

**JUNE 2015**



Trading name for  
**IRISH BASKETBALL ASSOCIATION LIMITED**

**REGULATIONS & BYE LAWS  
OF  
BASKETBALL IRELAND**

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## 1. DEFINITIONS

Council	The National Council of Basketball Ireland
President	The President of the Council, one of whose duties is to chair meetings of Council
Board	The Board of Basketball Ireland
Chairman	The member of the Board who is elected by the Board to chair meetings of the Board

## 2. THE BOARD

- A. Basketball Ireland will be governed by both the Board of Basketball Ireland and The Council of Basketball Ireland, who will be linked as outlined in the Operational Agreement (**Appendix 1**)
- B. The remit of the Board is to be accountable to the members of Basketball Ireland for the performance of the organisation, the formulating and implementing of strategic and operational plans whilst ensuring that there is total corporate compliance with Irish Company law. It also has a central role in sourcing funding.
- C. The Members of the Irish Basketball Association Ltd (trading as Basketball Ireland) shall be as specified in the Articles of Association (**Appendix 2**).
- D. The Board shall appoint the members of the Arena Company Ltd. Those members, at their Annual General Meeting, shall elect the directors of the Arena Company Ltd.
- E. Essential features of the combined expertise of the Board of Basketball Ireland must include a thorough knowledge of Basketball in Ireland; the business of basketball; strategic leadership and management; sports policy and systems; financial management; governance principles and procedures; marketing and communications; legal and ethical principles and procedures.
- F. Professional staff may attend meetings of the Board at the discretion of the Board.
- G. Observers may attend meetings of the Board at the discretion of the Board but they may not participate in debate, except at the invitation of the Chairperson and they shall not be entitled to vote. They must leave the meeting immediately on the instruction of the Chairperson.
- H. The Board of Basketball Ireland shall be comprised of eight Directors consisting of; **Elected Directors**: Four Directors shall be elected by the members in accordance with the Election Process (see **Appendix 3**). **Co-opted Directors**. The elected Directors shall at their first meeting co-opt four other Directors to the Board.

## 3. STANDING ORDERS AT MEETINGS OF THE BOARD OF BASKETBALL IRELAND

- A. Chairperson –The Directors of the Board may elect a Chairperson of their meetings and determine the period for which he/she is to hold office. If no such chairperson is elected or if at any meeting the chairperson is not present within five minutes after the time appointed for holding the same, the Directors present may choose one of their numbers to be chairperson of the meeting.
- B. The Chairperson shall have power to rule on any question arising under standing orders.
- C. The quorum necessary for the transaction of business of Directors shall be four (4) Directors present in person.
- D. The Board shall have the power to elect from its members a vice chairperson and a Secretary.
- E. No business shall be transacted at a meeting other than that specified on an agenda relating to the meeting except where the Chairperson of the meeting considers the matter to be urgent.
- F. Business conducted at meeting of the Board shall include
  - I. Minutes of the last meeting which having previously been circulated shall be taken as read, subject to corrections.
  - II. Matters arising from those minutes.

- III. Discussion on strategic areas, programme and action plans.
  - IV. Resolutions and other items as set out on the agenda provided that the Board may by a resolution vary the order so as to give precedence of matters of urgency.
  - V. Reports from National Council
  - VI. Report from Secretary General
- G.** No resolutions that appear on the agenda shall be proceeded with in the absence of the member in whose name it stands unless that member has requested some other member to take up the issue. The resolution, if not so taken up, shall be considered withdrawn and shall not be moved without fresh notice.
- H.** In the case of a vote being called on a matter the Chairperson will seek a proposer and seconder for the motion. Each Board member shall have one vote. The Chairperson will have a casting vote in the case of a tie. A motion will be deemed to be carried by simple majority of the votes cast.
- I.** On any question of procedure or interpretation of standing orders, the ruling of the Chairperson shall be final.
- J.** Any member is guilty of a breach of these standing orders who
- I. Uses objectionable words and refuses to withdraw them or offer a satisfactory apology.
  - II. Uses offensive words in respect of another member.
  - III. Wilfully disturbs the orderly conduct of business.
  - IV. Disobeys a lawful order from the Chair.
- K.** In the case where a Board Member commits a breach of order that member may be ordered by the Chairperson to leave the meeting and may subsequently be disciplined by the Board of Basketball Ireland.
- L.** Additional specific powers of the board shall be:
- I. To devolve certain powers to the National Council as outlined in the Operational Agreement between them (Appendix 1).
  - II. To nominate the Chairperson of the International Affairs Committee for a defined period.
  - III. To nominate a Board Member to attend any meeting of any standing committee of the National Council of Basketball Ireland in a non-voting capacity providing the consent of the President of Basketball Ireland has been obtained, such consent not to be unreasonably withheld.

