

JAMAICA BASKETBALL ASSOCIATION

CONSTITUTION

Article 1

Definition

The Jamaica Basketball Association shall be the sole controlling and governing body of basketball in Jamaica. The affiliates of the Association shall recognize the rules and regulations of the International Basketball Federation (FIBA) on the matter of basketball.

The Jamaica Basketball Association shall be a non-profit organization.

Article 2

Composition/Structure

- a) The Association shall consist of the Executive Officers duly elected, the Conferences, Parish Associations and any other affiliated associations.
- b) The Conferences shall consist of Parish Associations which are to be recognized as the sole organizations with the authority to administer basketball on behalf of JABA in their respective parish. Only one parish association shall be recognized in each parish. The corporate area shall be recognized as one parish.

Article 3

Aims and Objectives

- a) To secure and maintain in Jamaica the laws of basketball as approved by FIBA and to take any course necessary in the areas of discipline and promotion.
- b) To guard and maintain the interest of the game in Jamaica. To develop and foster the growth of all aspects of the game of basketball.
- c) To maintain an absolute neutrality to all political beliefs and to condone no form of discrimination whether racial or otherwise.
- d) To foster friendly relationships among players and officials.
- e) To provide by regulations or otherwise, methods of deciding and settling all differences and disputes that may arise at all levels in the basketball structure.
- f) To ensure that all Conferences, Parish Associations, other affiliated associations, clubs, officials, and players adhere strictly to these aims and objectives.
- g) To apply solely to the foregoing all income and property of JABA from whatsoever source received.
- h) To be the sole body sanctioning all basketball related activities in Jamaica.

Article 4

Membership

- a) Any parish or institutional association organizing basketball under the approved laws of the FIBA shall be eligible for membership on application to JABA.
- b) The National Council shall have the right to decide whether an

association on application can attain membership or an affiliated association retaining membership.

- c) JABA may at its Annual General Meeting, by a majority present and voting, confer Honorary Membership on any person(s) who have over the years rendered invaluable and distinguished service to JABA. Nominations for Honorary Membership must be recommended by a special committee appointed by the National Council for the purpose. Not more than two (2) Honorary Members may be accepted in any five (5) year span.
- d) Application to join JABA shall be made on the prescribed application form to the Honorary Secretary. All applications shall be accompanied by the full particulars i.e. names and addresses of the organisation and its officers as well as its rules or constitution.
- e) A condition of membership is that members are prohibited from taking JABA or its representatives to a Court of Law.
- f) On accepting membership to JABA, affiliates will be bound by all decisions and rulings taken by the JABA.

Article 5

Administrative Bodies

- a)
 - i. Annual General Meeting
 - ii. National Council
 - iii. Executive Committee
 - iv. Secretariat
- b) Standing Committees shall be appointed by the Executive Committee to assist in their work.

Article 6

Annual General Meeting

- a) The Annual General Meeting (AGM) shall be held on the last Sunday in February each year when the annual reports of the National Council, Executive Committee and Treasurer inclusive of the Auditor's report made up to the 31st December shall be presented by the President, Honorary Secretary and Treasurer respectively.
- b) At least fourteen (14) days notice specifying the date, time and place together with the agenda and financial statements shall be sent to all Officers, Honorary Members, Conferences, Parish and Other Associations.
- c)
 - i) The purpose of the Annual General Meeting is to consider and adopt the reports of the National Council and Executive Committee, the financial statements of the past year and also in an election year to accept nominations and to elect Officers of JaBA for the ensuing two (2) years whenever appropriate and to consider motions of which due notices were given.
 - ii) To declare the disbandment of the Jamaica Basketball Association.
- d) Each Conference is entitled to three (3) delegates and each Parish Association two (2) delegates to the Annual General Meeting, where each delegate will have one (1) vote at each voting. Other Associations are entitled to one (1) delegate who will be entitled to one (1) vote at each voting. Kingston and St. Andrew (Corporate Area) will be entitled to four (4) delegates each having one (1) vote.
- e) Nominations for posts in JABA must be submitted to the Honorary Secretary at least twenty-one (21) days prior to the Annual General Meeting and should be accompanied by the signatures of all nominees certifying their acceptance of nomination.
- f) Upon receipt of nominations, a list of the nominees should be sent to all affiliates by the Honorary Secretary.

