional materials, branding team registrations and team descriptions must include the words "Melbourne Wolves Basketball Club" or "Melbourne Wolves" or "Melb Wolves" unless the club resolves at any extraordinary or general meeting otherwise by special resolution in accordance with rule 15(b) of the Constitution. A team may include in its team description further words differentiating between individual club teams provided that if such further words are included in the team name (whether or not those additional words are incorporated in the team uniform and branding) they are subject to prior approval by the Executive Committee in writing prior to registration of the Club Team and no team may wear or use any uniform with additional words or any other additions whether logos, advertising, player names or otherwise or in any different colour scheme other than the team uniform approved by the Executive Committee from time to time.