



LOTHIAN PHOENIX WHEELCHAIR BASKETBALL CLUB CONSTITUTION

(Adopted on 17th March 2006)

(Revised 15th March 2023)

1. Name

The name of the organisation shall be Lothian Phoenix Wheelchair Basketball Club.

2. Aims

The aims of Lothian Phoenix Wheelchair Basketball Club (hereinafter referred to as LPWBC) shall be to promote the welfare of all people through the sport of wheelchair basketball and in furtherance thereof:

- 2.1 – To provide sporting and leisure opportunities related to wheelchair basketball for all people, primarily for players with a disability but also for able-bodied individuals.
- 2.2 – To help individual members develop confidence through participation in sport and leisure activities related to wheelchair basketball in order to promote health and wellbeing.
- 2.3 – To encourage individual members to develop any particular sporting abilities which they may have, and to aid them in furthering their sporting potential to a level to which they aspire.
- 2.4 – To provide and promote opportunities for club members to participate in a range of sporting and leisure activities related to wheelchair basketball, including competitive opportunities, and encourage and support them to do so.
- 2.5 – To publish and distribute regular up-to-date information on club activities and facilities.
- 2.6 – To function as an affiliate of Lothian Disability Sport (LDS) in accordance with the constitution and aims of that body.

3. Membership

- 3.1 – Membership of LPWBC shall be open without elective process to all, with a particular emphasis on individuals with a disability, parents, guardians, carers, coaches, helpers and volunteers.
- 3.2 – Full voting membership of LPWBC shall be open to any member, on payment of the annual affiliation fee.
- 3.4 – Honorary members may be appointed by the Executive Committee at its discretion but these members shall not be entitled to vote at general meetings.
- 3.5 – Application for membership should be made on the appropriate form. Full details about the applicant must be provided and admission will be at the discretion of the Executive Committee.

4. Termination of Membership

The Executive Committee shall have the right for good and sufficient reason to terminate the membership of any member provided that the member concerned or a responsible person(s) representing such member shall have the right to be heard by the Executive Committee before a final decision is made.

- 4.1 – Termination of Membership will follow the process outlined below:
 - a. Verbal warning of misconduct as defined by the relevant code of conduct (see appendix i). Verbal warning may be given by any club coach or by a member of the Executive Committee;
 - b. Written caution from a member of the Executive Committee, co-signed by Chairperson;
 - c. Termination of membership, in writing, from Chairperson, co-signed by the relevant Executive Committee member or coach.
- 4.2 – Members who are dismissed from the club have the right to appeal their termination of membership, in writing, within 28 days of receiving formal notification of their termination. If they choose to appeal they can make representation, either in writing or in person, directly to the Executive Committee and Head Coach.
- 4.3 – Fees: If the club member who has had their membership terminated has paid their subscription in advance for the season they shall receive a partial refund for the remainder of the season, minus the monthly subscription fee for each month they have trained/played with the club.

5. General Meetings

- 5.1 – The Agenda and date for a General Meeting shall be sent to all affiliated members 21 days prior to the date of the General Meeting.
- 5.2 – The Annual General Meeting (AGM) of LPWBC shall be held in the month of June to transact the following business:

- a. to receive and, if approved, to adopt a Statement of LPWBC's accounts to the end of the preceding year;
 - b. to elect office bearers and committee members
 - c. to receive a written report on the activities of LPWBC over the preceding year;
 - d. to set the annual affiliation fee;
 - e. to appoint an independent financial assessor or auditor;
 - f. to consider and, if approved, sanction any duly made alteration to the Constitution;
 - g. to deal with any special matter.
- 5.3 – The quorum at General Meetings shall be one third eligible to vote of the membership.
- 5.4 – Any changes to the Constitution must be submitted in writing and signed by the proposer 14 days prior to the date of the AGM and shall require a two thirds majority of those present and eligible to vote at a General Meeting. Special General Meetings may be requested by the Committee or by any three fully affiliated members. Such request stating the business to be discussed shall be made in writing to the Secretary who shall call such a meeting within six weeks of the date of the request, and giving three weeks' notice in writing to every fully affiliated member along with details of the business to be discussed.