- g) The quorum at the Annual General Meeting shall be two-thirds of the members entitled to attend. Should this be lacking a postponement will be made and a new date set within twenty-one (21) days. On the second attempt if a quorum is still lacking, the members present will transact the business of JABA.
- h) A two-thirds majority of the members present is necessary to carry any resolution to changes of the rules and regulations of JABA. Other resolutions shall be carried by a simple majority vote and in the event of a tie, the chairman shall have a casting vote.
- i) The Executive Committee or any member may put forward any motion at the Annual General Meeting providing prior notice of fourteen (14) days had been given in writing to the Honorary Secretary.

Article 7

National Council

Outside of the Annual General Meeting the National Council shall be:

- a) The supreme body of JABA and shall hold total and authoritative powers within the organisation. The Council shall consist of the President, First Deputy President, Second Deputy President, Third Deputy President, Vice Presidents – one from each conference, Honorary Secretary and Assistant, Honorary Treasurer and Assistant and one (1) representative from each Parish Association. Other affiliated associations shall have one (1) representative also.
- b) The elected officers – President, Deputy Presidents, Honorary Secretary and Assistant, Honorary Treasurer and Assistant shall be elected at the appropriate Annual General Meeting for a period of four (4) years. They will be eligible for re-election.
- c) The officers – Vice Presidents shall be elected by their respective conferences for a period of two (2) years. They will be eligible for re-election.
- d) The Council Members from Parish Associations must be elected at their association's Annual General Meetings for a period of two (2) years.

- e) Should a Vice President be unable to attend a meeting of the Council, he may be represented by an executive officer of the Conference.
- f) A member of the National Council can be recalled by a two-thirds majority of the body that elected or appointed the member or by a no confidence vote by three quarters of the full National Council.
- g) All members of the Council are eligible for re-election or re-appointment at the end of their term of office.
- h) The National Council shall meet on the last weekend in June, October and March each year. It shall be the responsibility of the Honorary Secretary to convene these meetings. At the end of each meeting the venue and date for the next meeting shall be decided.

Article 8

Executive Committee

- a) The officers of JABA together with the Immediate Past President and four (4) other members elected at the Annual General Meeting shall comprise the Executive Committee. The Immediate Past President shall serve on the committee for one (1) year.
- b) The Committee shall be the management arm of JABA and shall hold authority and powers as delegated to it by the National Council. It shall be responsible for the effective functioning of the Association and shall report to the National Council
- c) The Committee shall have the power to fill any vacancy existing in its body from eligible persons. The person(s) so appointed shall hold office until the next meeting for the election of officers or for such period as the committee may decide.
- d) The quorum required for committee meetings shall be a simple majority of the committee's members. The Committee shall meet as required but no fewer than twelve (12) times annually. Each meeting shall be duly minuted. When it is deemed necessary, a copy of the relevant minutes shall be sent to all affiliates. All decisions of the Committee must be made known to the National Council.

- e) A Committee member who fails to attend three (3) consecutive meetings of the Committee without giving acceptable reason for absence shall be deemed to have abandoned the position.
- f) The National Coordinator (if any) may be invited to attend Executive Meetings.

Article 9

The President

- a) The President shall be the chief officer of the JABA and shall represent the organization being guided by the Constitution and decisions of the governing bodies of the Organisation.
- b) No President can hold office for more than three (3) consecutive two-year terms. A former president is eligible for re-election to that office only after three (3) terms have passed subsequent to his being in that office.
- c) The President, or if absent, the Vice Presidents shall preside at the Annual General Meeting or meetings of the National Council and Executive Committee. If both are absent then the second Deputy President and if also absent the third Deputy President shall preside; thereafter, Vice Presidents in order of seniority shall preside. Should all these persons be absent then the meeting shall choose a chairman from those persons present.
- d) Any Deputy President or Vice President acting on behalf of the President shall assume full authority and responsibility of the office of the President.
- e) The President shall be an ex-officio member on all committees of JABA.
- f) The President shall have an original vote and in the case of a tie, shall have a casting vote.
- g) The President shall be in-eligible to hold any official position within any group/club affiliated to JABA.

