

CONSTITUTION AND RULES

APPROVED

16 July 2025

Adopted by the Cavan Eagles Basketball Club Committee

Article 1 TITLE:

The name of the Club is: Cavan Eagles Basketball Club

Article 2 COLOURS:

The colours of the Club are: Blue and White.

Article 3 OBJECT:

The object of the Club is to promote the interests of competitive basketball in the Cavan Region.

- (a) To apply for, purchase, or by other means acquire and protect, prolong and renew any licences, authorisations, permits and concessions which may appear likely to be advantageous or useful to the Club or any business or activity carried on by the Club or any tenant or licensee of the Club.
- (b) To take on, lease or purchase, or otherwise acquire any lands, buildings, easements, rights, of property (real or personal) which may be required for the purposes of or which may be conveniently used in connection with any of the objects of the Club and to sell, demise, mortgage, charge, exchange or otherwise dispose of any of the same.
- (c) To borrow or raise money in such manner as the Club shall think fit and to secure the repayment of any money borrowed, raised, or owing by mortgage, charge or lien upon the whole or any part of the Club's property or assets (of the present or future).

Article 3(b) INCOME AND PROPERTY

The income and property of the Club shall be applied solely towards the promotion of the object as set forth in this Constitution. No portion of the Club's income and property shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise howsoever by way of profit to members of the Club. No officer shall be appointed to any office of the Club paid by salary or fees, or receive any remuneration or other benefit in money or money's worth from the Club. However, nothing shall prevent any payment in good faith by the Club of:

- a) reasonable and proper remuneration to any member or servant of the Club (not being an officer) for any services rendered to the Club;
- b) interest at a rate not exceeding 1% above the Euro Interbank Offered Rate (Euribor) per annum on money lent by an officer or other members of the Club to the Club;
- c) reasonable and proper rent for premises demised and let by any member of the Club (including any officer) to the Club;

- d) reasonable and proper out-of-pocket expenses incurred by any officer in connection with their attendance to any matter affecting the Club;
- e) fees, remuneration or other benefit in money or money's worth to any Company of which an officer may be a member holding not more than one hundredth part of the issued capital of such Company

Article 3(c) WINDING UP

If upon the winding up or dissolution of the Club there remains, after satisfaction of all debts and liabilities, any property whatsoever, it shall not be paid to or distributed among the members of the Club. Instead, such property shall be given or transferred to some other institution or institutions having objects similar to the objects of the Club. The institution or institutions to which the property is to be given or transferred shall prohibit the distribution of their income and property among their members to an extent at least as great as is imposed on the Club under or by virtue of the Income and Property clause hereof. Members of the Club shall select the relevant institution or institutions at or before the time of dissolution, and if and so far as effect cannot be given to such provisions, then the property shall be given or transferred to some charitable object. Final accounts will be prepared and submitted that will include a section that identifies and values any assets transferred along with the details of the recipients and the terms of the transfer.

Article 3(d) ADDITIONS, ALTERATIONS OR AMENDMENTS

No addition, alteration or amendment shall be made to the provisions of the objects clause, the income and property clause, the winding up clause, the keeping of accounts clause or this clause of the Constitution for the time being in force unless the same shall have been previously approved in writing by the Revenue Commissioners.

Article 3(e) KEEPING OF ACCOUNTS

Annual Accounts shall be kept and made available to the Revenue Commissioners on request. Where the gross annual income exceeds €250,000 the accounts will be audited.

Article 4 AFFILIATION:

The Club is affiliated to and in all respects shall conform with the rules of the Basketball Ireland. The Club is a member of the North Area Board.

Article 5 MEMBERSHIP:

Membership of the Club is open to applications by on behalf of individuals who meet the following criteria:

- (a) Academy – boys and girls aged 7 to 10 years old.
- (b) Juvenile teams – boys and girls aged from 10 to 18 years old, who are eligible to play on juvenile teams as per Basketball Ireland Rules.
- (c) Senior Teams – males and females who are eligible to play at senior grade as per Basketball Ireland Rules.

Article 6 MEMBERSHIP FEES:

- (a) Every member shall pay a membership fee as decided by the committee.

- (b) Any member of the Club whose membership fee remains unpaid shall be deemed to have resigned from the Club.
- (c) Any member of the Club whose membership fee remains unpaid shall not be permitted to train or participate in competition. Until payment has been received.
- (d) Any member who ceases to be a member of the Club shall have no claim to the property of the Club or have any part of his membership fee refunded.
- (e) Members may elect to pay their membership fees in advance by periodic deductions or by direct debit from their bank account in respect of the following year.