#### **4. THE COUNCIL**

- A.** The Council of Basketball Ireland will be representative of all the different elements in the sport of basketball and the Council shall be responsible for the elements of the trusteeship, conduct and overall management of the sport of basketball, on the island of Ireland that have been devolved from The Board. The Council will be linked to the Board as outlined in the draft Operational Agreement summarised in Appendix 1.
- B.** The members of the Council of Basketball Ireland shall be as follows:
- I. One (1) President elected by all of the members of Basketball Ireland including group members and individual members
  - II. One (1) Member elected by the National Area Boards Committee(NABC)
  - III. One (1) Member elected by the Colleges Committee(NBCC)
  - IV. One (1) Member elected by the Referees Committee(NRC)
  - V. One (1) Member elected by the National Table Officials Committee(NTOC)
  - VI. One (1) Member elected by the Coaches Committee(BICC)
  - VII. One (1) Member elected by the Commissioners Committee

- VIII. One (1) Member elected by the Primary Schools Mini-Basketball Committee(PSMNC)
  - IX. One (1) Member elected by the member Post-Primary Schools Committee(PPSC)
  - X. One (1) Member elected by the Women's Senior Clubs Committee (WSCC)  
(Note: Observers from the Board of Basketball Ireland and the Mens National Competitions Committee(MNCC) may attend meetings having given prior notice to the Chair)
- C. The Council may co-opt other members to a maximum of three (3).
  - D. Professional staff may attend meetings at the discretion of the Council in a non-voting capacity.
  - E. Observers may attend meetings at the discretion of the Council but they may not participate in debate, except at the invitation of the Chairperson and they shall not be entitled to vote. They must leave the meeting immediately on the instruction of the Chairperson.

#### **5. STANDING ORDERS AT MEETINGS OF THE COUNCIL OF BASKETBALL IRELAND**

- A. The President of Council shall be the Chairman of meetings of Council.
- B. If at any meeting the chairperson is not present within five minutes after the time appointed for holding the same, the Members present may choose one of their numbers to be chairperson of the meeting.
- C. The Chairperson shall have power to rule on any question arising under standing orders.
- D. The quorum necessary for the transaction of business of Council Members shall be eight (8) Members present in person.
- E. The Council shall have the power to elect from its members a **vice chairperson** and a **Secretary**.
- F. No business shall be transacted at a meeting other than that specified on an agenda relating to the meeting except where the Chairperson of the meeting considers the matter to be urgent.
- G. Business to be conducted at a meeting of Council shall include:
  - I. Minutes of the last meeting which having previously been circulated shall be taken as read, subject to corrections.
  - II. Matters arising from those minutes.
  - III. Discussion on strategic areas, programme and action plans.
  - IV. Resolutions and other items as set out on the agenda provided that the Council may by a resolution vary the order so as to give precedence of matters of urgency.
  - ~~V.~~ Activity Reports from Standing committees as appropriate.
  - VI. Report from the Secretary General.
  - VII. Report from the Board of Basketball Ireland.
- H. No resolutions that appear on the agenda shall be proceeded with in the absence of the member in whose name it stands unless that member has requested some other member to take up the issue. The resolution, if not so taken up, shall be considered withdrawn and shall not be moved without fresh notice.
- I. In the case of a vote being called on a matter the Chairperson will seek a proposer and seconder for the motion. Each Council member shall have one vote. The Chairperson will have a casting vote in the case of a tie. A motion will be deemed to be carried by simple majority of the votes cast.

- J. On any question of procedure or interpretation of standing orders, the ruling of the Chairperson shall be final.
- K. Any member is guilty of a breach of these standing orders who:
- I. Uses objectionable words and refuses to withdraw them or offer a satisfactory apology.
  - II. Uses offensive words in respect of another member.
  - III. Wilfully disturbs the orderly conduct of business.
  - IV. Disobeys a lawful order from the Chair.
- L. In the case where a Council Member of Basketball Ireland commits a breach of order that member may be ordered by the Chairperson to leave the meeting and may subsequently be disciplined by the Council of Basketball Ireland.
- M. Additional specific powers of the National Council shall be:
- I. The ratification, amendment or rejection of Terms of Reference of Standing Committees of National Council.
  - II. Nomination of Chairperson of the Competitions Standing Committee for a defined period.
  - III. Appointment of new permanent or temporary committees or sub-committees.
- N. The President, in a voting capacity, and/or the Secretary General, in a non-voting capacity, may attend any meeting of any Standing Committee of National Council.
- O. The minutes of every meeting of Standing Committees shall be circulated to the President and Secretary General at the same time as they being circulated to members of that committee. They shall also be notified of time, venue and agenda of all meetings in advance of such meetings.

## **6. STANDING ORDERS AT GENERAL MEETINGS**

- A. No business shall be transacted at a General Meeting other than that specified on the agenda relating thereto except as provided by Standing Order 5F of this Bye-Law.
- B. Matters which the Council of Basketball Ireland consider being urgent and which have arisen too late for inclusion on the agenda may be brought before a General Meeting of the Council of Basketball Ireland with consent of a majority of the members present and voting.
- C. The order of business at **Annual General Meetings** of Basketball Ireland shall be in the following order:
- I. Minutes of the last meeting which previously having been circulated shall be taken as read, subject to corrections.
  - II. Matters arising from those minutes.
  - III. Business brought under standing order (b) of this Bye-law.
  - IV. Elections (where appropriate).
  - V. Reports (including the Balance Sheet and Annual Accounts)
  - VI. Notices of Resolutions and other items as set out on the agenda provided that the meeting may by resolution vary the order so as to give precedence to matters of urgency.
- D. The following resolutions may be moved without notice:
- I. That the minutes be confirmed.
  - II. That each report be received and adopted (singly).
  - III. That any particular business has precedence.
  - IV. That a special Committee be appointed.

