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| **CONSTITUTION OF THE BHUTAN BASKET BALL FEDERATION 2014**  **ARTICLE 1**  **PRELIMINARY**  **Short Title**   1. This Constitution shall: 2. Be called the Constitution of the Bhutan Basketball Federation 2014; and 3. Come into force on the ……. Day of the ……. Month of the Wood Male Horse Year of the Bhutanese Calendar corresponding to …… Day of the …… Month of 2014.   **Name and Office**   1. The name of the Federation shall be the Bhutan Basketball Federation, hereinafter referred to as the Federation, and its head office shall be located at the Changlimithang Stadium Complex in Thimphu, Bhutan.   **Autonomy of Federation**   1. The Federation shall be autonomous in its governance of the sport of Basketball and it shall independently determine and control all matters central to such governance and shall not delegate such determination and control unless specified otherwise in this Constitution.   Further, the Federation shall have a distinct legal personality, and be capable of doing all such things and entering into all transactions as are incidental or conducive to the exercise or performance of its functions under this Constitution.  **Authority of the Federation**   1. The Federation shall have authority to: 2. Represent Bhutan in F.I.B.A, FIBA Asia and SABA; 3. Establish national goals and encourage the attainment of these goals in the sport of Basketball; 4. Serve as the coordinating body for activity in the sport of Basketball in Bhutan; 5. Conduct competitions in the sport of Basketball, including national championships and international competitions; 6. Establish procedures for the determination of eligibility standards for participation in such competitions; 7. Designate individuals and teams to represent Bhutan in international Competitions in the sport of Basketball.   **ARTICLE 2**  **VISSION, MISSION AND AIMS AND OBJECTIVES**  **Vision of the Federation**   1. The Vision of the Federation shall be to make the sport of Basketball the most popular game in the Country.   **Missions of the Federation**   1. The Missions of the Federation, *inter alia*, are to: 2. Promote the sport of Basketball in the country; 3. Inculcate a spirit of sportsmanship and sporting excellence among Bhutanese; 4. Help in the advancement of a healthy sporting population; 5. Increase access to the sport through development of appropriate infrastructure, programs, camps, clinics and other activities; 6. Govern and enhance the sport of basketball in the country, and ensure uniformity in the application of rules throughout the country; 7. Attract talented youth to the sport and thereby develop a national team that excels not only in regional but also in international events; and 8. Produce sufficient numbers of professionally certified coaches, referees and officials for the sport of Basketball.   **Aims And Objectives of the Federation**   1. The aims and objectives of the Federation shall be to act as the national governing body for the sport of Basketball in Bhutan and in such connection, to be recognized as such by the Bhutan Olympic Committee, and to act as the FIBA member in Bhutan. Pursuant to such purposes and the other purposes set forth in its Articles of Association, the Federation shall: 2. Develop interest and participation among Bhutanese in basketball throughout the country; 3. Engage and collaborate with international partners and donors to avail financial, technical, and institutional assistance; 4. Keep Basketball players informed on policy matters and reflect the views of such athletes in the policy decisions of the Federation; 5. Provide equitable support and encouragement for participation by men and women in the sport of Basketball; 6. Provide and coordinate technical information on physical training, coaching and performance analysis in the sport of Basketball; and 7. Strengthen the organization of the Federation in terms of human resources, infrastructure and financial matters.   **ARTICLE 3**  **MEMBERSHIP OF THE FEDERATION**  **Membership**   1. The membership of the Federation is open to all individuals, institutions, agencies, corporate and private bodies. All applications for membership shall be accompanied by the appropriate annual membership fees prescribed by the Federation.   **Application for Membership**   1. An application for membership must be: 2. In writing on the form prescribed from time to time by the Federation, from the applicant or its nominated representative and lodged with the Federation; and 3. Accompanied by the prescribed fee.   **With Voting rights**   1. Affiliated clubs/team to BBF 2. Dzongkhag Sports Association affiliated to BBF   **Without Voting rights**   1. Persons who have rendered eminent services to the promotion of sports on the recommendation of the Executive Committee.   **ARTICLE 4**  **TERMINATION, SUSPENSION OR EXPULSION OF MEMBERSHIP**  **Termination of Membership**   1. Themembership to the Federation may be terminated with or without notice: 2. Upon resignation of the Member; 3. Upon expulsion due to misbehavior or irregularity in the discharge of the functions of Member; 4. Upon not paying annual membership fees for more than a month; or 5. Any other grounds and events that warrants termination.   **Suspension or Expulsion of Member**   1. The Executive Committee shall have the power to suspend or expel, as the case may be, any member of the Federation for: 2. False or inaccurate statements made in the member’s application for membership to the Federation; 3. Breach of any Rule, Regulation or By-law of the Federation; or 4. Any act detrimental or harmful to the Federation.   **ARTICLE 5**  **APPEAL PROCEDURE**  **Appeal**   1. Any member who is expelled, suspended or has their membership terminated, shall have the right to appeal against their suspension or expulsion by presenting their appeal to an Appellate Body formed by the Federation for hearing the appeal and the decision of such Appellate Body shall be final and binding. 2. The Appellate Body shall convene a meeting to hear appeal within seven working days from the day the appeal petition is filed.   **ARTICLE 6**  **MEEETINGS OF THE MEMBERS**  **Call for the Meeting**   1. The Meetings of the members of the Federation may be called by the President or General Secretary or a written petition signed by at least half of the active members.   **Reports by General Secretary**   1. During the Meeting, the General Secretary shall present a report on: 2. The activities of the Federation since the last Meeting of the Members; 3. Plans for the future; and 4. Information on any other relevant matters of the Federation.   **ARTICLE 7**  **ANNUAL GENERAL MEETING**  **Annual General Meeting**   1. The Annual General Meeting of the Federation shall be held within two months of the end of the financial year. 2. The General Secretary shall notify the members in writing of the date the Annual General Meeting is to be conducted at least fourteen working days beforehand. 3. All the members of the Federation may attend the Annual General Meeting.   **Quorum for the Annual General Meeting**   1. The quorum for the Annual General Meeting shall be a minimum of half of the total members of the Federation. 2. If there is no quorum after the end of thirty minutes from the time specified in the notice for the opening of the Meeting, the meeting shall stand adjourned for one week. 3. If there is again no quorum in the meeting on the adjourned day and date in the meeting of the following week, those members subsequent present shall be deem to constitute the quorum and shall be competent to discharge the businesses of the meeting.   **Agendas for the Annual General Meeting**   1. The agenda for an Annual General Meeting shall be: 2. Opening of the Annual General Meeting; 3. Presentation of Annual Report; 4. Adoption of Annual Report; 5. Presentation of Treasurer’s Statement; 6. Election of New Executives and appointment of Auditor; 7. Vote of thanks to outgoing Executives; 8. Determination of Annual Membership Fees; 9. Notice/s of Proposal; 10. Any other businesses; and 11. Closure of the Annual General Meeting.   **ARTICLE 8**  **GENERAL MEETINGS**  **Call for the General Meeting**   1. The General Meeting may be called at the request of the President and General Secretary or on the written request of one fourth of the total members of the Federation.   **Notice for the General Meeting**   1. The General Secretary shall notify the members in writing of the date the General Meeting is to be conducted at least seven working days beforehand.      1. Notice of General Meetings shall set out clearly the business for which the meeting has been called and no other business shall be dealt with at that General Meeting.   **Quorum for the General Meeting**   1. The quorum for the General Meeting shall be a minimum of one third of the total members of the Federation.   **ARTICLE 9**  **OFFICERS & EXECUTIVE COMMITTEE**  **Executive Committee**   1. There shall be an Executive Committee constituted for conducting the businesses of the Federation in accordance with the policy guidelines laid down by the General Assembly in the Annual General Meeting.   **Members of the Executive Committee**   1. The Executive Committee shall consist of the following Members: 2. President**;** 3. Vice president; 4. General Secretary and; 5. Treasurer.   **Officers of the Federation**   1. The officers of the Federation shall consist of an elected President, Vice President General Secretary and Treasurer. In addition, other officers will consist of appointed office bearers.   **Election of the Executive Committee Members**   1. The President, Vice President and Treasurer of the Executive Committee shall be elected and the election shall occur every three years. 2. No person shall hold more than one position in the Executive Committee at any given time.   **Appointment of Other Officers**   1. The Executive Committee shall appoint other officers of the Federation through a competitive recruitment processes.   **Meeting of the Executive Committee**   1. The Executive Committee shall meet as and when necessary. However, the Executive Committee shall meet at least twice a year at a time and place decided by the President of the Executive Committee. 2. No Sitting fees shall be paid to the members present in the meeting of the Executive Committee. 3. The President of the Executive Committee shall preside over the meeting and the vice-President shall preside over the meeting in the absence of the President.   **Quorum for the Executive Committee Meeting**   1. The quorum for the Executive Committee meetings shall be half of the total Members of the Executive Committee.   **Powers of the Executive Committee**   1. The Committee shall have the power to: 2. Approve training plans for the national teams planning to participate in international events; 3. Review the performance and results of participants who participated in the most recent competitions/championships held at national, regional, international levels and develop strategies for improving their performance; and 4. Consider and recommend the adoption of the Annual Report, Annual Accounts and the Budget for the financial year to the Annual General Meeting.   **Loss of Executive Committee Membership**   1. A member of the Executive Committee may lose his or her seat in the Committee if he or she: 2. Is absent in three or more meetings without leave of absence; 3. Has breached, failed, refused or neglected to comply with a provision of this Constitution, the Rules and Regulations or other By Laws if any; 4. Has acted in a manner unbecoming of a Member, or prejudicial to the purposes and interests of the Federation; 5. Has brought the Federation or any other Member into disrepute; or 6. Has an outstanding membership due.   **ARTICLE 10**  **DUTIES, RESPONSIBILITIES, OBLIGATIONS AND POWERS OF EXECUTIVE COMMITTEE MEMBERS**  **President**   1. The President shall be directly responsible for all activities of the Federation through the Executive Committee to the General Assembly and shall have the administrative and financial authority.      1. The President shall have the duty to: 2. Preside over the Executive Committee and the General Assembly Meetings; 3. Represent the Federation at regional, continental and international sport meetings or name a representative on his or her behalf as provided for by the Constitution; 4. Delegate his or her ordinary powers and authority to the other Executive Committee members as considered necessary; 5. Ensure effective functioning of all the committees formed by the General Assembly; 6. Supervise the preparation of financial, administrative and other reports and submit them to the Executive Committee for consideration and present them before the General Assembly; 7. Sanction expenditure within the limited ceiling prescribed by the financial regulations approved by the Executive Committee; 8. Supervise, coordinate and follow up with the duties assigned to the respective office-bearers; and 9. Do all such other things as may be required for the fulfillment of the objectives of the Federation and the directives of the Executive Committee.   **Vice-President**   1. The Vice-President shall have the duty to: 2. Discharge duties and functions assigned to him or her by the President, Executive Committee or the General Assembly; 3. Monitor the performance of the federation; 4. Hold meetings and draw up strategies for promoting and improving the performance of the Federation in the national, regional and international events; 5. Preside over the Executive Committee and the General Assembly meetings in the absence of the President; and 6. Propose the name of Auditors and their remuneration.   **General Secretary**   1. The General Secretary shall be the executive head of the Federation and shall oversee the day-to-day functions of the Federation through the exercise of administrative and financial authority delegated to him or her. 2. For any expenditure that exceeds the prescribed ceilings, the General Secretary shall seek the prior approval from the President. 3. The General Secretary shall, inter alia, have the duty to: 4. Supervise the day to day administration of the Federation; 5. Transact all official businesses on behalf of the Committee, the General Assembly and other Committees that may be formed from time to time; 6. Issue notices and agenda for meetings of the Executive Committee, the General Assembly and other Committees and implement their decisions; 7. Maintain minutes of the Executive Committee and the General Assembly meetings; 8. Prepare and submit Annual Reports duly approved by the President to the Executive Committee and the General Assembly for adoption; and 9. Supervise, coordinate and follow up task and duties of the Federation and administrative officials and staff.   **Treasurer**   1. The Treasurer shall be the custodian of the funds of the Federation and shall have the duty to: 2. Ensure that the accounts of Federation are kept in an appropriate manner; 3. Receive all funds on behalf of the Federation and issue formal receipts; 4. Collect and account for the annual membership fees as well as the contributions and other income accruing to the Federation; 5. Pay all the bills certified by the President or the General Secretary within the budget approved by the General Assembly; 6. Prepare and submit for adoption by the Annual General Assembly Meeting, the Audited Statement of Accounts and the Budget for the next financial year; 7. Carry out such assignments as may be approved by the General Secretary; 8. Co-ordinate and monitor the respective (national/international) programs; 9. Administer the finance, appoint bankers, and direct the opening of banking accounts for specific purposes and to transfer funds from one account to another, and to close any such account; 10. Enforce payment of fees, subscriptions, fines and charges as determined by the Executive Committee.   **ARTICLE 11**  **INTERNAL GRIEVANCE REDRESSAL SYSTEM**   1. Any Member of the Federation may file a written grievance with the General Secretary pertaining to any matter within the ambit of the Federation and alleging a violation of any provision of this Constitution, Rules and Regulations and any other By-Laws if any in force of the federation. 2. Each grievance shall be signed with specific details of the grievance and each claimed violation under Section 1 of Article 13, with reference to specific provisions thereof, stating in concise language how, when, and where the violation occurred. 3. Upon receipt of a grievance, the General Secretary shall refer it to the President who may either make an effort to resolve the grievance himself or herself or refer it to the Executive Committee.   **ARTICLE 12**  **FINANCE**:   1. All funds of the Federation shall be deposited into the Federation’s accounts at such bank or recognized financial institution as the Executive Committee may determine. 2. All amounts due by the Federation shall be paid after having been passed for payment at the Executive Committee Meeting. 3. If the need to make immediate payment occurs, such payments shall be made and the action shall be endorsed at the subsequent immediate Executive Committee Meeting. 4. The General Secretary shall not spend more than a set amount without the consent of the Executive Committee, and shall keep a record of such expenditure in a Cash Book. 5. A statement showing the financial position of the Federation shall be tabled at each Executive Committee Meeting by the Treasurer. 6. A statement of Income and Expenditure, Assets and Liabilities shall be submitted to the Annual General Meeting. The auditor’s report shall be attached to such financial report. 7. The financial year of the Federation shall commence on 1st of July each year. 8. The accounts, books and all financial records of the Federation shall be audited each year. 9. The signatories to the Federation’s account/s shall be the Treasurer along with either the President or the General Secretary. 10. All properties and incomes of the Federation shall be applied solely to the promotion of the Aims and Objectives of the Federation and no part of the property or income shall be paid or otherwise distributed, directly, or indirectly, to members, except in good faith in the promotion of the Aims and Objectives of the Federation.   **ARTICLE 13**  **AMENDMENTS TO THE CONSTITUTION**   1. No amendments, repeal or addition shall be made to the Constitution except at the Annual General Meeting, or General Meeting, called for that purpose. 2. Notice of all motions to amend, repeal or add to the Constitution shall be given to members fourteen working days prior to the Annual General Meeting, or seven working days prior to a General Meeting called for such purpose. 3. The General Secretary shall forward such notices of motion to each Executive Committee member at least fourteen working days prior to the Annual General Meeting or seven working days prior to the General Meeting. 4. Alterations to the By-laws can be made only at the Executive Committee Meetings provided Committee Members were duly notified on such proposed alteration. 5. The Constitution and By Laws may be amended, repealed or added by a two-third majority of the Meeting.   **ARTICLE 14**  **CONFLICT OF INTEREST & ETHICAL PRACTICES**   1. An Officer shall declare his or her interest in any contractual, selection, disciplinary, or financial matter in which a conflict of interest arises or may arise. 2. If any officer of the Federation has a financial interest in any contract or transaction involving the Federation, such officer shall not participate in the Federation’s evaluation or approval of such contract or transaction, unless otherwise determined by the Executive Committee. 3. If such disclosure is made, the contract or transaction shall not be voidable if the President or Committee, in good faith, authorized the contract or transaction by the affirmative vote of the majority of the disinterested Committee members and the contract or transaction is fair to the Federation at the time it is authorized.   **ARTICLE 15**  **DEFINITIONS**   1. In this Constitution, unless context otherwise requires: 2. "BBF" means the Bhutan Basketball Federation, a not-for-profit organization set up in 1983, under the laws of the State of Bhutan; 3. "**F.I.B.A**." means Federation International Basketball; 4. "**S.A.B.A**.” means South Asian Basketball Association; 5. “Member” means a member of the Bhutan Basketball Federation; 6. “Constitution” means the “Constitution of the Bhutan Basketball Federation”; 7. “Committee” means the Executive Committee, as defined in Article 11.4 constituted under the Rules hereinafter contained, to whom the day-to-day management of the affairs of the Federation is entrusted; 8. “He/His” represents both the genders; and 9. “General-Secretary” means the General-Secretary of the Bhutan Basketball Federation.   http://www.usab.com/images/spacer.gif | |
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