

SACBCI Referee Management Sub Committee

Terms of Reference

November 2018

Table of Contents

1	Introduction	3
2	Scope	3
3	Objectives.....	3
4	CE expectations of the RMSC	3
5	Formal establishment and authority	4
6	Composition of the RMSC	5
7	The RMSC.....	5
8	Powers of the RMSC	6

1 Introduction

- 1.1 Under the Constitution of SA Country Basketball Council Inc. (SACBCI), SACBCI is established as the governing body for Basketball in SA Country.
- 1.2 SACBCI is governed by a Council Executive (CE). The powers of the CE are established by the Constitution of SACBCI. The CE is responsible for the proper, efficient, and effective performance of SACBCI in the exercise of its functions and powers in seeking to achieve the objects of SACBCI.
- 1.3 In accordance with the SACBCI Constitution, the Referee Management Sub Committee (RMSC), previously known as SACOA or RMT, is a subcommittee of the CE with a clearly defined terms of reference (TOR).
- 1.4 The role of the RMSC includes providing leadership and strategic direction for the promotion and development of Officials in SA Country Basketball.
- 1.5 The terms of reference for the RMSC sets out the duties and functions of the RMSC.
- 1.6 The RMSC commences on the date as resolved by the CE.
- 1.7 The RMSC is subject to, and is to be interpreted in accordance with, the Constitution.
- 1.8 Current operational rules of the RMT and/or SACOA will, unless replaced by this TOR, continue in force and operation until changed by the CE.

2 Scope

- 2.1 This RMSC is applicable to SA Country Basketball Officials.
- 2.2 This RMSC deals with all aspects of Officiating SACBCI, including but not limited to:
 - 2.2.1 The identification, training, education and development of Officials;
 - 2.2.2 The appointment of Officials to sub-elite, elite and development level SACBCI competitions, tournaments and championships;
 - 2.2.3 The appointment of Officials to Basketball Australia (BA) national championships.

3 Objectives

- 3.1 The RMSC will assist the CE in ensuring that the SA Country Officials are properly trained, developed, managed, supported and accredited.
- 3.2 The RMSC is directly responsible and accountable to the CE for the exercise of its responsibilities. In carry out its responsibilities the RMSC recognises that at all times the CE has primary governance responsibility and the EO has primary management responsibility, for Basketball in SA Country.
- 3.3 In addition to conducting the activities outlined in this TOR, the RMSC may make recommendations to the CE in respect to matters arising under this TOR.

4 CE expectations of the RMSC

- 4.1 In consideration of the delegation to the RMSC, and via the powers delegated to the RMSC, the CE expects the RMSC to:
 - 4.1.1 Perform its responsibilities and ensure its activities are operating effectively;

- 4.1.2 Be active in the promotion and development of Officials by setting and maintaining quality standards;
- 4.1.3 Contribute positively and in a measurable manner to the achievement of the SACBCI Strategic Plan;
- 4.1.4 Conduct its duties and functions under the TOR on the CE's behalf and subject to the CE's reasonable direction;
- 4.1.5 Conduct its duties and functions under the TOR on the CE's behalf in a professional and financially viable manner and in such a way as to bring no discredit to SACBCI and the SA Country Basketball community;
- 4.1.6 Give advice to the CE in relation to Officials and any other matters which are subject to the TOR;
- 4.1.7 Develop and share knowledge, experience and best management practices in Officiating;
- 4.1.8 Canvas widely the views, opinions and stance of constituent members of SA Country Basketball and ensure their opinions are taken into account and adequately addressed;
- 4.1.9 Consider the implications of proposed recommendations to Officiating and various other programs and competitions that are conducted by SACBCI;
- 4.1.10 Balance the needs of SACBCI to:
 - (a) Increase participation in Officiating;
 - (b) Provide an opportunity for Officials to develop;
 - (c) Create and maintain effective Officiating programs;
 - (d) Succeed in the high performance area of Officiating;
 - (e) Provide regular reports to the CE as requested and provide content for an Annual Report in an agreed format to SACBCI;
 - (f) Work with the EO to prepare a draft annual budget for review and approval by the CE;
 - (g) Not separately enter into any arrangement with any sponsor and work with the EO to obtain sponsorship for Officiating;
 - (h) At all times act in the best interest of Basketball in SA.

