

Western Port Basketball Association Inc.

By-laws

1. Power of the Committee

- 1.1. The Committee 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 by the Committee. The same applies for any conduct arising in connection with basketball, which in the opinion of the Committee is 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 Committee shall have the power to make By-Laws and to alter, amend, add to or rescind same at any General Meeting of which notice has been given to members not less than twenty-eight (28) days prior.
- 1.3. The Committee shall have the power to form Sub-Committees and to alter, amend, add to or rescind same, as the Committee sees fit.

2. Competition Rules

- 2.1. The matches will be conducted under the Official Basketball Rules of FIBA with modifications as defined and amended from time to time by the Committee in the "Playing Rules".

3. Admission Fees

- 3.1. The Committee will determine admission fees and penalty for non-payment for the competition matches from time to time.

4. Protests

- 4.1. A team may lodge a protest in respect of a result of a game in which they participated in by:
 - a) Not more than one hour after the completion of the game, signifying their intention to protest in the presence of an official on the back of the score sheet of the game in question.and
 - b) Lodging an official protest together with particulars of the protest, in writing, with the Secretary within seven days of the game.
 - i) The Committee shall appoint an independent panel to hear the protest.
 - ii) Two delegates from each team may attend the meeting in which the protest is to be heard and shall be permitted to submit evidence. Officials may be called at the discretion of the panel.
 - iii) The decision of the Panel to dismiss or uphold the protest shall be final.

5. Duty of Referees

- 5.1. It is the duty of referees and/or umpires in any match to report any player or team official who commits a reportable offence as listed below.
- 5.2. The referee and/or umpire must endeavour to note all particulars in connection with the report so that a clear account may be given to the Tribunal when the report is being dealt with. A special report form should be used on which the details of the offence must be entered. The fact that a player is to be reported must be entered on the score sheet before signing.
- 5.3. It is considered desirable that the referee notify the player of his intention to report him/her at the time of the incident, but a charge against a player will not fail on this account if the notice is not given.
- 5.4. Association officials and referees listed for duty are also authorised to report any offence as listed above.

6. Officer In Charge of Stadium Reporting Players

- 6.1. It is the duty of each player to obey the directions given by an official appointed to take charge of the hall on any night.
- 6.2. The Tribunal may discipline any affiliated player who is proven guilty of any breach of good conduct in any hall conducted by the Association. It is the duty of the Official of the Association to report such conduct to the Tribunal.

7. Reportable Offences

It is the duty of game officials in any match to report any person who commits or attempts to commit any of the following actions:

- 7.1. Conduct which brings basketball into disrepute. Any conduct which a reasonable person would believe reflects badly on basketball and may include any of the other offences. Accordingly, reporting officials should consider this charge whenever making a report. The Tribunal has the power to dismiss a charge but to find the person guilty of a lesser charge. The maximum penalty of 19 weeks was set to make it a “lesser charge” for all offences carrying a maximum penalty of 20 weeks or more.
- 7.2. Deliberately endangering health or safety. This offence is designed to catch seriously offensive and dangerous behaviour where body fluids are deliberately spread to another person. It covers such behaviour as smearing blood on another person, spitting on another person or putting body fluids in such a place that it is likely to come into contact with another person such as on the ball. The behaviour must be deliberate.
- 7.3. Disputing Decisions. The offence itself is obvious. However, the disputing of a decision can be acceptable behaviour on the court. Teams should ensure that there is a nominated court captain for each game and that the referees are aware who this is. It should be noted on the scoresheet. Only court captains may approach an official to question a decision. This must be done at an appropriate time such as at a time-out, half time or full time. It must be done in an appropriate manner, without anger and with reason. Officials should then accept the questioning in the spirit in which it is made and take the time to explain the ruling which led to the question. If another player questions a decision, this may be an

offence. Similarly, if the court captain does so in an inappropriate manner, the captain may commit an offence.