6. Office Bearers

- 6.1 – At the AGM the members shall elect an Executive Committee consisting of a Chairperson, Secretary and Treasurer. Subject to termination of office by resignation or otherwise they shall remain in office until their successors are elected at the AGM next following their election. All office bearers shall retire annually but shall be eligible for re-election.
- 6.2 – In addition to the named Executive Committee members the Committee shall consist of a number of General Committee members. There is no limit to the number of General Committee members, however it is recommended that there are at least 2 parent representatives, a Club Safeguarding Officer and a Vice-Chairperson.

7. Management

- 7.1 – The management of LPWBC shall be in the hands of the Executive Committee (hereinafter referred to as the Committee) which shall consist of:
 - a. The three office bearers;
 - b. Up to six ordinary members who shall be elected at the AGM from nominations made by members;
 - c. Staff members as appropriate (non-voting).
- 7.2 – The Committee shall have the power to fill any vacancy that may occur.

- 7.3 – The Committee shall have the power to co-opt additional members, provided that the number of co-opted members does not exceed one third of the total number of elected and ex-officio members.
- 7.4 – All elected members of the Committee shall retire annually but shall be eligible for re-election.
- 7.5 – The Committee shall have power to delegate any of their responsibilities and duties to a sub-committee appointed by and responsible to the Committee.
- 7.6 – The Committee shall have the power to appoint such staff as deemed necessary to further the aims and objectives of LPWBC.
- 7.7 – The Committee shall meet at its discretion but there shall not be more than four months between meetings.
- 7.8 – The quorum for all Committee meetings shall be four persons.

8. Minutes

The Secretary will be responsible for the writing of the minutes of the Annual General Meeting of LPWBC and of Committee meetings.

9. Finance

- 9.1 – All monies raised by or on behalf of LPWBC shall be applied to further the aims of LPWBC and for no other purpose.
- 9.2 – The Treasurer may at any time retain on hand a sum not exceeding £200 for current expenses.
- 9.3 – The Treasurer shall keep proper Accounts of the finances.
- 9.4 – All bank accounts will be operative on any two out of three signatures, namely the Chairperson, Treasurer and Secretary. All monies received on behalf of LPWBC shall be paid into a bank account in its name.
- 9.5 – The Accounts shall be audited at least once a year by an independent financial assessor or qualified auditor who shall be appointed at the Annual General Meeting.
- 9.6 – If the independent financial assessor or auditor appointed at the Annual General Meeting cease to hold that appointment during the period between Annual General Meetings, the Committee shall have power to appoint a replacement independent financial assessor or auditor to hold office until the Annual General Meeting which next follows.

10. Dissolution

If the Committee by a simple majority at any time on the ground of expense or otherwise that it is necessary or advisable to dissolve LPWBC, it shall call a meeting of all members who have the power to vote, of which meeting notice shall be given as provided in clause 5.1 hereof. If such a decision

shall be confirmed by a simple majority of those present and voting at such Meeting, the Committee shall have the power to dispose of any assets held by or in the name of Lothian Phoenix Wheelchair Basketball Club. Any assets remaining after the satisfaction of any proper debts and liabilities shall be handed over to Lothian Disability Sport.

11. Initial members of the executive committee

The initial members of the management committee, and the positions held by each, shall be as set out below. This constitution was adopted on 17th March 2006 and revised 15th June 2023.

<u>Position</u>	<u>Name</u>	<u>Signature</u>	<u>Date</u>
Executive Committee			
Chairperson	Conor Smart	<i>Conor Smart</i>	
Secretary	Kai Goldie	<i>Kai Goldie</i>	
Treasurer	Niall Ritchie	<i>Niall Ritchie</i>	
General Committee			
Vice-Chairperson	Paul Sloan	<i>Paul Sloan</i>	
Parent Representative	Paul Stavart	<i>Paul Stavart</i>	
Parent Representative	Stephen Flanigan	<i>Stephen Flanigan</i>	