- V. Formal resolutions relating to closure, adjournment and next business.
  - VI. On a point of order.
  - VII. Appointment of Auditors
- E. No resolution received in accordance with the specified procedure shall be rescinded or varied except upon resolution duly made on notice.
- F. No resolution of which notice appears on the agenda shall be proceeded with in the absence of the members proposing and seconding it other than that proposed by the Board of Basketball Ireland which shall not require a seconder. The resolution shall be considered withdrawn and shall not be moved without fresh notice.
- G. No resolution which has been duly proposed, seconded and circulated to the members in accordance with Articles of the Association may be amended other than by the same procedures and within the relevant time limit as those which applied to the original resolution.
- H. No amendments to Resolutions shall be accepted at the AGM
- I. During debate, speakers must announce their name and their membership group, i.e. club/school/college/area board/regional board/individual technical member or board member after they have addressed the Chair.
- J. The Chairperson shall have power to adjourn the meeting or to settle points of discussion not otherwise dealt with in Standing Orders.
- K. On any question of procedure or interpretation of Standing Orders, the ruling of the Chairperson shall be final.
- L. It shall be appropriate for any member to move without comment the resolution "that the question be now put to a vote". If such a resolution be seconded and supported by a majority of members, the Chairperson shall call upon the proposer to make his reply after which the resolution shall be put forthwith without further debate.
- M. A person is guilty of a breach of Standing Orders who:
- I. Uses objectionable words and refuses to withdraw them or offer a satisfactory apology.
  - II. Uses offensive words in respect of another person.
  - III. Wilfully disturbs the orderly conduct of business.
  - IV. Disobeys a lawful order from the Chair.
- N. Any person who commits a breach of Standing Orders may, on being declared by the Chairperson to be guilty of a breach of Standing Orders, be penalised, on resolution of the meeting:
- I. By being ejected from the meeting.
  - II. By being suspended for a fixed period from attending meetings.
- O. Notwithstanding Standing Order (a) of this Bye-Law, in the case of a charge against a person under this Standing Order, the breach of Standing Order shall be distinctly stated and a resolution made thereon. The person so charged shall then be allowed to make an explanation if he wishes to do so before any penalty is inflicted. Having made his explanation or on refusing to do so, the offending person shall retire from the meeting room and await the result of the meeting in relation to the charge.

## **7. STANDING ORDERS FOR BI NATIONAL COMMITTEE MEETINGS**

- A. The quorum for BI National Committee meetings shall be as defined in the Terms of Reference of that Committee as ratified by National Council.
- B. The Council of Basketball Ireland has defined the following National Committees;
- I. The Basketball Ireland National Area Boards Committee
  - II. The Basketball Ireland National Colleges Committee
  - III. The Basketball Ireland National Post Primary Schools Committee
  - IV. The Basketball Ireland National Primary Schools (Mini-Basketball) Committee
  - V. The Basketball Ireland National Coaches Committee
  - VI. The Basketball Ireland National Referees Committee
  - VII. The Basketball Ireland National Table Officials Committee
  - VIII. The Basketball Ireland National Commissioners Committee
  - IX. The Basketball Ireland National Women's Senior Clubs Committee

## 8. **THE PRESIDENT OF NATIONAL COUNCIL**

### **Terms of Reference**

- A. The President is the principal Officer of the Council who shall preside over the Council. She/he should be consulted by members of the Board, by the Chief Executive/Secretary General and other office staff whenever appropriate. He presides at General Meetings of the Council. The President is vested with the authority of the Council to act on its behalf, whenever necessary in consultation with the Secretary General/C.E.O. and the relevant sub-committee Chairperson. She/he has the responsibility of interpreting and ensuring the implementation of the policy laid down by the – Council.. The President is an ex-officio member of all Sub Committees of the Council.

### **B. Election of President**

Members of BI vote in seven (7) constituencies –

- I. Clubs
  - II. Technical Members
  - III. Schools
  - IV. Colleges
  - V. Directors
  - VI. Area Boards
  - VII. National Council members.
- C. Each Group has one vote. A vote is held within each group to decide to whom that one vote goes.
- D. Therefore there are seven (7) votes which decide who is elected.

### **Tenure of Office**

- E. The President shall be allowed sit for a maximum of two consecutive two years terms and then must resign and not stand for either President or Vice President for at least two years thereafter.
- F. **The National Council shall elect** a Vice President every year from amongst the Council members. A person can hold the position of Vice President for a maximum of four consecutive years. This does not automatically mean that the Vice President will become President but he/she will be eligible to stand for election. Should a President be unable to fulfil his tenure, the Vice President shall undertake the duties of the President until the following AGM when a new President shall be elected.)

