

Southern Peninsula
Basketball Association
Inc. No. A0001661M



By - Laws

As at 18th October 2015

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BY LAWS

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BY – LAWS FOR THE SOUTHERN PENINSULA BASKETBALL ASSOCIATION INCORPORATED

(Amendment Notice – As of 18th October 2015)

1. POWER OF THE BOARD OF MANAGEMENT AND SPBA STAFF

- 1.1 The BOM and or employees of the SPBA shall have the power to suspend, disqualify, fine or otherwise deal with any teams or member thereof, any score bench official, referee or spectator which or who has committed any breach of the constitution laws, or By-laws, or rules made thereunder, or practised, counselled or sanctioned any conduct arising out of or in connection with Basketball, which conduct is in the opinion of the BOM, unbecoming, unfair or contrary to the interests of Basketball, after hearing relevant evidence from any teams, players or persons connected with the incidences.
- 1.2 The BOM shall have the power to make By-Laws and to alter, amend, add to or rescind same as the occasion may require. The By-Laws may be altered by resolution passed at a meeting, of which notice setting out the proposed amendment has been given to SPBA members not less than twenty-eight days (28) prior to the meeting.

2. ANNUAL GENERAL MEETING

- 2.1 Failure by teams to have at least one representative attend the Annual General Meeting will incur a 3 premiership point loss, except in the case of Clubs. Attendees to the Annual General Meeting can only sign for one team.
- 2.2 A Club is defined as more than 3 teams governed by one body with a duly elected Secretary. In the case of Clubs the number of representatives required to attend the Annual General Meeting must equal at least 50% of the number of teams in that Club. Failure by a club to do so will incur a 1 (one) premiership point loss to all associated teams.

3. ELIGIBILITY OF PLAYERS

- 3.1 All players must be financial members of the Association and registered with teams in which they play. All registered players shall be eligible to play in Association matches subject to the following conditions:
- 3.2 Grades are defined as ability levels (e.g. 1, 2 and 3 etc.) for senior Competition and age or school level for Junior Competition. Divisions are defined as ability levels within a grade in Junior Competition. Sections are defined as mixed ability groupings within a grade which combine for finals to produce one Premiership team.
- 3.3 Senior Representative Players (Big V Players)
The policy for Senior Representative Players (Big V Players) is that they cannot play lower than Division 2 Grade. Therefore they cannot play in division 3 or 4.

Junior Players.

- 3.4 Players may play permanently in more than one grade in the same age group given that they are a bottom age player. Top age players that finish in division $\frac{3}{4}$ after grading may not join another team in a higher grade or fill in for a higher team without permission from SPBA. Top age players that finish in division $\frac{1}{2}$ after grading are not allowed to join or fill in for a team in a lower grade.
- 3.5 Players in Junior Competition may play additional weekly games in older age grades and in Senior Competition.

- 3.6 Players are not permitted to fill in for a team in their own division.
- 3.7 The BOM has the power to accept or reject any application to play in Domestic competition. Acceptance or rejection will be decided using the following criteria:
- (i) Appropriate (age, division, etc.) placement
 - (ii) fair competition
- 3.8 To be eligible to play in a Junior Representative side the player must play in the Winter Domestic Competition. This only applies for U12 and U14 age groups.
- 3.9 In order to try and present a fair and even competition for our Domestic teams, SPBA has a 3 Representative player per Domestic team system for Junior Representative Players. No team may enter domestic competition with a total of 3 or more Junior Representative Players. This is required to avoid strong domestic teams being created to the detriment of other teams. Therefore the below rules will apply:
- (i) play with a Representative team anytime during the Championship season (Winter domestic season)
 - (ii) any first year Representative player who was successful in gaining a position in a Representative program in October will not be classed as a Representative player for the Summer season only
 - (iii) stopped playing Junior Representative basketball at the end of the Championship season he/she is no longer classed as a Representative player for the Summer season
- 3.10 To qualify to play in the final series, a player must play 50% of the total of games (e.g. 50% of 14 games = 7 games). A bye will be counted as a played game only if, the player plays the game prior too and after the bye.
- 3.11 In the event of a player being ineligible to play in semi-finals and final matches under the condition of By-law 3.10 the player may through his team apply to the Association for a Special Permit to play in finals matches. The applicant must outline clearly valid and genuine reasons for the application. The decision by the Basketball Operations and Administration Manager shall be deemed as final.
- 3.12 Ages for junior competition will be December 31st of the playing year.
- 3.13 A player's name and number must be written on the scoresheet before the end of the first half of any game to be eligible to play in the game.
- 3.14 Teams who play ineligible players in any game will forfeit that game.