Article 7 NEW MEMBERS:

- (a) The names and addresses of candidates who wish to become members of the Club, shall be submitted to the Committee for consideration.
- (b) The proposer and seconder shall furnish any information concerning candidates to the Committee, if requested.
- (c) The Committee is empowered - to refuse any application for membership of the Club, refuse to renew membership or withdraw membership from any member, without being obliged to give any reason therefor.

Article 8 MANAGEMENT:

- (a) The business affairs of the Club shall be under the Management of a Committee of Club Members consisting of: Chairperson, Deputy Chairperson, Honorary Secretary, Honorary Treasurer, Honorary Assistant Secretary, Honorary Assistant Treasurer and ten other members of the Club who shall be elected each year by the members at the Annual General Meeting.
- (b) Should any member of the Committee fail to carry out his duties, the Committee is empowered to remove him from office and to fill this and any other vacancy on the Committee that may occur during the year.

Article 9 CHAIRPERSON:

- (i) The Chairperson, is responsible for the management of the Club. He/she shall:-
- (ii) Have responsibility for the securing training facilities,
- (iii) Select competitions at which to compete, for national or overseas events, the approval of the Committee must be given in advance.
- (iv) Ensure records are kept of all games or other events attended by the Club, including the names of all teams entered for each event and results,
- (v) The Chairperson or in his absence, the Deputy Chairperson shall preside at all meetings of the Club or Committee. If at any meeting, neither the Chairperson nor Deputy Chairperson is present, the members shall elect a Chairman from among those present.
- (vi) The Chairman may, with the consent of any meeting at which a quorum is present and he shall, if so directed by the meeting, adjourn the meeting from time to time, but no business shall be transacted at an adjourned meeting other than business which might have been transacted at the meeting from which the adjournment took place.
- (vii) Make a report, in writing, covering the basketball achievements of the Club for the year at the Annual General Meeting.

Article 10 HONORARY SECRETARY:

The Honorary Secretary is responsible for the running of the general business activities of the Club. He/she shall: -

- (a) Attend and keep minutes of the proceedings of all meetings of the Club and Committee,
- (b) Prepare an agenda and keep a record of the names of members attending every meeting,
- (c) Place all correspondence received before the following meeting,
- (d) Process all correspondence on behalf of the Club, as directed by the Committee.
- (e) Keep a register of the names and addresses of Club members.
- (f) Make a report, in writing, covering the affairs of the Club for the year at the Annual General Meeting.

The Honorary Assistant Secretary is responsible for such duties as may be delegated to him by the Honorary Secretary.

Article 11 HONORARY TREASURER:

- (a) The Honorary Treasurer is responsible for all the financial affairs of the Club. He/she shall:-
 - (i) Keep an exact record of the accounts of all monies received and paid out.
 - (ii) Present a detailed statement of all matters relating to the financial affairs of the Club, including income and expenditure at every meeting of the Committee.
 - (iii) Make payments by cheque, bearing his signature and that of the Chairperson or Honorary Secretary after approval has been given by the Committee for such payments.
 - (iv) Present a report on the accounts of the Club to the Annual General Meeting.
 - (v) Make application, by and on behalf of the Club, for the loan of money from any bank or financial institution as directed by the Club Committee.
- (b) No member of the Club shall involve the Club in any financial liability, unless authorised to do so by the Committee.
- (c) The Honorary Assistant Treasurer is responsible for such duties as may be delegated to him by the Honorary Treasurer.

Article 12 SUB-COMMITTEES:

The Committee is empowered to appoint sub-committees to assist in the running of the affairs of the Club and to delegate the necessary authority and responsibility. The Chairman of every sub-committee shall make a report, in writing, at every meeting of the Committee.

Article 13 CONDUCT & DISCIPLINE COMMITTEE

- (a) Each player, Club member and Committee member will act in accordance with the Club's Code of Conduct and Club Constitution & Rules.
- (b) In the event of any member disregarding the Club's Code of Conduct, Club Constitution and Rules or conducting himself in a manner not for the well being of the Club, he/she may be subject of a disciplinary process. The Committee will form a three person Discipline Committee at the start of the season. The Discipline Committee will be responsible for all disciplinary matters referred to it by the Committee and will –

- a) Initiate a process to consider the behaviour of any Club member which appear to be in contravention of the Club's Code of Ethics and/or Club Constitution & Rules, or consider any complaint made by a third party.
- b) Will aim to conclude the process within 10 days of the date of the misbehaviour or the date of receipt of the complaint.
- c) Consider submissions, either written or oral from any person, including the person who misbehaved or against whom the complaint was made.
- d) Make a finding in relation to the complaint and impose a penalty commensurate with the complaint, up to and including expulsion from the Club. The Discipline Committee is empowered to prohibit the person subject of the process from participation in Club activities such as training or games pending the outcome of the process. All communication with the person who is subject of a Discipline Committee process will be via the Club Secretary. The Club Secretary will inform the person whose behaviour was subject of consideration by the Discipline Committee, of the outcome of the process and the right to appeal the decision to the Club Committee. Decisions made by the Discipline Committee can be appealed to the Club Committee, who can reduce, reaffirm or increase the penalty.