Article 10

Secretariat

- a) The Secretariat shall be headed by the Honorary Secretary who shall report to the National Council and the Executive Committee.
- b) The Secretariat shall be the administrative arm of JABA and shall be comprised of an administrator, the secretarial and clerical staff of the Jamaica Basketball Association.
- c) The Secretariat shall ensure that all communications from JABA are signed by the relevant signatories and that they are duly recorded and registered as sent and all communications received by JABA duly recorded.
- d) The Secretariat shall ensure the registration of all affiliates and keep an official record of this registration. Affiliates indebted to the Association should be notified of their debts and where necessary of the penalties and action that can be taken against them under the Constitution of the Jamaica Basketball Association.
- e) Shall ensure notification to all relevant bodies to attend any meeting of JABA within the time specified by the rules of the Organisation.
- f) The Secretariat shall ensure that all periodic reports of all committees of JABA are completed and distributed to the relevant bodies within the time prescribed by the rules of the Jamaica Basketball Association.
- g) The Honorary Secretary shall be a member to all meetings of JABA committees.

Article 11

Conferences

- a) Parish Associations of the Jamaica Basketball Association shall be grouped into Conferences which shall have the authority to administer and promote basketball in a set geographical area as approved by the National Council.
- b) The President of a Conference shall be a Vice President of the Jamaica Basketball Association.
- c) The Conference shall at all times fulfill the mandate of the Jamaica Basketball Association as determined by the National Council in its geographical area. In so doing it shall co-ordinate and control the operations of Parish Associations, other affiliated associations, clubs and organizations in its area by offering assistance in the development and administration of basketball.
- d) Parish delegates to the Jamaica Basketball Association's Annual General Meeting shall automatically be delegates to the General Meetings of the Conference.
- e) Persons who are elected to the National Council from the Parish Association shall automatically be members of the executive of their Conferences.
- f) The Jamaica Basketball Association shall have the power to remove the executive of conferences if found guilty in cases of extreme violation of the Constitution and/or decisions of the Jamaica Basketball Association and to appoint a committee to oversee the business of the conference until elections are held for a new executive within ninety days.
- g) The President of the Conference shall be in-eligible to hold any official position within any group/club affiliated to the Conference.

Article 12

Parish Associations

- a) Parish Associations are subordinated to Conferences and have the responsibilities for the development of basketball in their respective parish.
- b) Parish Associations may have as affiliates, clubs and organizations in accordance to approved JABA guidelines.
- c) Parish Associations have the responsibility to ensure that their affiliates adhere to the Constitution and regulations of the Jamaica Basketball Association and fulfill the statutory requirements of affiliation, and to impose the necessary penalties as by the Constitution and Regulations.
- d) Parish Associations have the right to determine their own affiliation fees to be paid by the affiliates.
- e) Parish Associations have the authority to accept or reject any application for affiliation to their membership.
- f) It is the responsibility of Parish Associations to ensure that their affiliates keep a list of their registered members and that general meetings of these members are held as well as annual elections of their officers and officials.
- g) Parish Associations shall provide full information on all their affiliates to the Jamaica Basketball Association, including their officers, officials and lists of registered players by March 1st each year.
- h) Parish Associations shall pay to the Jamaica Basketball Association an annual affiliation fee, this amount to be determined by the National Council on the recommendation of the Executive Committee by the 1st of January of each year. Failure to pay this fee will result in the automatic suspension of the Parish Association and its affiliates and it shall lose all rights until the fee and penalty are paid.

- i) Parish Association shall have the right to elect delegates to the Annual General Meeting of the Jamaica Basketball Association. These delegates can be elected to the governing bodies of the Jamaica Basketball Association.
- j) Parish Associations and their affiliates have the right of appeal and representation to the Jamaica Basketball Association.
- k) Parish Associations and their affiliates have the right to participate in competitions organized at the conference and national levels in keeping with the rules and regulations of such competitions.
- l) Club players and organizations affiliated to Parish Associations have the right to represent their respective parish and conference at the national level providing they fulfill the existing criteria for selection.
- m) The Jamaica Basketball Association shall have the power to remove the executive of Parish Associations if found guilty in cases of extreme violation of the Constitution and/or decisions of the Jamaica Basketball Association and to appoint a committee to oversee the business of the parish until elections are held for new executive within ninety days.
- n) The President of the Parish Association shall be in-eligible to hold any official position within any group/club affiliated to JABA.

Article 13

Other Associations

- a) Other Associations have the authority to organize competitions for special groups and or institutions. These associations have the right to seek assistance and guidance from JABA in developing and promoting basketball within their jurisdiction.
- b) Other Associations have the right to representation on the National Council of JABA.
- c) Other Associations have the right to be represented at the Annual General Meeting where each Association will have one representative.

- d) Other Associations shall pay an annual affiliation fee to the Jamaica Basketball Association. This fee shall be determined based on the number of members affiliated to each association.
- e) Players affiliated to Other Associations have the right to participate and be represented at the parish, conference or national levels, providing they fulfill the criteria in existence for such selection and/or participation.