4. CLEARANCES

- 4.1 Application for clearances must be forwarded through the SPBA office via email.
- 4.2 Clearances may be affected up to half way through any playing season.
- 4.3 A player who is refused a clearance twice in one season may appeal to the BOM, who will request both the team and the player involved to give evidence as to why the clearance should be refused or granted by the BOM.

5. INTERCHANGE OF PLAYERS WITHIN CLUBS

- 5.1 Clubs with 2 or more teams in the same grade shall have the first 3 weeks of a season to stabilise their teams by interchanging their players between rounds. After the 3rd round no interchange of players between such Club teams may occur.
- 5.2 Club players are not permitted to play in 2 teams within the same grade during the same week.

6. MATCH OFFICIALS

Each team is to provide a reliable official for the score table. Games are not permitted to proceed until these requirements are met. If both teams only have five players available with no scorers then both teams are to use one player as a scorer and play four on four. Teams unable to fulfil these requirements within 10 minutes of the starting of the clock will forfeit the game.

7. COMPETITION RULES

- 7.1 The matches will be conducted under the Official Basketball Rules of F.I.B.A. with the following modifications which apply to all matches except finals series. Finals Series variations are listed in By-law 8.
- 7.2 A team may commence the match with 4 players. Only 10 players may be registered in one team.
- 7.3 If a team withdraws from the competition anytime after the 4th game of a season a penalty will apply. The penalty will be determined by the BOM.
- 7.3.1 If a team is ten minutes late for a fixtured game time, the match is an Unnotified forfeit. Teams who notify the Manager / Administrator at least 2 Working Days (A working day being defined as Monday to Friday, not including Public Holidays) prior to the fixtured game time will be fined as a notified forfeit. Teams who notify Manager / Administrator within 2 Working Days prior to the fixtured game will be fine as an Unnotified forfeit. Forfeit fines will be determined from time to time by the BOM.
- 7.4 All outstanding fees recorded by a team during a season must be paid before said team can play the following match.
- 7.5 Game fees for forfeited games will be refunded, unless the teams use the referees and or court during the game time.
- 7.6 Referees will start the game clock at the time of the scheduled game for all divisions.
- 7.7 For each minute a team is late the opponents are awarded one point.
- 7.8 Shooting at the wrong basket:
The score will not count in U9 and U10 divisions. The penalty is as a violation and the ball is to be taken at the sideline by the non-offending team. For all other divisions the score will be counted and rewarded to the opposing team.
- 7.9 Additional rules may be introduced by the BOM from time to time. Such rules will be notified to all clubs or teams (if not associated with a Club), in writing and will be permanently displayed on a notice board at the Dromana & Rosebud Basketball Centres.

- 7.10 The Sin Bin is implemented in all competitions for all teams, U14 and above. Whereby a player who receives a Technical Foul, a Bench Technical Foul or an Unsportsmanlike Foul will be forced to sit on the bench for a period of 5 minutes of playing time.

8. FINALS SERIES COMPETITION RULES

During finals series the following game timings shall apply:

- 8.1 The clock will stop for all time-outs, and for all whistle blows in the last 3 minutes of the game. Time-outs and substitutions are allowed in the last 3 minutes of the game.

9. PLAYERS UNIFORMS

- 9.1 Each team must register the colour of its playing uniform. The SPBA office shall have the power to order any team to change any part of their uniform.
- 9.2 After the 3rd week of any season, any player who does not wear the correct uniform is ineligible to play in that game. A player may wear incorrect coloured shorts or singlet but the team will be penalised by 3 points per item being awarded to the opposition team. Pockets on shorts are not permitted for safety reasons; shorts must be "sports" shorts.
- 9.3 Singlet Numbers will now fall inline with the current FIBA ruling. Players now be allowed to wear any number ranging from 1-99.
- 9.4 Registered uniforms of recognised Clubs (see By-Law 2. (2) to have priority over other teams in all domestic competitions. In the case of two recognised Clubs having the same colour uniform, the Club with the longest association with the SPBA will have priority.