- 7.4. Elbowing. This is self explanatory. For a report or a finding of guilty of this offence, the incident should be viewed as intentional or aggressive and possibly premeditated. Incidents do occur during a game which constitute elbowing but which may be quite accidental. On the other hand, if the elbowing resulted from over zealous offence or defence, a charge may be made out.
- 7.5. Fighting. Fighting is any untoward physical contact. The previous requirement that it involved 3 or more players has now been removed. A report on this offence may be brought against individuals and/or teams. In the event of a fight, consideration should also be given to other charges which could be brought against the individuals involved, including striking, tripping, elbowing, kicking etc.
- 7.6. Gross breach of a code of conduct. Basketball Victoria has adopted Codes of Conduct that cover administrators, officials, spectators, parents, players and coaches to guide those people in what is expected of their behaviour when they are involved in basketball. Any serious breach of a Code of Conduct which is not covered by any other offence may be considered by a Tribunal. It is thus very important for all involved in basketball to be familiar with the Codes of Conduct.
- 7.7. Kicking. This is self explanatory. For a report or a finding of guilty of this offence, the incident should be viewed as intentional or aggressive and possibly premeditated. Incidents do occur during a game which constitute kicking but which may be quite accidental. On the other hand, if the kicking resulted from over zealous offence or defence, a charge may be made out. The reporting official should consider whether it appears that the prime objective was the opposition player rather than game play on the ball. Many “foot violations” occur but this action is normally spontaneous and usually not offensive or subject to penalty.
- 7.8. Obscene gesture. Physical or body action of an obscene nature. This can include the raising of one or two fingers or a fist, in what are common gestures aimed at mimicking swearing in a physical way.
- 7.9. Offensive Language. Includes abusive, insulting or obscene language including personal, racial, sexist or lewd language. Language which is beyond normal socially accepted behaviour would be caught by this offence.
- 7.10. Playing etc. whilst suspended. Any person suspended by a Tribunal is barred from playing, coaching, refereeing or carrying out scorebench duties whilst under the suspension. Even if the person is suspended as a spectator or a referee, their suspension applies to all 4 roles in basketball. So a suspended coach not only may not coach, but also may not play. Officials who witness a breach of this offence should report it unless there are exceptional circumstances although 1 warning may be appropriate in some circumstances.
- 7.11. Putting in Fear of impending violence. This offence implies something more than a mere threat, which is covered by a separate offence. There may be a threat accompanied by some overt gesture or aggressive behaviour leaving a person in genuine fear of an impending physical confrontation. If a threat is part of the behaviour leading to the fear, the reporting official should consider laying that as a separate charge.
- 7.12. Spitting. Spitting, either at a person or otherwise, is totally unacceptable. Spitting at a person may even constitute deliberately endangering health. Spitting on the court or

anywhere in the stadium is inappropriate and may cause danger by making the walking surface slippery. It can also be a health hazard. Finally, it creates an unpleasant environment for all using the facility.

- 7.13. Striking. Striking is hitting another person either with a part of the body or an object, including the ball. It can include chesting, pushing or shoving. There must be some element of intent before this charge could be proved. Physical contact should be considered to be serious, intentional or aggressive before a charge is made or found proved. Accidental contact, such as occurs when scrambling for the ball or position are not reportable offences.
- 7.14. Threatening. This offence is designed to protect all persons involved in basketball from threatening behaviour. The threat may not necessarily be just verbal. It could be a threatening gesture.
- 7.15. Tripping. Tripping This is self-explanatory. For a report or a finding of guilty of this offence, the incident should be viewed as intentional or aggressive and possibly premeditated. Incidents do occur during a game which constitute tripping but which may be quite accidental. On the other hand, if the tripping resulted from over zealous offence or defence, a charge may be made out.
- 7.16. Tunnelling. Tunnelling is knocking or pulling the legs of an airborne person, causing the person to fall to the floor. The reporting official should believe that the tunnelling was more than likely done deliberately. Usually this offence occurs in a rebounding situation, with the offending player positioning themselves under the natural downward flight of the offensive player (normally a lay-up play). This action is one of considerable physical danger likely to cause serious injury. Tunnelling is becoming more common and should be approached by game officials with the appropriate severity and penalty.
- 7.17. Unsportsmanlike behaviour. Any behaviour which a reasonable person would consider unsporting. This offence could include probably all of the other offences listed in the Tribunal By-laws. Accordingly, reporting officials should consider this charge whenever making a report. However other unacceptable behaviour not specifically listed as an offence, such as sledging or throwing a tantrum at the decision of an official or at the game result, may also constitute unsportsmanlike behaviour.