### **General**

- G. The President, in a voting capacity, may attend any meeting of any Standing Committee of National Council.



## 9. **MEMBERSHIP OF BASKETBALL IRELAND**

- A.** All individuals, clubs, colleges, schools, and technical personnel and are required to be registered members of Basketball Ireland.
- B.** Clubs and Individuals shall register with Basketball Ireland before they compete or officiate in any local or national competition.
- C.** The membership form(s) duly completed, together with the appropriate fee(s) shall be sent directly to Basketball Ireland.
- D.** Schools and Individuals shall register with Basketball Ireland before they compete or officiate in any local or national competition. The form(s) duly completed, together with the appropriate fee(s) shall be sent directly to the Basketball Ireland.
- E.** Colleges and Individuals shall register with Basketball Ireland. The form(s) duly completed, together with the appropriate fee(s) shall be sent directly to the Basketball Ireland.
- F.** Each club and individual must be registered with both Basketball Ireland and the Area or Regional Committee in which the team's playing court is geographically located.
- G.** Where individuals participate in schools/colleges and club competitions they must register as part of the team in both cases.
- H.** Clubs/ Colleges/ Schools teams must be registered with Basketball Ireland to participate in the following:

<b>Club</b>	<b>College</b>	<b>School</b>
International events	International events	International events
National League	College League	Schools Cup
National Cup	College Cup	School League
All Ireland Club	Approved Tournaments	Authorised Tournaments
Area League		
Area Cup		
Approved Tournaments		

- I.** Once a player's name is inscribed on the scoresheet for a game that player shall be deemed to have played in the game regardless as to whether the player spends time on court or not.
- J.** Membership with Basketball Ireland shall be at the discretion of the Council whose decision shall be final.
- K.** Clubs can set up a link with Division One or Premier League teams as per the individual competition regulations; to facilitate a pathway exists for all players from area board level through to Premier League level.
- L.** Players may not play for more than one team in a Competition per season except as allowed herein or in the Competitions Regulations.

### **M. UNREGISTERED ACTIVITY:**

- a)** Any individual, team, school or club that participates in any basketball activity organised by or under the control of a League or entity which is not registered with Basketball Ireland in the current calendar year or season is automatically suspended for any activity in a Basketball Ireland including, but not limited to, Leagues, events, seminars and courses for the remainder of the current year and/or season.

- b) Furthermore, the above stipulation will apply to clubs registering either their juveniles or senior team with Basketball Ireland but allowing either their juvenile or senior teams participate in an unregistered league. Registrations paid to B.I. will be refunded in such a case.
- c) B.I. also reserves the right to rule whether a teams or number of teams are or are not effective members of a club playing under a different name

#### **10. Transfers Within Basketball Ireland**

- A. A player shall be free to represent the club of his/her choice in National and Area Board competitions, subject to the regulations contained herein.
- B. A player who wishes to transfer from one club to another must comply with the transfer regulations of the National Area Boards Committee (NABC). Such transfers must be completed on the Basketball Ireland transfer form and notified to the Registrar of Basketball Ireland.
- C. A player who wishes to transfer into Ireland from a country outside the jurisdiction of Basketball Ireland must present a letter of clearance from the National Federation with which he was last registered.
- D. Having completed the transfer procedure, a player must comply with the Basketball Ireland registration system and the respective registration of their Area Board.
- E. All transfers should be notified to Registrar of Basketball Ireland by the Secretary of the Area Board In whose jurisdiction the transfer form has been completed.
- F. The closing date for transfers at Area Boards level shall be 31st October annually. Clubs playing in the Premier and Division One National competitions must comply with closing date for transfers of the respective competition.

#### **11. RIGHT OF ACCESS**

- A. All members of the Council, National Team Coaches, professional staff of Basketball Ireland and others as designated by the Council shall be given free access to all basketball courts in Ireland upon production of a Basketball Ireland registration card endorsing right of access.
- B. In accordance with the regulations of FIBA, all FIBA officials, irrespective of nationality shall be given free access to all basketball courts in Ireland on presentation of the FIBA licence.
- C. This right of free access applies to all basketball matches played in Ireland regardless of the organisers of the event.

#### **12. NATIONAL TEAMS**

- A. A player who is selected to represent Ireland in a full international match or event and agrees to do so in writing, and also subsequently declines to do so shall not be permitted to play in any match during the period that he would have been representing Ireland, except with the written permission of the Council.
- B. A player who is selected to participate in an official National Squad training session and agrees to do so in writing, and who subsequently declines to do so shall not be permitted to

play in any match during the period that he would otherwise have been attending the training session, except with the written permission of the Council.

- C. International honours are only awarded for full international matches between teams representing Ireland and another country.

### **13. PRIORITY CLAIM**

- A. National teams shall take precedence over all other commitments for the priority claim of players.
- B. Events established in the official Basketball Ireland calendar of events shall take priority over all other events.