Article 14 COMMITTEE MEETINGS:

- (a) The Committee shall hold meetings as often as necessary but at I once, every month to transact the business of the Club.
- (b) Seven members shall form a quorum. If within half an hour from the time appointed for the holding of a Committee meeting, a quorum is not present, the meeting shall stand adjourned for a period not exceeding one week. The Honorary Secretary shall notify absent members accordingly. If at such adjourned meeting a quorum is not present within half an hour from the time appointed for holding the meeting, not less than five members present shall constitute a quorum.
- (c) The Honorary Secretary shall notify all members of the date, time and venue of meetings, which shall include an Agenda for the meeting, at I seven days in advance.
- (d) Any member of the Committee who absents himself from three consecutive meetings shall be deemed to have resigned.

Article 15 ANNUAL GENERAL MEETING:

- (a) The Annual General Meeting of the Club shall be held on or before the 15th June.
- (b) The date, time and venue shall be fixed by the Committee and the Honorary Secretary shall notify every member fourteen days in advance. The notice shall include the Agenda for the meeting and any resolutions or proposed amendments to the Constitution and Rules of the Club.
- (c) The members present at the meeting shall constitute a quorum.

Article 16 EXTRAORDINARY GENERAL MEETINGS:

- (a) At the request any of ten members of the Club, in writing, the Honorary Secretary shall convene an extraordinary general meeting of Club members.
- (b) The formal request must state the purpose for which the meeting is being called.

- (c) The Honorary Secretary shall convene a meeting within fourteen days of receipt of such request and notify all members, in writing, of the date, time and venue and the purpose for which the meeting is being called and to which it is confined.
- (d) Twenty members shall form a quorum. If within half an hour from the time appointed for the holding of an Extraordinary General meeting, a quorum is not present, the meeting shall be dissolved.

Article 17 SPECIAL GENERAL MEETINGS:

- (a) The Committee may call a special general meeting at any time to consider some specific matter of importance or to transact any special business, deemed to be necessary.
- (b) The Honorary Secretary shall notify all members of the date, time and venue of the meeting fourteen days in advance, except in a matter of urgency, when the Committee may decide to call a meeting at shorter notice.
- (c) The members present at the meeting shall constitute a quorum.

Article 18 VOTING:

- a) Every member of the Club who is over 18 years of age shall have one vote.
- b) Members of the Club who are under 18 are not entitled to vote. However, the parent or guardian of a member who is under 18 is entitled to vote on behalf of the member. Only one parent can vote per player. In the event of a number of siblings are members of the Club and are under 18, only one vote will count per family.
- c) Questions arising at any meeting must have a proposer and seconder and shall be decided by a majority of votes. When there is more than one resolution proposed in relation to a particular subject, the Chairman shall put each motion to a vote. The first resolution to receive a majority shall be declared carried and the remainder lost.
- d) When there is an equality of votes at a meeting, whether on a show of hands or on a poll, the Chairman of the meeting shall be entitled to a second or casting vote.

Article 19 HONOURS:

The Committee is empowered to award the honour of Life Membership to any person who, in their opinion, has given exceptional service to the Club over a period of years.

Article 20 SUPPORTERS CLUB:

- (a) The Committee is empowered at any time to establish a Supporters Club, whose function shall be to support financially and otherwise, basketball, in the Club.
- (b) The Committee is not responsible for any debts incurred by the Supporters Club.

Article 21 MATTERS NOT SPECIFICALLY PROVIDED FOR:

- (a) The Committee is empowered to decide and arrange all matters that may arise from time to time and not specifically provided for in these Rules and to make any Regulations deemed to be necessary, provided they do not contravene the existing Constitution and Rules of the Club. These regulations shall be regarded as supplementary rules to the existing rules and shall be binding on all members.

- (b) All questions as to the correct interpretation of the Constitution and Rules of the Club shall be referred to the Committee whose decision thereon shall be final.

Article 22 AMENDMENTS TO THE CONSTITUTION:

- (a) The Constitution and Rules of the Club shall not be altered or repealed and no new rule shall be adopted unless formally proposed and seconded at the Annual or Special General Meeting of the Club.
- (b) Any motion to alter the Constitution and Rules must be handed to the Honorary Secretary, formally drafted and signed by the proposer and seconder, at fourteen days before the meeting.
- (c) All motions shall be included on the Agenda and will require a majority of three fourths of the members present and voting in favour, in order to formally adopt such motions.