5 Formal establishment and authority

- 5.1 In accordance with the SACBCI Constitution the CE establishes the RMSC and delegates the following functions:
 - 5.1.1 The encouragement, promotion, management, support and development of training, education, accreditation and competence of Officials in accordance with SACBCI's strategic plan;
 - 5.1.2 The settlement of disputes involving Officials. Any appeal arising from a decision of the RMSC will be determined in accordance with the SACBCI Tribunal Procedures appeals process;
 - 5.1.3 Make rules with respect to training, education, accreditation, development and discipline of Officials; and
 - 5.1.4 Deal with any other matters concerning Officials which the SACBCI may deem in the best interest of Basketball in SA Country.

- 5.2 The delegation is for an initial term of three (3) years unless otherwise determined by the CE after consultation and agreement with the RMSC. This delegation and the operation of the RMSC shall be reviewed annually with any changes to be implemented as soon as practicable or within two (2) months of the completion of the review, whichever is sooner.
- 5.3 In accordance with the SACBCI Constitution the CE may amend or repeal a decision made by the RMSC under the TOR. In the normal course of events the CE shall consult with the RMSC prior to making changes to a RMSC decision. Only in exceptional circumstances would the CE amend or repeal a decision without prior consultation with the RMSC.
- 5.4 The RMSC and all intellectual property in it are the assets of SACBCI. All assets generated or produced by the RMSC, including money, property and intellectual property, belong to SACBCI. SACBCI will be recorded as an accumulated net surplus arising from the conduct of the RMSC and such other responsibilities as may be delegated to the RMSC in the future.
- 5.5 At all times the RMSC shall act under the delegated authority of the CE and in accordance with the TOR and the SACBCI Constitution. The RMSC:
- 5.5.1 Is not a separate legal entity to SACBCI or the CE and shall not hold itself out to be a separate legal entity to any party it deals with in respect of the business of SACBCI;
 - 5.5.2 Is not empowered nor authorised by SACBCI, to enter into contracts “as an agent for SACBCI”, or to otherwise contract with third parties purportedly “for and on behalf of SACBCI”, unless otherwise approved by the CE;
 - 5.5.3 Does not have the legal standing to employ any person in any remunerated capacity. SACBCI will be the designated employer of all staff and appointments and performance reviews of employees associated with the RMSC.

6 Composition of the RMSC

- 6.1 The RMSC shall be composed of the following:
- 6.1.1 SACBCI EO (EO);
 - 6.1.2 BSA Competition & Officiating Development Manager (CODM);
 - 6.1.3 Regional Advisor - CE Representative Member (RA);
 - 6.1.4 Regional Coordinator West (RCW);
 - 6.1.5 Regional Coordinator Central (RCC);
 - 6.1.6 Regional Coordinator East (RCE).
- 6.2 The EO, CODM and RA will form the RMSC Executive.

7 The RMSC

- 7.1 The CE will from time to time, in consultation with the RMSC, determine eligibility requirements and qualifications for persons to be elected or appointed to the RMSC.
- 7.2 The RMSC shall comprise of a minimum of three (3) and maximum of six (6) members who shall be appointed/elected as follows:
- 7.2.1 The SACBCI EO and CODM shall be appointed in accordance with their respective positions;
 - 7.2.2 The RA will be elected for a two (2) year term;

- 7.2.3 The Regional Coordinators will be appointed by the RMSC Executive for a two (2) year term;
- 7.2.4 In the event of a casual vacancy of an elected RA the CE may appoint another person to serve the balance of the vacating RA's term;
- 7.2.5 In the event of a casual vacancy of an appointed Regional Coordinator the RMSC Executive may appoint another person to serve the balance of the vacating Regional Coordinator's term;
- 7.2.6 Election of the RA shall occur at the SACBCI AGM.
- 7.3 The CE may, acting in good faith and reasonably, including for the purpose of protecting the reputation of SACBCI, remove a RMSC member from the RMSC at any time by written notice to that person.
- 7.4 At the first meeting of the RMSC Executive following the election/appointment each year, the RMSC Executive shall elect one (1) of their number to be Chair of the RMSC.
- 7.5 Meetings of the RMSC may be conducted electronically whereby each RMSC member is able to hear and be heard by all other RMSC members present. RMSC members present in any such electronic meeting shall be deemed to be physically present for the meeting.
- 7.6 If the Chair is not present at the meeting of the RMSC, the RMSC Executive shall elect a Chair for the meeting.