8. Duties of an Official Making a Report

- 8.1. To notify the person as soon as possible that he/she is to be reported.
- 8.2. To notify any other person involved in the incident, the other official, and any referee on bench duty that a report is to be made.
- 8.3. To enter on the score sheet, at the conclusion of the game, the fact that a person is to be reported.
- 8.4. To enter the details of the offence on the report form as soon as possible after the match, noting all particulars in connection with the report so that a clear account may be given to the Tribunal when the report is being dealt with.
- 8.5. To lodge the report form with the WPBA Manager within 24 hours of the match.

9. Duties of The Association on Receiving a Report

- 9.1. The WPBA Manager will either refer the report to the Regional Tribunal for all playing matters or to the WPBA committee for non-playing matters.
- 9.2. As required the committee will appoint a Tribunal Secretary. The Tribunal Secretary will be the responsible person for the notification of duties related to reports. The arrangements should be notified to the V.C.B.C. for approval periodically.
- 9.3. The Duties of the Tribunal Secretary are:
- a) To notify the offending player within 7 days of the report and at least 72 hours prior to the Tribunal hearing, through his/her club/team secretary or delegated official of the date, time and place of the Tribunal hearing. This may be done by telephone conversation with the time and content of the telephone conversation noted. Each team entered in the competition must designate on the entry form the telephone number of the team secretary or manager to be used for notification of reports.
 - b) To notify the offending player through his/her team secretary or manager that he/she may read the details of the charges listed on the report form at a suitable time and place of mutual convenience
 - c) To notify any other player involved at least three days prior to the Tribunal hearing, through his/her team secretary or manager, of the date, time and place of the Tribunal hearing and to ask for a reply as to whether attendance will be possible.
 - d) To notify the reporting official and any other official or witness, required to be in attendance, at least 3 days prior to the Tribunal hearing and to ask for a reply as to whether attendance will be possible. It is necessary that a list of names, address and telephone numbers of all officials be maintained by the Association.
 - e) To notify each of the above people of the consequences of non attendance and the procedure to be followed in each case.
 - f) To ensure the sufficient copies of report forms are available.

10. Eligibility to Attend a Tribunal Hearing

- 10.1. Those eligible to attend are:
- c) The person reported.
 - d) Any other person involved.
 - e) The reporting official.
 - f) The other official and any referee on bench duty.
 - g) One witness called by the person reported.
 - h) One witness call by the reporting official.
 - i) Additional witness and Association representatives may be called if special permission is granted by the Tribunal.
- 10.2. In all cases of persons under the age of 18 years attending the Tribunal, an adult advocate must be present.
- 10.3. Legal representation is not permitted.

- 10.4. Any person summoned, who fails to attend, may be penalised.
- 10.5. Any person who, in the opinion of the Tribunal, gives false evidence, may be penalised.

11. Procedure of Tribunal Hearings

- 11.1. All Tribunal hearings should begin within 15 minutes of the designated time.
- 11.2. The person charged will be asked whether he/she accepts the members of the Tribunal as impartial and independent or whether he/she wishes to raise an objection to any member.
- 11.3. The charge will be read out in the presence of all persons eligible to be present.
- 11.4. The person charged will be asked if the charge is understood and the reporting official asked whether the charge correctly represents his intention.
- 11.5. The person charged will be asked to plead. In the event of a team being charged, one member of the team will act as spokesperson for the team.
- 11.6. The person charged and the reporting official may remain in the tribunal room while all the evidence is given. Any witness who has not given evidence may be asked to leave the tribunal room until such time he/she is asked to give evidence.
- 11.7. The reporting official will present the charge. One witness may be called. The person charged may be permitted to ask questions.
- 11.8. The person charged will present his/her defence. One witness may be called.
- 11.9. The Tribunal shall be empowered to question any person giving evidence.
- 11.10. Video evidence, if available, may be presented.
- 11.11. At the end of hearing all the evidence, all will be asked to leave while the Tribunal deliberates.
- 11.12. The decision of the Tribunal will be announced in the presence of all. A statement of how the penalty is assessed shall be included.

