



SOUTHERN BASKETBALL ASSOCIATION

NOTICE OF EXTRAORDINARY GENERAL MEETING

MONDAY 1st MAY 2023

7.00pm to 7.15pm

Via Zoom Meeting

Meeting ID: Meeting ID: 832 2025 9285

Passcode: 529287

NOTICE IS HERBY GIVEN - in accordance with Section 13 of the Southern Basketball Association Incorporated Constitution October 2020 (**the Constitution**) that an Extraordinary General Meeting (**EGM**) of the Southern Basketball Association (**Association**) will be held on Monday 1st May 2023 at 7.00pm to conduct the following business:

1. Amendment of Rules

To consider, and if thought fit, pass the following resolution as a special resolution in accordance with Section 50 of the Associations Incorporation Reform Act 2012 (Act) and Section 5 of the Association's Rules:

"That the financial year be changed from a 12 month period ending 31 August, to a 12 month period ending 30 June, and that the change apply to the operations of Southern Basketball Association Incorporated as from its adoption by the general meeting pending final approval by Consumer Affairs Victoria in accordance with the provisions of the Associations Incorporation Reform Act 2012 (VIC)."

Note: Should this special resolution be passed by Members, the Secretary will provide an appropriately altered Rules to Consumer Affairs Victoria (as the Registrar of Incorporated Associations) in accordance with section 50 of the Act. The altered Rules will take effect upon the acceptance of it by the Registrar.

For and on behalf of the SBA Board

A handwritten signature in black ink, appearing to read "Anne-Maree Nunan".

05/04/2023

Anne-Maree Nunan
Secretary
Southern Basketball Association

secretary@southernbasketball.com.au



Procedural Notes

These notes form part of the Notice of Meeting.

1. Membership Categories (Section 6) & Voting at the AGM (Section 19).

All Membership Categories are outlined in Section 6 of the Constitution. All those who are entitled to vote at a General Meeting are outlined in Section 19. The Constitution should be read carefully in respect to Member Categories and Voting Rights.

Note Section 19.3 states:

“No category of Member may exercise two votes. For example, a Playing Member who is also a Life Member can only exercise one vote”.

Note Section 19.6 states:

“No proxy or postal votes will be allowed at any General Meeting of the Association.”

Any questions about Member Categories and Voting Rights should be forwarded by email to the Secretary no less than close of business seven (7) days prior to the General Meeting.

2. Entity Teams

Each Entity Team entered into competitions conducted by the Association shall be entitled to be represented by a nominated delegate, over 18 years of age, who shall have one vote.

Note Section 6.2 (c) states:

“Unless otherwise nominated, the delegate of the Entity Team is the Team Manager nominated in the team registration process”.

3. Member Clubs

Each Member Club shall be entitled to be represented by a nominated delegate.

Section 6.2 (d) states:

“Unless otherwise nominated, the delegate of the Member Club is the President of the Member Club”.

Member Clubs must notify the SBA Secretary in writing prior to the General Meeting of their Delegate’s name and position. All Delegates must be fully briefed and have the authority to make decisions on behalf of the Member Club at the General Meeting.

In accordance with the Constitution the number of votes allocated to Member Clubs will be based on the number of junior and senior teams they have registered in the SBA Domestic Competition at the time of the General Meeting. Note Section 19.2 states:

“If there is no current active competition being held at the Association, the registration data from the most recent preceding season will be used to determine eligible votes for the purposes of a General Meeting”.

4. Taking of Polls at Meeting

Under section 21 of the Rules, three or more Members may demand a poll on any resolution before the Members. That poll must be taken in “*such manner as the Chairperson may direct the resolution of the poll shall be deemed to be a resolution of the General Meeting on that question*”.



5. Casting Vote

Under section 19(5) of the Rules, *"In a case of an equality of voting the Chairperson of the meeting is entitled to exercise the casting vote"*.

6. Incorporation of Explanatory Statement

The Explanatory Statement attached to this Notice of Meeting, is hereby incorporated into and forms part of this Notice of Meeting.



Explanatory statement

This information forms part of the Notice of Meeting. The main purpose of this Explanatory Statement is to provide Members with information to assist them to make an informed decision about the resolution to be proposed at the EGM.

1 Amendment of Rules

In summary, the proposed changes to the Constitution are as follows:

- Under Section 4.1, the definition of "**Financial year**" means the 12 month period ending on ~~31 August~~ 30 June;

The basis of the change of the reporting year from 31 August to 30 June is to align with the Australian financial year, assist with financial and cash flow planning, and to simplify the SBA's financial reporting and audit reporting process to align with the domestic season break that now falls mid-year between Autumn and Spring seasons.