### **14. REGULATIONS GOVERNING CALENDARING OF BASKETBALL EVENTS**

- A. Normally International Competitions, National League, National Cup, and National Team Training shall take precedence over all other basketball events.
- B. Basketball Ireland cannot grant an exclusive weekend to any club wishing to organise a basketball tournament. By implication therefore a number of tournaments can take place on the same weekend.
- C. Clubs may organise tournaments on weekends allocated to the National League or National Cup once the tournament games involving National League teams or National Cup teams do not interfere with the National League or National Cup schedule.
- D. Clubs may organise tournaments on weekends allocated to International competitions or National team training, once it is understood that the National Team shall take precedence over all other commitments for the priority claim of players.
- E. The basketball membership season shall be as determined annually by Council
- F. The domestic competition playing season shall be as determined annually by Council
- G. The National Teams Preparation Programmes shall be from 1<sup>st</sup> May to 31<sup>st</sup> August or as deemed necessary by the International Affairs Committee in consultation with the Competitions Standing Committee, in the context of alterations to the International Competition Calendar as decided by FIBA.
- H. Invitational Tournaments will not be included on the Basketball Ireland Calendar.

### **15. MATCHES AGAINST FOREIGN TEAMS**

- A. Regional/Area/Club/School/College teams may only play, organise, a match(s) against any foreign team(s) at any level with permission of the Council, through the Competitions Standing Committee (CSC) of Basketball Ireland. Authorisation must be sought for these games in writing. Authorisation must be sought for games against foreign teams in Ireland and also for teams from Ireland travelling abroad.

### **16. INSURANCE**

- A. Basketball Ireland accepts no responsibility for any member of the public (which shall also be deemed to be registered members of Basketball Ireland) for any personal injury or damage to

property sustained at any basketball court whatsoever unless arising directly from an actual event organised by Basketball Ireland.

- B.** Every registered club must have in force Public Liability Insurance including where appropriate, Property Owners Insurance providing insurance cover in respect of all club activities. In addition, where a club engages a person under a contract of service or apprenticeship, the club must have in force an appropriate Employers Liability Policy.
- C.** No club or grouping shall be admitted to membership of Basketball Ireland where they fail to comply with 5.1.1 and/or 5.1.2 above. Where a club/group are already registered as members but subsequently allow the insurance to lapse or discontinue they are liable to be expelled and have their registration revoked at the discretion of the Board.
- D.** A registered player injured while playing basketball in circumstances approved by his club and not otherwise in conflict with the rules of Basketball Ireland shall be permitted to have his medical, dental and physiotherapy fees/loss of earnings reimbursed by his club.
- E.** A club may arrange insurance to provide for such fees/loss of earnings. It is not compulsory for a club to make such arrangements.

### **17. DISCIPLINARY PROCEDURES**

- A.** The Council/Board shall have power to take disciplinary action against any of the following:
  - I.** Standing/Sub committees and members thereof.
  - II.** Regional Committees and members thereof.
  - III.** Area Board Committees and members thereof.
  - IV.** Colleges Committees and members thereof
  - V.** Schools Committees and members thereof
  - VI.** Registered clubs and registered persons and members thereof.
- B.** Any of the above may be expelled or suspended from Basketball Ireland or may be fined.
- C.** National Groups, Area or Regional Boards/Committees and clubs shall have the power to take appropriate disciplinary action against registered persons, members, and units within their jurisdiction.
- D.** Any National Group, Area or Regional Boards/Committee, club, registered person, or member who is the subject of disciplinary proceedings other than where automatic penalties are specified, shall have the right to be heard in person or by written statement made by them in their own defence.
- E.** Disciplinary action taken under Rule 6.4 must be notified in writing to the person or body ,or the nominated representative of the body,against whom disciplinary action is been taken within 5 days of the decision being made.
- F.** Unsportsmanlike behaviour on the part of the public towards opponents (players, coaches, team followers, spectators, etc. and/or officials commissioner, referees, or table officials) during games played on the team's home court or another court may be referred to the Disciplinary committee by the Council or its committees (Standing/ Sub/ Regional/ Area/ School/ College/ Technical Committee) or any individual member of the Council or Board to be dealt with. The committee may impose fines or suspensions, as it deems appropriate having considered the incident(s).
- G.** Penalties relating to disciplinary incidents with game officials:
- H.** Unsportsmanlike behaviour on the part of the participants towards officials (commissioner, referees, or table officials) during games played on the team's home court or another court

may be referred to the Disciplinary committee by the Board or its committees (Standing/ Sub/ Regional/ Area/ School/ College/ Technical Committee) to be dealt with. A protocol is in place for National Competitions with regards to setting out guidelines. The committee may impose fines or suspensions, as it deems appropriate having considered the incident(s).