10. PROTESTS

Any team desiring to lodge a protest in respect of any game must endorse the score sheet in the presence of the referee, signifying the intention to protest. The official protest must be lodged in writing to the Association within seven (7) days of the match. The parties concerned shall have the right to attend the meeting at which the protest will be heard.

11. ADMISSION FEES

Admission fees and penalty for non-payment for the competition matches will be determined from time to time by the SPBA.

12. PLAYERS HEALTH

- 12.1 Players all play any match at their own risk.
- 12.2 SPBA prefers that pregnant women not play after they are 12 weeks pregnant.
- 12.3 The Southern Peninsula Basketball Association has adopted the recommendations of Basketball Victoria Pregnancy Policy in regard to playing and refereeing. The Policy statement is detailed in the VBA Pregnancy Policy document June 19th 1998.

13. LIFE MEMBERSHIP

- 13.1 Life Members may be elected at the Annual General Meeting by a three/fourths majority of those present, provided that written notice of nomination for such election shall have been given to the Honorary Secretary, 21 days at least before the meeting is held. Life memberships shall be restricted to those whose services to basketball and the Association has been worthy of the highest honour. By resolution of a three/fourths majority vote of the Association, Life Membership may be cancelled.

- 13.2 Privileges of a Life Member shall include free admission to all functions held by the Association, and attendance at all Association meetings. Life Members shall be awarded a badge of appropriate design.

14. TRIBUNAL PROCEDURES

The SPBA operates under a Regional Tribunal and adopts all procedures as per Basketball Victoria procedures.

15. UNRULY BEHAVIOUR BY SPECTATOR(S)

The Referee is to stop the clock and game.

Notify the Stadium Manager who is to speak to:

- a The coach / coaches and or Captain / Captains.
- b. The Spectator/Spectators

The Manager will inform the spectator that the behaviour is unsuitable and this continues he/she will be asked to leave.

When the spectator complies with the Managers instructions the game will resume.

If the spectator refuses to comply with the Managers requests or if the behaviour re-occurs.

The Referee stops the clock, if subsequent behaviour continues the Manager will inform the spectator he / she must now leave the court area.

If the spectator refuses to leave, the clock remains stopped. The spectator is to be notified that the police are to be called.

If there is a time delay of more than 5 minutes in the police arriving the game is cancelled.

The SPBA may investigate to determine if the game should be rescheduled at a later date.

16. HANGING FROM THE RINGS

Any person hanging from the rings, nets and or supports during non-game times will incur a 3 week suspension.

17 WINDING UP:

- 17.1 In the event of the Southern Peninsula Basketball Association being disbanded, its net assets will not be distributed to members but will be distributed to:

- (i) a fund with objectives similar to those of Southern Peninsula Basketball Association; or
- (ii) a fund which has a philanthropic or benevolent purpose, including the promotion of art, culture, science, religion, education or charity, and including the benefiting of a fund certified to be a patriotic fund under section 24 of the Patriotic Funds Act 1958 or the fund or part of the fund of the Australian Red Cross Society; or
- (iii) a community or charitable organization

18 STATEMENT OF PURPOSE:

- 18.1 The Southern Peninsula Basketball Association is established to encourage the local community to play basketball and to further develop participation of basketball throughout the local community.

19 ANTI – DISCRIMINATION POLICY

The Southern Peninsula Basketball Association has adopted the Anti - Discrimination Policy of the Basketball Victoria as outlined in the June 19th 1998 Policy Statement. (See attached Policy statement)

20 JEWELLERY & HAIR REGULATION:

- (i) Rings are not accepted to be worn. (only securely taped wedding bands allowed.)
- (ii) No bracelets or necklaces allowed.
- (iii) Earrings will only be allowed if they are flat studs and tapped securely.
- (iv) No plastic hair slide combs or clips are to be worn on the basketball court.
- (v) Bobby pins are allowed.
- (vi) No metal/hard plastic head bands are permitted. Material head bands are accepted if they are less than 2cm in width.
- (vii) Braided beads are only allowed if secured in a pony tail.
- (viii) No long platted hair is allowed.

Under 9 and 10 Saturday Competitions

OBJECTIVES OF THE PROGRAMS

The objective of these programs is to provide an opportunity for new players to learn the fundamental skills and Rules of Basketball in a fun and friendly environment.

OBJECTIVES OF THE COACH

To play all players for relatively equal periods of time and to encourage them to shoot, dribble, pass and play in a team concept.