12. Non Attendance or Failure to Carry Out Duties Listed

- 12.1. If the player charged fails to attend, and does not advise the Tribunal Secretary, the case will proceed in that person's absence, provided that the Tribunal is satisfied that all notification procedures have been carried out.
- 12.2. In any case of absence, the Tribunal shall adjudicate whether the reason given is acceptable or not, and if not shall impose a suitable penalty.
- 12.3. If a reporting official or Association official inadvertently fails to carry out any duties listed in the previous clauses, the charge will not be dismissed for this reason, but may be deferred to allow the omission to be rectified. Where possible, the Tribunal will take the failure into account and make suitable allowance.

13. Penalties

- 13.1. Charges should be confined to the listed categories in Section 13, where possible. Suspended sentences are permitted.

- 13.2. Person/s having a good record may incur smaller of the range of penalties on a first offence.
- 13.3. A penalty to a person/s may be increased by a maximum of 4 weeks if that person has incurred a previous penalty from the Tribunal.
- 13.4. An additional penalty of up to 8 weeks may be incurred if injury is caused or for other special reasons decided by the Tribunal.
- 13.5. More severe penalties may be imposed when a team or group is involved in a brawl. Refusal of future admission of such teams to competition may be recommended to the Association.
- 13.6. Charges from one particular incident shall be considered together. The maximum penalty for a composite offence shall be for the most serious offences plus 4 weeks.
- 13.7. For the purposes of this By-law, penalties for many offences which are established by a Tribunal shall be divided into two separate categories:

“A” penalties for offences involving persons other than officials; and
 “B” penalties for offences involving an official

Para 7 Reference	Offences and penalties
7.1	<i>Conduct which brings the game of Basketball into disrepute</i> <i>Maximum penalty: 19 weeks suspension</i>
7.2	<i>Deliberately endangering the safety, health, of the players, spectators, officials (including incidents involving blood/body fluids)</i> <i>A: Maximum penalty: life-time suspension</i>
7.3	<i>Disputing the decision(s) of a referee</i> <i>Maximum penalty: 6 weeks suspension</i>
7.4	<i>Attempting to elbow</i> <i>A – Maximum penalty: 10 weeks suspension</i> <i>B – Maximum penalty: 52 weeks suspension</i>
7.4	<i>Elbowing</i> <i>A – Maximum penalty: 20 weeks suspension</i> <i>B – Maximum penalty: life-time suspension</i>
7.5	<i>Fighting</i> <i>A – Maximum penalty 20 weeks suspension</i>
7.6	<i>Gross breach of Code of Conduct</i> <i>Maximum penalty: 6 weeks suspension</i>
7.7	<i>Attempting to kick</i> <i>A – Maximum penalty: 10 weeks suspension</i> <i>B – Maximum penalty: 52 weeks suspension</i>
7.7	<i>Kicking</i> <i>A – Maximum penalty: 20 weeks suspension</i> <i>B – Maximum penalty: life-time suspension</i>