## **18. APPEALS PROCEDURES**

- A. There shall be the right of appeal to the Appeals Committee against any decision of the following:
- I. The Council
  - II. Any Sub Committee of the Council
  - III. Any Officer of the Council
  - IV. Any National Group.
  - V. Any Regional Board /Committee
  - VI. Any Area Board/Committee.
- B. In order for an appeal to be progressed to National Level, it must first have exhausted all available mechanisms at a local and/or regional level.
- C. In order for an appeal to be valid it must be received in writing at the office of Basketball Ireland within 14 days of notification of the decision and must be accompanied by a deposit of €300. This deposit shall be refunded if the appeal is upheld.
- D. Notification of a bone fide appeal once received shall be circulated by the Basketball Ireland Office to the relevant parties whose decision is being appealed and a date and time for the hearing, once set, shall also be communicated to both parties.
- E. The Appeal Committee shall consist of a panel of the nominees (6) of the President, who shall be appointed for a period of 2 years and ratified by the Council.
- F. A meeting of the Appeal Committee shall be deemed an official meeting. The quorum shall be three. A member of the office staff may be in attendance at the request of the Chairperson for administrative assistance or information purposes but must leave the meeting before a decision is made.
- G. The chairperson of the appeal Committee shall be the nominee of the President and ratified by Council. If the Chairperson is absent from a meeting then the meeting shall elect a Chairperson for the hearing from amongst those present.
- H. The meeting shall elect a minute-taker for all hearings.
- I. The party bringing the appeal shall state their case first. The defending body or committee will then state their case. Each side will have the opportunity to cross examine the other side through the Chair. The Appeals Committee members may also question both sides.
- J. The Chairperson once satisfied that all involved have had ample time to state their case and cross examine, shall then terminate that part of the appeal meeting and ask all parties to withdraw to allow the committee to make their decision.
- K. The decision of the Appeal Committee shall be forwarded orally, in writing, by fax, or electronically to both parties before it is released to the press. Both parties must offer either a telephone number or fax number to the committee for early receipt of the decision. A written copy of the decision shall also be forwarded within 5 working days by post to both parties.
- L. As a final point of appeal, accepting that all BI internal dispute appeal avenues have been utilised, a dispute arising out of or in connection with these regulations may be referred to Just Sport Ireland and will be administered in accordance with JSI Regulations (as amended from time to time).

## **19. CODE OF CONDUCT**

- A. Basketball Ireland has adopted the Code of Conduct for Children's Sport as a constituent part of National Policy. Basketball Ireland requires that all units of the Association in turn adopt policy, supply all members with copies, and appoint and register centrally a Children's Officer.

### **APPLICATION**

- B. This Code of Conduct (the 'code') is binding on:
- I. All members of the Board of Directors, Standing Committees and Sub Committees of Basketball Ireland
  - II. All officials, employees and player agents of Basketball Ireland
  - III. All players, coaches and officials with whom Basketball Ireland who have entered into agreements or who are otherwise affiliated to Basketball Ireland, (herein after referred to as 'covered persons').

### **OBJECTIVES**

- C. This Code is introduced to:
- I. Ensure that the policies and decisions of Basketball Ireland are implemented professionally and in an objective and accountable manner.
  - II. Re-affirm the commitment of all covered persons to act in the best interests of Basketball Ireland at all times.
  - III. Provide a further deterrent against conduct, behaviour and practices which may be detrimental to the best interests of Basketball Ireland and / or the game of basketball ('the game').

### **RESPONSIBILITIES OF COVERED PERSONS**

- D. Covered persons must:
- I. Perform the functions of their office in good faith and honestly.
  - II. Act in the best interests of Basketball Ireland and take all necessary steps to assist Basketball Ireland in achieving its objectives in such a way that Basketball Ireland's credibility and integrity is not compromised.
  - III. Conduct themselves in a manner worthy of their position within Basketball Ireland.
  - IV. Act with due care and diligence in the discharge of their functions for and on behalf of Basketball Ireland.
  - V. Disclose to Basketball Ireland any direct or indirect personal or private business interest that they or their spouses, partners or business associates may have which may conflict with Basketball Ireland's interests.
- E. Covered persons may not:
- i. Engage in conduct, behaviour or practices, which may be detrimental to the best interests of Basketball Ireland.
  - ii. Engage in any conduct, behaviour or practices, which may bring Basketball Ireland, or the game, into disrepute.
  - iii. Disclose confidential information entrusted to them or obtained as a result of their position as covered persons, unless legally obliged to do so.
  - iv. Disclose information, unless legally obliged to do so, in a way which may damage the reputation of Basketball Ireland or the game.
  - v. Use their position or privileges as covered persons for private gain or to benefit another person improperly.

- vi. Commit or be responsible for, and / or party to, any form of discrimination including, but not limited to, discrimination on the basis of race, colour, gender, sex, ethnic or social origin, religion or political persuasion.
- vii. Do anything which is likely to intimidate, offend, insult or humiliate any person on the grounds of his or her race, colour, gender, sex, ethnic or social origin, religion or political persuasion.
- viii. Harass any person on any grounds whether physical, mental, professional or sexual.
- ix. Accept:
  - 1. Hospitality, either personally or on behalf of persons accompanying them, whether relatives or otherwise, which is excessive in the circumstance.
  - 2. Gifts other than gifts of nominal value in accordance with prevailing local custom and given and accepted as a mark of respect or friendship: provided that gifts which exceed €200.00 per annum in value should be declared to the appropriate Basketball Ireland structure and handed over to it unless it decides otherwise.
  - 3. Goods or services which may influence or affect judgement in the conduct of Basketball Ireland's affairs.
- x. Give gifts or perform favours of any kind where it could appear designed to influence others improperly or which may influence or affect judgement in the conduct of Basketball Ireland's affairs.