Article 14

Game Officials' Association

- a) The Jamaica Association of Basketball Officials (JABO) shall be an arm of the Jamaica Basketball Association and shall report to the Executive of JABA through its President. It shall be directly responsible for all materials relating to game officiating nationally.
- b) The Jamaica Association of Basketball Officials shall have the right to create its own administrative structure and elect officers to administer their mandate.
- c) The Jamaica Association of Basketball Officials shall be competent in all matters relating to game officiating. It shall be responsible for organizing courses to produce game officials of all categories nationally and to prepare officials for possible international qualification under the authority of the Jamaica Basketball Association (if any).
- d) The Jamaica Association of Basketball Officials (JABO) shall seek to have all qualified game officials licensed and duly registered according to their respective grading.
- e) The Jamaica Association of Basketball Officials shall seek to establish and maintain a code of disciplinary ethics for game officials to ensure the credibility and integrity of the Association.
- f) The Jamaica Association of Basketball Officials shall be responsible to give the official interpretation of all FIBA games rules and through the Jamaica Basketball Association's Secretariat communications relating to

- all modifications and changes to the FIBA games rules as early as possible subsequent to their arrival from FIBA.
- g) The Jamaica Basketball Association's Executive Committee shall have the right to veto the appointment or selection made of any individual for international events by the Jamaica Association of Basketball Officials.
 - h) The Jamaica Association of Basketball Officials (JABO) shall not officiate or coordinate in any basketball league/event that is not duly sanctioned by JABA.

Article 15

Discipline and Complaints

- a) Disciplinary Measures:
 - 1) Reprimand
 - 2) Fine
 - 3) Suspend
 - 4) Expel
- b) A Discipline and Complaints Committee shall be appointed by the Executive Committee. It shall hear and decide on any complaints regarding:
 - 1) The behaviour of players, officials and members of affiliated organizations.
 - 2) Conditions under which matches are played.
 - 3) Breaches of JABA's rules or any acts of indiscipline: unjust criticism or slander of the Jamaica Basketball Association.
- c) The Discipline and Complaints Committee shall recommend which measure or combination of measures to be imposed in relation to any complaint or disciplinary act.
- d) The Discipline and Complaints Committee shall be comprised of a minimum of three (3) and a maximum of seven (7) persons.

- e) The Discipline and Complaints Committee shall prohibit legal representation at its meetings. Decisions taken by the Committee are subject to appeals to the Appeals Board whose decisions shall then be final.
- f) The National Council and Executive Committee shall have the authority to impose disciplinary measures on any Conference, Parish Association, Affiliate, Group or officials in relations to the regulations of this constitution and JABA.
- g) Decisions on discipline arrived at by any of these bodies are subject to appeals to the Appeals Board.
- h) All petitions to the Appeals Board must be accompanied by a non-reimbursable fee to be decided annually by the National Council.

Article 16

Appeals Board

The Appeals Board shall be appointed by the National Council and shall be comprised of a minimum of three (3) persons and maximum of seven (7).

- a) It shall hear and decide on any appeal relative to decisions on discipline and other complaints as arrived at by other bodies within the Association.
- b) Legal representations for appellants will be allowed at Appeals Board Meeting.
- c) Petitions to the Board must be submitted in writing no later than 72 hours after receipt of a disputed decision.
- d) Every petition must indicate the grounds on which the appeal is formed.
- e) All petitions to the Board must be accompanied by a non reimbursable fee of \$5,000. However, should an appellant be successful in their petition, 50% of the fee will be returned.

Powers

- f) The Board shall have the power to dismiss, reduce, maintain or increase any fine or penalty as imposed by other bodies within the Association relative to discipline and other complaints.
- g) Any decision arrive at by the Appeals Boards shall be final and irrevocable.

Article 17

Standing Committees

- a) The Standing Committees of JABA shall be:
 - i. Organizing Committee for Women’s basketball
 - ii. Organizing Committee for Mini basketball
 - iii. Organizing Committee for basketball for persons with disability.
 - iv. Basketball Coaches’ Committee
 - v. International Events Committee
 - vi. Public Relations Committee
 - vii. Overseas Committee
- b) The mandate and composition of the Standing Committee shall be decided by the National Council on the recommendation of the Executive Committee.
- c) The chairman of each Standing Committee shall report directly to the Executive Committee.

Article 18

Finance

- a) The Treasurer shall be responsible for the overall financial and property matters of JABA.
- b) JABA’s financial year shall begin on the 1st of January and end on 31st December.