7.8	<p><i>Obscene gestures</i></p> <p><i>A – Maximum penalty: 10 weeks suspension</i></p> <p><i>B – Maximum penalty: 20 weeks suspension</i></p>
7.9	<p><i>Offensive language (which may include abusive, obscene or insulting language)</i></p> <p><i>A – Maximum penalty: 10 weeks suspension</i></p> <p><i>B – Maximum penalty: 20 weeks suspension</i></p>
7.10	<p><i>Coaching, refereeing, playing, scorebench duties while under suspension</i></p> <p><i>A – Minimum penalty: 2 weeks per game played while suspended to be served consecutively to the original suspension period</i></p> <p><i>A – Maximum penalty: 5 weeks per game played while under suspension to be served consecutively to the original suspension period</i></p>
7.11	<p><i>Putting a person in fear of impending violence</i></p> <p><i>A – Maximum penalty: 52 weeks suspension</i></p> <p><i>B – Maximum penalty: 104 weeks suspension</i></p>
7.12	<p><i>Spitting</i></p> <p><i>A – Maximum penalty: 20 weeks suspension</i></p> <p><i>B – Maximum penalty: 52 weeks suspension</i></p>
7.13	<p><i>Attempting to strike</i></p> <p><i>A – Maximum penalty: 10 weeks suspension</i></p> <p><i>B – Maximum penalty: 52 weeks suspension</i></p>
7.13	<p><i>Striking (e.g. fist, hand, object, head)</i></p> <p><i>A – Maximum penalty: 52 weeks suspension</i></p> <p><i>B – Maximum penalty: life-time suspension</i></p>
7.14	<p><i>Threatening a person</i></p> <p><i>A – Maximum penalty: 52 weeks suspension</i></p> <p><i>B – Maximum penalty: 104 weeks suspension</i></p>
7.15	<p><i>Attempting to trip</i></p> <p><i>A – Maximum penalty: 10 weeks suspension</i></p> <p><i>B – Maximum penalty: 20 weeks suspension</i></p>
7.15	<p><i>Tripping</i></p> <p><i>A – Maximum penalty: 20 weeks suspension</i></p> <p><i>B – Maximum penalty: 52 weeks suspension</i></p>
7.16	<p><i>Moving under an airborne player (tunnelling)</i></p> <p><i>A – Maximum penalty: 104 weeks suspension</i></p>
7.17	<p><i>Unsportsmanlike Behaviour</i></p> <p><i>Maximum penalty: 6 weeks suspension</i></p>
	<p><i>Failure to attend Tribunal without proper cause when notified</i></p> <p><i>Maximum penalty: 20 weeks suspension</i></p>
	<p><i>Failure to co-operate in, or hindering an investigation or hearing under these by-laws.</i></p> <p><i>Maximum penalty: 20 weeks suspension</i></p>

- 13.8. The Tribunal may place on individuals or on teams fines or good behaviour bonds. A fine in lieu of suspension is not permitted. In addition to suspensions, maximum fines and good behaviour bonds for individuals and teams shall be set by the Committee from time to time.
- 13.9. Where a fine is imposed, or a team placed on a bond, the amount shall be collected by the Association. Disposition of money from fines shall be determined on an annual basis by the Committee.

14. Enforcement of Penalties

- 14.1. Details of any Tribunal decision shall be forwarded by the Tribunal Secretary to the Secretary of the Association and then circulated without delay to all Affiliated Associations and the V. C. B. C. shall be enforced by all affiliated Associations.
- 14.2. A person who is suspended shall not be permitted to play, coach or referee for the duration of the period specified by the Tribunal.
- 14.3. A disqualified coach or official shall not contact his team directly or indirectly from 15 minutes before the game until the conclusion of the game. He/she must be well away from the players' bench. Any violations may be reported to the Association and may entail additional suspension.

15. Appeals

- 15.1. An appeal against a decision of the Tribunal may be made on one of the following grounds:
- 15.2. That significant new or additional evidence has become available.
- 15.3. That the penalty imposed is not in accordance with the provisions of Section 19.
- 15.4. That justice was not achieved because of a failure to follow procedures or requirements of these By-Laws.
- 15.5. A letter stating the grounds for appeal and listing full details must be lodged within 7 days of the Tribunal hearing with the Secretary of the Association.
- 15.6. The regional Supervisor of the V.C.B.C. shall determine whether or not a hearing of the appeal will be heard.

16. Reporting an Official

- 16.1. A player or team (through its' Captain) may report any official for any misconduct such as listed in Section 7.
- 16.2. A letter or report form giving details of the conduct of the official, signed by the player, shall be lodged and marked to the attention of the Secretary within 24 hours of the match played.
- 16.3. The report shall be considered by the association President. Unless deemed frivolous, he/she shall order its investigation by the Disciplinary Board, which shall consist of the players, Tribunal chairperson and two referees from another Referees' Association.
- 16.4. Penalties where applicable, shall be the same as in Section 13.