#### **F. BREACHES OF THE CODE**

- I. An alleged breach of the Code shall be investigated by a member of Basketball Ireland's Audit Committee or someone appointed by the Board specifically for that purpose (hereinafter referred to as 'a Designated Official').
- II. A Designated Official shall determine the procedures governing the investigation of an alleged breach of the Code in his or her discretion on condition that the rules of natural justice are complied with.
- III. If a Designated Official determines that a breach of the Code may have been committed, he / she shall refer the matter through the Chairperson of the Disciplinary Committee or his or her representative, to the Disciplinary Committee for adjudication. Pursuant to the memo and articles of Basketball Ireland and the Disciplinary Regulations.
- IV. If a Disciplinary Committee appointed in terms of the Basketball Ireland Disciplinary Procedure regulations or the Board of Basketball Ireland determines that a breach of the Code had been committed, he / she / it may impose penalties as outlined in the byelaws, regulations, rules operational on the day i.e. expulsion, suspension or fine.

## **20. REGULATIONS GOVERNING BI RECOGNISED GAMES/TOURNAMENTS**

- A. Basketball Ireland asks all tournament organisers to run their tournaments in the true spirit of basketball – carefully protecting the expectations of the participants and spectators. We particularly ask you to liaise with the media in an efficient manner. Contact the office for suggestions on PR and any other aspects. Organisers of tournaments are required to receive Basketball Ireland sanction. This sanction will be at the discretion of the Board. To receive sanction the tournament must comply with the following general and technical regulations.

### **GENERAL REGULATIONS**

- B. The official application for tournament sanction must be received in Basketball Ireland Office one month prior to the event. An administrative fee of €20 shall apply. If application is received within less than one month prior to the event, an additional €20 fee shall apply.
- C. All sections of the aforementioned form must be completed.
- D. A copy of the tournament rules and attending clubs/teams must accompany the aforementioned form.
- E. All players must be members of Basketball Ireland and all clubs must be registered to Basketball Ireland. In the case of a local/national tournament, all teams must be registered to Basketball Ireland under the team registration scheme.
- F. Permission to play non-registered players and/or non-clubs may be granted by Basketball Ireland under certain circumstances (i.e. International Clubs, see inbound permission form, pre-season games) such permission must be received in writing from Basketball Ireland office.
- G. It is the duty of the tournament organisers to ensure that all participants are registered with Basketball Ireland. Tournament organisers who permit non-registered or non-registered clubs to participate will be automatically fined €50 and may be open to further sanction by Basketball Ireland.
- H. Games against teams not registered with Basketball Ireland must seek authorisation from Basketball Ireland as per Clause 4.
- I. Referees must be appointed to the tournament in association with the National Referees Committee/ Regional Referee Representative/Local Referees Association depending on the level of the tournament/game, once it has been sanctioned. Notice will go from the BI Technical Administrator to the relevant person(s).

**21. TOURNAMENT TECHNICAL REGULATIONS FOR SENIOR MEN'S AND WOMEN'S TEAMS– Permitted exceptions to FIBA rules included.**

- A. In the case of a Tournament - organisers must appoint a technical commission which must comprise of the tournament organisers, selected representative of the participating teams, not including the host team, and a neutral nominee who will chair the commission and act as Tournament Commissioner.
- B. The length of a game may be shortened. A minimum of 5 minutes per quarter with a half time interval of 2 minutes is essential. The “running clock” is not permitted in any circumstances.
- C. The 15 minute dispensation for lateness may be reduced or abandoned.
- D. Extra periods may be reduced in the event of a tie or alternatively in the event of a tie, the game may be decided by awarding the game to the team who scores the next point.
- E. For matches with quarters of less than 7 minutes only one charged time out pre half should be permitted to each coach.
- F. The number of fouls permitted for a team and for a player can be reduced in accordance with the length of the match.
- G. Rules governing substitutions cannot be altered.
- H. Each team should play at least 40 minutes playing time over the duration of the tournament/blitz.

**22. DOPING CONTROL POLICY**



- A. Basketball Ireland has adopted a Doping Control Policy as a constituent part of National Policy. Basketball Ireland requires that all relevant units of the Association in turn adopt the policy.
- B. All individuals, clubs, schools and Area Committees will adhere to the Basketball Ireland doping control regulations, as follows:
  - I. The use of performance enhancing, recreational or any drugs banned under FIBA guidelines are strictly prohibited by Basketball Ireland. FIBA utilises the International Olympic Committee's listing of banned substances.
  - II. FIBA guidelines in relation to Doping Control will be adapted by Basketball Ireland for all individuals, clubs and Area Committees.
  - III. Furthermore, Irish Basketball subscribes to the National Anti-Doping Testing Programme operated by the Irish Sports Council.