OBJECTIVES OF THE REFEREES

To acquaint the player and the coach with the basic rules of: fouls, travels, double dribbles, and jump balls.

Not to be overly strict on violations initially, and to explain the violation to the players and coaches.

Referees need to be able to communicate well with the players and coaches.

MODIFIED RULES FOR UNDER 9 & 10

- Under 9 competitions do not play for premiership points nor do they participate in finals matches.
 - U9 competitions will play three on three in two halves for the first four weeks of competition
 - Both coaches are permitted on the court in these four weeks to help players
 - 2 Referees will be supplied for U9 competitions
 - No results will be recorded on the SPBA website for either season
- Ideally we wish to provide single sex competitions however girls can play in boys competitions in Under 9 and Under 10 competitions.
- All matches for Under 9 and 10 are played with a size 5 basketball.
- All matches for Under 9 to use the lowered rings.
- A liberal five seconds in the key.
- No cross-court violation at the centre line.
- The perforated line at the bottom of the circle is the free throw line.

DEFENCE

- Man to man defence shall apply unless a team has less than the required number of players when they may play a zone defence.
- When one team is 10 points ahead, that team **MUST** automatically retreat to their own 3 point line when playing defence on end and side balls.
- After a basket is scored or a side ball situation referees are to enforce the above. This is not enforced in normal passages of play where a player loses the ball to the opposition. However if the referee assesses that a team is struggling to get the ball up the court he / she may direct the defence to retreat to the three point line.

TIMING RULES UNDER 9 AND 10

- Regular 20 minute halves.

SCORING UNDER 9

- Each player is only allowed to score 10 points (5 field goals) per half, plus any bonus free throw points. This is to encourage passing and to give all players an opportunity to score

FOULS UNDER 9 AND 10

- Under 9's – once a player has 5 fouls, they must sit on the bench for at least 2 minutes. The player is then allowed to return to the game. If a 6th foul is recorded, the player must sit out the rest of the game.
- Under 10's – 5 fouls only.

Man To Man Defence in Under 12 to Under 14 Competitions

All teams will be required to play man to man defence

- Each player must pick up and defend one player
- This does not have to be done at full court; half court or the three-point line is acceptable.
- Players can move into a help position provided they maintain vision on both their players and the ball.
- Teams may still play a trapping defence but must adopt man-to-man principles once the trap is broken.
- Teams with less than five players on the court may play a zone.

The penalty for an illegal defence, after two warnings to the coach will be a Bench Technical foul.

Rule Changes For Under Age Competitions

Under 9	Size 5 basketball Free shots from the edge of circle Three point shots do not count Cross court rule not enforced Three seconds in the key not enforced Man to man defence must be played Girls are eligible to play in boys competition
Under 10	Size 5 basketball Free shots from the edge of circle Three point shots do not count Cross court rule not enforced Three seconds in the key not enforced Man to man defence must be played Girls are eligible to play in boys competition
Under 12	Size 6 basketball Free shots from short line Three point shots do not count Man to man defence must be played
Under 14	Size 6 basketball Free shots from normal foul line Three point shots count Man to man defence must be played

**Basketball Victoria
By-laws (Tribunal)**

1 Introduction

- 1.1 These by-laws are made under Article 10.2.2 of the Constitution of The Victorian Basketball Association Incorporated (“Basketball Victoria”), are known as “the Tribunal By-Laws” and commence on 1 January 2001.
- 1.2. All by-laws previously made concerning Tribunals are rescinded.

2 Constitution of Tribunals

- 2.1 Basketball Victoria shall have the disciplinary power to hear and determine charges made arising from, or related to, competitions conducted by Basketball Victoria or associations affiliated with Basketball Victoria.
- 2.2 Basketball Victoria may delegate the hearing of such charges to regional Tribunals established by Basketball Victoria. Regional Tribunals shall act in accordance with these by-laws.
- 2.3 In the event that a regional Tribunal is empowered to hear charges for a number of Associations, the Tribunal shall be comprised, wherever possible of members from each such associations on a proportionate basis.
- 2.4 Each regional Tribunal shall be appointed by Basketball Victoria acting on the recommendation of the associations comprising the region.
- 2.5 Any Tribunal member may be removed by the decision of Basketball Victoria.
- 2.6 Casual vacancies on Tribunals may be filled by Basketball Victoria, when required.
- 2.7 The Tribunal must be impartial and independent.