- c) The funds of JABA shall be lodged at a local bank and all drawings on the account shall be signed by the Honorary Treasurer or Assistant and either the President or Honorary Secretary.
- d) A current statement of Income and Expenditure shall be presented to the Executive Committee by the Treasurer at its normal meetings.

Article 19

Auditing

An Auditor who is not a member of the Jamaica Basketball Association shall be appointed by the National Council and shall audit the accounts prior to the Annual General Meetings.

Article 20

Subscriptions

- a) The annual affiliation/membership fees shall be determined by the National Council which also shall reserve the right to review them as they see fit.
- b) All renewal of affiliation/membership fee becomes due on the 1st January and shall be paid before 15th January each year.
- c) Any affiliate whose fees remain unpaid after one calendar month subsequent to the due date shall cease to be an affiliated member and shall become an Associate Member. This at the discretion of the Executive Committee.
- d) An Associate Member in order to regain affiliation shall be required to pay a re-instatement fee of 25% of the affiliation fee together with the normal affiliation fee.

Article 21

Associate Member

An Associate Member is an organization whose affiliation/membership fees remain unpaid after the due date . Such an organization may have representation at meetings but is without a vote. An Associate Member shall not be eligible to participate in any other JABA event.

Article 22

Overseas and Local Tours

Overseas

- a) Affiliated teams or individuals invited on overseas tours must gain JABA's approval to travel.
- b) A copy of the invitation letter from the overseas sponsor and if possible from the National Federation of the sponsor must be sent to JABA before the players' departure. This letter must state the tour's duration as well as other conditions to be met on the tour.
- c) Within fourteen (14) days of their return, teams must forward to JABA a tour report and the complete results of all games played.
- d) Teams failing to meet these requirements shall not be permitted to participate in JABA's activities neither will approval be given for them to go on tour or host teams until the requirements are met.

Local

- e) Organizations or individuals may serve as sponsors for local tours by foreign teams on the approval of JABA.
- f) The sponsor(s) must request permission from JABA to invite foreign teams to Jamaica for competition.

- g) The sponsor(s) must provide JABA with a copy of the schedule and financial arrangements of the proposed tour at least twenty-one (21) days prior to the arrival of the foreign team(s) in Jamaica.
- h) The sponsor(s) must provide JABA with a tour report including all games' score within fourteen (14) days after the completion of the tour.
- i) Any sponsor that fails to meet the above requirements shall not be permitted to participate in JABA's activities, neither will they be allowed to host any further teams until the requirements are met.

Article 23

Returns by Affiliated Bodies and Sponsors

- a) Any affiliated body, member or private sponsor organizing a match or series of matches with a visiting team or competition earning revenue shall pay to JABA a privilege of the gross receipts:
 - matches between visiting teams – 10%
 - matches between visiting and local teams – 8%
 - matches between local teams – 6 %
- b) Copy of a detailed statement shall be sent to JABA showing gross receipts with the percentage due within twenty-one (21) days of the date of the match(es).
- c) Affiliates/organizations who organize basketball tournaments shall pay a fee of 3% of gross sponsorship to JABA.

Article 24

Indemnity

JABA shall be indemnified against all injuries sustained during the normal conduct of its competitions. It is the responsibility of competing teams to provide medical or para-medical personnel during their games.

Article 25

Special General Meeting

A Special General Meeting of the National Council may be convened by the Honorary Secretary within fourteen (14) days after receipt of a request by the President or in writing to that effect from at least four (4) Parish Associations or a Conference. Any such requisition must specify the business for which the meeting is to be convened and no other business must be transacted at the meeting.

Article 26

Amendments

No alterations, additions or deletions to these rules shall be made except at the Annual General Meeting or a Special General Meeting convened for the purpose. Notice of such shall be given in writing to the Honorary Secretary at least twenty-one (21) days prior to such Annual General Meeting or Special General Meeting and the same shall be indicated in the notice convening the meeting.

Article 27

Final Provisions

All matters not provided for under this constitution or cases of unforeseen circumstances shall be settled by the Executive Committee/National Council whose decision shall be final unless rescinded by the Annual General Meeting.

Article 28

Disbandment

Disbandment of the Jamaica Basketball Association shall be declared by the Annual General Meeting if requested by four-fifths (4/5) of the Conferences and if at that Annual General Meeting four-fifths (4/5) of the affiliated members present and with voting rights vote for disbandment.