### 23. **BROADCASTING**

- A. The Board shall have the right to regulate all appearances relating to basketball by participants in the sport of basketball whether players or otherwise in any public media and to stipulate the terms and conditions of any such appearance.
- B. No such appearance shall be made without the prior authority of the President or the Chairman of the Board or in their absence the Secretary General/ Secretary General.
- C. Basketball Ireland shall have the sole and exclusive right to negotiate on behalf of each Area Committee, Regional Board or Club regarding television, radio, or any other public media coverage of basketball matches on the island of Ireland.
- D. Basketball Ireland reserves all rights to the video-taping or filming of all matches under its jurisdiction.

### 24. **GENERAL**

- A. The Council/Board may take whatever action it deems appropriate against any registered person or organisation that it deems to have brought the game into disrepute.
- B. At the start of each season outstanding and aged debts will be deducted from club payments as priority, and in advance of crediting payments against current and more recent payments due.
- C. Basketball Ireland registered teams/clubs shall not participate in competition with non-registered teams/clubs.
- D. The official Basketball Ireland scorepad must be used for all matches played in Ireland.
- E. Basketball Ireland permits the use of courts that are safe and comply with the following:

<b>Definition</b>	<b>Minimum Standard</b>
28 x 15m with variations down to 24 x 13 with a 1m gap	24 x 13 with 1 m gap

### 25. **CHANGES TO THE REGULATIONS**

- A. Only the Council may change, alter, or amend these regulations in accordance with the Memorandum and Articles of Association.

**APPENDIX 1 – DRAFT OPERATIONAL AGREEMENT SUMMARY**

**Council of Basketball Ireland (The Council)  
One Part  
And  
Irish Basketball Association Ltd (The Company)  
Other Part**

**THIS AGREEMENT** is made on xxx day of month yy 2010 between

*The Council of Basketball Ireland (“The Council”) of the One Part and*

*Irish Basketball Association Ltd (“The Company”), trading as Basketball Ireland, having its  
registered office at National Basketball Arena, Tymon Park, Dublin of the Other Part*

**NOW IT IS HEREBY AGREED** as follows:

**1. Purpose**

The Company and The Council have agreed to enter into this agreement for the purpose of setting out the terms and conditions upon which The Company shall provide funding on an annual basis to The Council and to outline ways in which they can cooperate together to further their respective objects.

**2. Functions**

The principal activities of The Company are;

To manage the Endowment Funds and Assets of Irish Basketball Association Ltd.

To ensure that all legal, fiduciary and statutory functions are being correctly carried out with a good governance framework

To be the employer of all Basketball Ireland staff

To be the Governing Body for Basketball in Ireland – many aspects of the role of the Governing Body will be devolved to the Council.

2.2 The Council shall be responsible for the elements of the trusteeship, conduct and overall management of the sport of basketball, on the island of Ireland that have been devolved from The Company. In this regard The Council shall be responsible for:

2.2.1 Acting as overall directing, managing, co-ordinating, supporting, determining and supervisory body in respect of Basketball;

2.2.2 Fulfilling all of the responsibilities as trustee of Basketball in accordance with the Memorandum and Articles of the Association.

2.2.3 Securing the development and implementation of the philosophy outlined in the Memorandum of Association

2.2.4 Developing, promoting and implementing new policies, protocols, projects and initiatives in accordance with the main objects of The Council and the Memorandum and Articles of the Association.

Either The Company or The Council may propose from time to time modifications or amendments to the Memorandum and Articles in the context of the changing and evolving needs of Basketball. Changes in the Memorandum and Articles will be a matter for The Company.

It is neither intended nor envisaged by this agreement that The Company shall have any role or involvement in the conduct of the functions of The Council as outlined in paragraph 2.2 above save as specifically provided for under the terms of this agreement.

### 3. **Joint Memberships**

For the duration of the agreement, two Directors of The Company shall be members of both the Board of Basketball Ireland and the Council of Basketball Ireland.

### 4. **Funding**

4.1 The Company hereby agrees that it shall procure and provide annual funding to The Council by way of donation to meet its approved Annual Budget, subject to a minimum guaranteed level of funding of [90%] of the prior year's approved budget, net of any surplus at end of that year and any additional once-off funds for special projects provided in the prior year.

4.2 From time to time The Council may wish to undertake special projects which require additional funding and The Company will consider reasonable applications for such additional funding ("Additional Budget").

4.3 The Council shall be afforded, if it so wishes, an opportunity to present its case for the Additional Budget to the Board of the Company prior to the Board of the Company making its final determination on the matter.

4.4 The funding shall be provided by The Company subject to The Council complying in full with its conditions of funding.

### 5. **Annual Budget**

5.1 The Council shall submit to The Company a detailed Annual Budget endorsed by The Council for the following financial year in the format specified from time to time by The Company no later than 31 October each financial year.