3. Membership of Tribunals

- 3.1 Each regional Tribunal shall have a permanent chairperson. A quorum shall be two (2) members. A maximum number of Tribunal members shall be five (5) and, wherever possible, each shall be heard by three (3) members.

4. Records and Convening of Tribunals

- 4.1 The chairman or the secretary shall be responsible for maintaining a record of the Tribunal’s proceedings and decisions and shall make this register available to Basketball Victoria on demand.
- 4.2 Wherever a basketball competition is conducted, a notice shall be prominently displayed, giving information regarding the regular night, time and place of the meeting of the regional Tribunal.
- 4.3 The hearing shall be before the next round of matches wherever possible.

5. Jurisdiction of a Tribunal

- 5.1 A Tribunal shall have power to suspend, disqualify, reprimand, fine, bond, ban or otherwise deal with any player, coach, team, association official, score bench official or spectator, regarding any incident arising from a match conducted by Basketball Victoria or an association. The incident may have occurred before, during or after the game.
- 5.2 The Tribunal may also deal with any disciplinary matter delegated to it for adjudication by an association.

6. Investigations and Reports by officials

- 6.1 Any game official including referees, accredited score bench officials and any association or governing body officials may report any person who or team which commits offences listed in these by-Laws.
- 6.2 Where an association or an official of an association believes a reportable offence may have been committed or the association receives a letter of complaint, but no report has been made, the association may investigate or appoint a person to investigate the alleged offence and if after the investigation it or the person appointed to investigate is satisfied that a report should be made, the association or the person appointed may make a report.

7. Duties of an Official making a Report

- 7.1 Any person who makes a report under by-law 6.1 or 6.2 shall notify the person who or team which is subject to the report, any other person involved in the report and all other game officials as soon as possible, that the report is made.
- 7.2 Any person who makes a report under by-law 6.1 or 6.2 shall enter the details of the alleged offences on the report form as soon as possible after the match, noting all the particulars in connection with the report so that a clear account can be given to the Tribunal when the report is to be dealt with.
- 7.3 Any person who makes a report under by-law 6.1 or 6.2 shall lodge a report form with the person nominated by the competition to take charge of reports or if that is not possible, to leave the report at the stadium office, marked to the attention of that official, as soon as possible after the match.
- 7.4 Both match referees are required to attend Tribunal hearings.

8 Duties of Basketball Competitions

- 8.1 Each basketball competition shall designate an official (and an alternate) to be responsible for notification duties in connection with reports. The official may be the association secretary, the stadium manager, or a specially appointed official. The arrangement shall be submitted to Basketball Victoria for approval.
- 8.2 An association shall require each team entered in competitions to designate on the entry form the telephone number of the team secretary, or official, to be used for notification of reports.
- 8.3 An association shall maintain lists of names, addresses and telephone numbers of all officials.
- 8.4 The person designated under by-law 8.1 shall have the following duties:
- 8.4.1 To notify the person or the team the subject of the report, through their club secretary or delegated official, of the date, time and place of the Tribunal hearing.
- 8.4.2 If the notification under by-law 8.4.1 is made by telephone, the person giving the notification must immediately make a written record of the time and content of the telephone conversation.
- 8.4.3 If a person under the age of 18 year is charged, then they are to be advised that they have the right to have an adult with them at the Tribunal hearing, as an observer and adviser, and that the adviser shall be allowed to ask questions.
- 8.4.4 To notify the person who or the team which is the subject of the report, through the club secretary, that the details of the charges listed on report forms may be read at the stadium office at a suitable time, or be provided with a copy of the report as arranged for mutual convenience.

- 8.4.5 To notify the reporting official and any other officials or witnesses required to be in attendance, of the date, time and place of the Tribunal hearing. Where a person under aged 18 is involved, they are to be advised that they have the right to have an adult with them at the Tribunal hearing, as an observer and adviser, and that the adviser shall be allowed to ask questions.
- 8.4.6 To notify each of the above persons of the consequences of non-attendance and the procedure to be followed in each case.
- 8.4.7 To notify the secretary of the Tribunal that a report has been received, and to deliver to the secretary of the Tribunal the report form, scoresheet and any other information relevant to the case.
- 8.4.8 To ensure sufficient report forms are available to referees officiating matches.