8 Powers of the RMSC

- 8.1 Subject to the Constitution and the TOR the RMSC may from time to time in accordance with the TOR make such rules and decisions in respect of officiating as the RMSC see fit.
- 8.2 The RMSC may recommend fees for officials annually through the CE.

9 RMSC meetings

- 9.1 The RMSC shall meet a minimum of twice annually and at other such times as may be determined by the RMSC in order to fulfil the duties and functions of the RMSC.
- 9.2 A quorum of the RMSC shall consist of a majority of the RMSC members, one (1) of whom must be the Chair or any person nominated by the RMSC members present may elect a Chair for that meeting.
- 9.3 Each member will have one (1) vote. Voting by proxy is not permitted. In the event of a tied vote, the motion will be deemed to have failed. The Chair will not have a casting vote.
- 9.4 The agenda and papers for RMSC will be distributed five (5) business days prior to the meeting but may be distributed later for urgent matters.
- 9.5 RMSC minutes will be included in CE papers of the next subsequent CE meeting.
- 9.6 The RMSC will provide regular reports to the CE as requested and provide annual report in an agreed format to CE. The annual report shall contain information on the number of SACBCI officials, the success or otherwise of officiating programs, relevant financial information, a comparison with previous year's reports and any recommendation by the RMSC on the future conduct of officiating in SACBCI.
- 9.7 Work with the EO to prepare a draft annual budget for review and approval by the CE and to monitor and manage the budget as approved by the CE. The CE and EO will work with the RMSC to ensure resources are available to enable activities to be effectively conducted. The RMSC shall report at least quarterly to the CE on financial performance against budget.

- 9.8 Not separately enter into any arrangement with any sponsor and shall work with the EO in respect to obtaining and managing sponsorship for officiating;
- 9.9 At all times act in the best interest of Basketball in SA Country.

10 Secretariat, administrative and managerial support duties

- 10.1 The EO (or his/her nominee) shall provide secretarial and administrative support to the RMSC.
- 10.2 The EO (or his/her nominee) will be responsible, in conjunction with the Chair of the RMSC, for drafting an agenda and circulating it to the RMSC prior to each meeting.
- 10.3 A RMSC secretary or nominee will prepare the minutes of each meeting which will include an 'actions list' within seven (7) business days after the RMSC Chair has given preliminary approval, the draft minutes will be circulated to the RMSC members and tabled at the next CE meeting for review. Minutes of the meetings shall be confirmed and signed at the next subsequent meeting of the RMSC or earlier by circulation if required.
- 10.4 The EO (or his/her nominee) acting as the RMSC secretary will be responsible for keeping minutes of meetings of the RMSC and CE.

11 Disclosure

- 11.1 All RMSC members must provide written declarations to the CE or EO representative, stating they do not have a conflicts of interest that would preclude them from being members of the RMSC. These declarations are to be updated on an ongoing basis should any RMSC members circumstances change throughout the year.
- 11.2 RMSC members, person in attendance, and person preparing materials for the RMSC shall declare any material personal interest in any matters under consideration, or shall notify the RMSC if aware that any other member or person in attendance has or may have a material personal interest in a matter under consideration.
- 11.3 On such declaration or notification the RMSC shall determine whether the person may consider the matter and/or remain present during the discussion on the matter. That person will not be eligible to vote on the matter.
- 11.4 If a RMSC member is aware that the matter is to be considered at a meeting of the RMSC at which the RMSC member does not intend to be present, the nature of the interest is to be disclosed to the Chair before the meeting is held.

12 Attendance

- 12.1 In addition to the RMSC members, such persons as the Chair of the RMSC thinks fit may be invited to attend meetings. Parties are invited to attend meetings will have no voting rights. Parties to attend meetings will have no speaking rights unless otherwise determined by the Chair.

13 Honoraria and expenses

- 13.1 The RMSC may make recommendations to the CE each year in regard to the payment of honoraria.
- 13.2 Any honoraria must be in compliance with the relevant ATO rules and regulations.