9. Eligibility to Attend a Tribunal Hearing

9.1 Persons required to attend a Tribunal hearing are:

- The person reported
- The reporting official
- The other official
- Any other person involved
- Witnesses called by Tribunal

9.2 If any of the persons required by By-law 9.1 to attend a Tribunal hearing fails to attend, the Tribunal, upon being satisfied that the person had proper notice of the hearing, may penalise that person under these by-laws without further notice

9.3 Other persons who may attend a Tribunal hearing are:

- One (1) witness called by the person reported
- One (1) witness called by the reporting officials
- Additional witnesses and association representatives if special permission is granted by the Tribunal prior to any hearing
- An adult advising a person aged under 18 years
- Representatives of the media unless excluded for any special reason
- Any other observer unless excluded for any special reason

9.4 Legal representatives or advocates are not permitted to appear before the Tribunal.

9.5 Any person who in the opinion of Tribunal, gives false evidence to the Tribunal, may be penalised.

10 Procedure of Tribunal Hearings

10.1 At the commencement of a hearing, the person charged shall be asked whether he/she accepts the members of the Tribunal as impartial and independent, or whether he/she wishes to raise objection to any member. If the objection is found by the Tribunal to be valid, then the member shall stand down for the case.

10.2 The charge shall be read out in the presence of all persons eligible to be present.

- 10.3 The person charged shall be asked whether the charge is understood and the reporting official asked whether the charge correctly represents their intention.
- 10.4 The person charged shall be asked to plead.
- 10.5 In the event of a team being charged, normally one (1) member of the team shall act as spokesperson for the team provided that an individual member may elect to speak on their own behalf.
- 10.6 When the Tribunal is satisfied that an individual is not responsible for the action which is the subject of the report against a team, such individual shall be exempt from any penalty imposed.
- 10.7 The person charged and the representative of any person aged under 18, and the reporting official, may remain in the Tribunal room while all the evidence is given. Any witness who has not given evidence shall be asked to leave the Tribunal room until such time as they are called to give evidence.
- 10.8 The reporting official shall present the charge. The second official shall be called in to give evidence. One (1) witness may be called. Additional witnesses may be called in to the hearing at any time subject to the discretion of the Tribunal Chairperson. The person charged or their representative or the adviser to person charged who is a minor may ask questions of the reporting official or any witness called.
- 10.9 The person charged shall present their defence. One (1) witness may be called. Reporting officials or the adviser to an official who is a minor may ask questions of the charged person or any witness called.
- 10.10 The Tribunal is empowered to question any person giving evidence.
- 10.11 Where a person who is under the age of eighteen (18) years exercises their right to have present an adult observer or adviser, an opportunity for consultation shall be provided.
- 10.12 Video evidence may be presented.
- 10.13 All parties shall be asked to leave the hearing room while the Tribunal deliberates.
- 10.14 If the Tribunal is not satisfied that the particular charge has been proved, but is satisfied that a lesser charge has been established, then the Tribunal may find such lesser charge established and shall apply the penalty applicable to the lesser charge.
- 10.15 Where it appears to the Tribunal that the person reporting has made an error in laying the wrong charge or omitted charges that should have been laid, the Tribunal may allow the person to amend the charges.
- 10.16 Where charges have been amended under 10.15, the Tribunal shall adjourn the hearing unless the person charged consents to it proceeding at that time.
- 10.17 The decision of the Tribunal shall be announced in the presence of all, by the Tribunal Chairperson. A statement of how the penalty is assessed shall be included taking into account the activities of the person charged if necessary.
- 10.18 If during a hearing by a Tribunal or during an investigation under these by-laws it becomes known that criminal charges have been brought arising out of the actions the subject of the hearing or investigation, further action shall be deferred until completion of the criminal charges, unless the police or other prosecuting authority advise they have no objection to the matter proceeding.

11 Recording of Tribunal Hearings

- 11.1 Subject to these by-laws and such other conditions as the Tribunal may decide upon, video or audio tape recording of a Tribunal Hearing may be made by any person appearing before the Tribunal, provided at least 48 hours' prior notice has been given to the Tribunal.
- 11.2 The Tribunal is not required to advise participants that they have the right to request video or audio taping of hearings.
- 11.3 Regardless of whether recording equipment is provided by the participant or the Tribunal, the tape shall be retained by the Tribunal, provided that the participants in the hearing are permitted to copy the tape under supervision of a Basketball Victoria officer.
- 11.4 The above procedures are also applicable when associations conduct investigations under by-law 6.2. On any occasion when an investigation or Tribunal hearing is conducted, all parties must be informed if proceedings are to be recorded.

12 Non-attendance, Failure to Carry out Duties Listed

- 12.1 If any witness fails to attend, the hearing may proceed in their absence.
- 12.2 If the person or team the subject of a report fails to attend a Tribunal hearing and does not advise the association official, the case shall proceed in that person's or team's absence, provided that the Tribunal is satisfied that all notification procedures have been carried out.
- 12.3 If the charged person is unable to attend a representative shall be allowed subject to the Tribunal receiving a letter of consent from the person charged containing the person's plea to the charges and any evidence that person would have given to the Tribunal had he or she attended the hearing.
- 12.4 If a reporting official or association official inadvertently fails to carry out any duties listed in by-law 8, the charges shall not be dismissed for this reason, but may be deferred to allow the omission to be rectified. Where appropriate, the Tribunal shall take the failure into account and make suitable allowance.

Offences and Penalties

- 13.1 The only charges which may be laid in a report before a Tribunal and penalties that may be imposed by the Tribunal for those charged are:

Disputing decisions

A maximum of six (6) Weeks.

Unsportsmanlike Behaviour

A maximum of six (6) Weeks.

A gross breach of a code of conduct established by Basketball Victoria relating to that person.

A maximum of six (6) weeks.

Tripping / Attempted tripping

A maximum of eight (8) Weeks.

Obscene gesture

A maximum of twelve (12) Weeks.

Offensive language (which may include abusive, insulting or obscene language)

A maximum of twelve (12) Weeks.

Striking / Attempted striking

A maximum of sixteen (16) Weeks.

Conduct which brings the game of basketball into disrepute
A maximum of nineteen (19) Weeks.

Failure to attend Tribunal without proper cause when notified:
A maximum of twenty (20) Weeks.

Failure to co-operate in or hindering an investigation or hearing under these by-laws:
A maximum of twenty (20) Weeks.

Elbowing / Attempted Elbowing
A maximum of twenty (20) Weeks.

Fighting (more than two (2) players involved)
A maximum of twenty (20) Weeks.

Kicking / Attempting Kicking
A maximum of twenty (20) Weeks.

Spitting
A maximum of twenty (20) Weeks.

Tunnelling
A maximum of twenty (20) Weeks.

Threatening any person
A maximum of fifty (50) Weeks.

Putting a person in fear of impending violence
A maximum of fifty (50) Weeks.

Assault (other than referee/ score bench /association official) person to person (other than by striking or kicking)
A maximum of fifty (50) Weeks.

Racial Vilification
A maximum of fifty (50) Weeks

Assaulting referee / score bench official / association official (other than by striking or kicking)
A maximum of life.

Striking or kicking/ attempted striking or kicking referee / score bench official / association official
A maximum of life.

Coaching / refereeing / playing / score bench duties whilst under suspension
The penalty shall be double the number of games participated in.

13.2 A Tribunal may not impose a suspended sentence.

13.3 A Tribunal may not impose a fine in lieu of suspension.

13.4 Persons on a first offence shall have this taken into account when assessing the penalty.

13.5 A penalty to a person may be increased by a maximum of eight (8) weeks if that person has incurred a previous penalty from the Tribunal.

- 13.6 An additional penalty of up to sixteen (16) weeks may be imposed by a Tribunal if injury to a person or damage to stadium property has been caused in the course of the matter before the Tribunal, or for contempt of the Tribunal, or for other special reasons decided by the Tribunal and notified when the decision is announced. More severe penalties may be imposed when a team or group is involved in a brawl and refusing of future admission of such teams to competition may be recommended to the controlling association.
- 13.7 Charges arising from one particular incident shall be heard together. Where the Tribunal finds the person or team guilty of more than one offence, it may impose a single penalty, being not more than the maximum penalty for the most serious of the offences, or it may impose individual penalties for each offence. Where a Tribunal imposes more than one period of suspension, it may impose them to be served concurrently or cumulatively or partly concurrently and partly cumulatively.
- 13.8 Any suspension imposed by a Tribunal shall commence from the date of the Tribunal hearing unless the Tribunal directs otherwise, whether or not the person the subject of the suspension has appealed under these by-laws.
- 13.9 A fine not exceeding five hundred dollars (\$500) may be imposed on a non-player.
- 13.10 A fine not exceeding five hundred dollars (\$500) may be imposed on a team.
- 13.11 A player may be placed on a good behaviour bond not exceeding five hundred dollars (\$500) by a Tribunal.
- 13.12 A team may be placed on a good behaviour bond not exceeding five hundred dollars (\$500) by the Tribunal.
- 13.13 The range of penalties for a player registered with Big V or VBL competitions shall be on the basis of number of matches. In addition, the player would be precluded from playing in any matches in competitions conducted by any association for the duration of their penalty.
- 13.14 Details of decisions of any Tribunal shall be forwarded by the Tribunal Chairperson to Basketball Victoria and subsequently circulated without delay to all associations. The decision of any Tribunal approved by Basketball Victoria shall be enforced by all associations.
- 13.15 A person who is suspended shall not be permitted to play, coach, referee or do score bench duties in a competition conducted by Basketball Victoria or any of its associations for the duration of the period specified by the Tribunal.
- 13.16 A person who is suspended shall not contact their team directly, or indirectly, from fifteen (15) minutes before the game. They must sit on the side of the court opposite to the player bench. Any person banned must not enter any stadium or venue of an association. Any violations may be reported to Basketball Victoria by the court manager and may entail additional suspension.
- 13.17 Where a fine is imposed, or a team placed on a bond, the amount shall be collected by the Affiliated Association and paid to the special account of Basketball Victoria set up for this purpose. Disposition of money from fines shall be determined on an annual basis by the Basketball Victoria Executive Committee.
- 13.18 When a fine or bond imposed by the Tribunal is not paid within one (1) calendar month, the Tribunal may take any action necessary until the matter is finalised to the satisfaction of the Tribunal.

14 Appeals

- 14.1 A judiciary committee shall be established annually by the president of Basketball Victoria which shall have the power to adjudicate on matters referred to it by the president or the Executive Committee of Basketball Victoria provided that such matters fall within the following categories:

- Appeals for decisions from Tribunals.
 - Disputes between associations.
 - Disputes between associations and Basketball Victoria.
 - Disputes between self-governing bodies of Basketball Victoria and associations.
 - Any other matters which in the view of the president of Basketball Victoria requires adjudication.
- 14.2 The Judiciary Committee shall consist of up to seven (7) people chosen for legal expertise and / or basketball expertise.
- 14.3 The quorum for a Judiciary Committee Hearing shall be three (3) of the seven (7) people chosen by the president of Basketball Victoria.
- 14.4 There shall be no appeal from a decision of a regional Tribunal unless the person seeking to appeal satisfies the president of Basketball Victoria, or their nominee, in that person's sole discretion, that one or more of the following grounds of appeal are satisfied:
- That significant new or additional evidence has become available;
 - That the penalty imposed by the Tribunal is not in accordance with the provisions of these bylaws; or
 - That the Tribunal failed to follow procedures or requirements of these by-laws to the significant detriment of the person seeking the appeal.
- 14.5 A letter stating full details of charges and results thereof and stating in full the grounds of appeal must be lodged with the designated association's official within seven (7) days of the Tribunal hearing.
- 14.6 The designated association official shall forward the letter of appeal, together with the original, or a copy of the relevant scoresheet, report form and Tribunal decision to the State Tribunal Convenor of Basketball Victoria as soon as possible.
- 14.7 The person applying shall be notified within fourteen (14) days of receipt of the letter of appeal as to whether an appeal hearing is to be granted and the time, date and place of the hearing, in the event that it is granted.
- 14.8 The hearing of the appeal shall be delegated to the Judiciary Committee, or to a Tribunal in the same region as the Tribunal which made the decision appealed against.
- 14.9 In granting an appeal, in accordance with by-law 14.4, the president, or his / her nominee, shall direct that the appeal take place in one of the following forms:
- a complete rehearing of the charge; or
 - an investigation of a specific area designated by the president or their nominee.
- 14.10 In the event that president or their nominee directs under by-law 14.9 that an investigation occurs, the Tribunal or judiciary Committee hearing the appeal may overrule the earlier decision and make its own findings and impose its own penalty, or refer the further hearing to the original Tribunal with a direction that it rehear the charge and adopt a particular procedure in the course of that hearing.
- 14.11 The Judiciary Committee and persons appearing before it are bound by the same procedures under these by-laws as if the judiciary Committee was a Tribunal.
- 14.12 The designated association official shall be notified of the decision of the Appeals Tribunal.

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