

# **CORNWALL CONTRACT BRIDGE ASSOCIATION CONSTITUTION AND SCHEDULE OF DISCIPLINARY PROCEDURES**

**Adopted 16/09/2012**

## **1. TITLE AND CONSTITUENT MEMBERSHIP**

- 1.1 The Cornwall Contract Bridge Association is an Association as defined in the Bye Laws of the English Bridge Union Ltd., and shall be referred to as the Association throughout the Constitution.
- 1.2 The Association is a Constituent Member of the English Bridge Union Ltd. It shall abide with its Bye Laws, Rules and Policies. Hereinafter the English Bridge Union Ltd shall be referred to as the EBU.

## **2. OBJECTS OF THE ASSOCIATION**

- 2.1 To promote Duplicate Contract Bridge in Cornwall and to encourage participation in inter-club, inter-county and national competitions.
- 2.2 To employ the funds of the Association in the best interests of the game of Duplicate Contract Bridge, having regards to the fact that the Association is a non-profit making body.

## **3. MANAGEMENT OF THE ASSOCIATION**

- 3.1 The management of the affairs of the Association shall be vested in the following officers :-

- (a) Chairman (who acts as the chairman of the Executive Committee)
- (b) Vice Chairman
- (c) Secretary
- (d) Treasurer
- (e) Tournament & Entries Secretary
- (f) EBU Shareholder
- (g) Chief Tournament Director

and not more than nine other members of the Association, who together will fulfil the roles of :-

- (h) County Club Representative
- (i) County Education Officer
- (j) Press Secretary

- (k) Membership Secretary
- (l) Congress Secretary
- (m) Secretary - East League
- (n) Secretary – West League
- (o) Clubs' Representative (East)\*
- (p) Clubs' Representative (West)\*\*
- (q) General Committee\*\*\*

\* to represent Bodmin, Bude, Liskeard, Newquay, St. Austell, Wadebridge bridge clubs

\*\* to represent A & J, Camborne, Godolphin, Falmouth, Penventon, Penzance, St. Ives, Truro bridge clubs

\*\*\* in the event of a member(s) fulfilling simultaneously more than one of the roles (a) to (p) above, a maximum of two additional members may be elected

Officers (a) to (q) will together form the Executive Committee.

3.1.1. All Officers and other Executive Committee members shall be elected annually at the Annual General Meeting by a simple majority of the members of the Association present, except the County Club Representative who is elected as under clause 8.2.

3.1.2. All Officers and other Executive Committee members shall be eligible for re-election, provided that the Chairman shall not serve for more than three consecutive years.

3.1.3. A member of an affiliated club, which is not represented by the officers above, may attend committee meetings in a non-voting capacity.

3.2 The Executive Committee shall meet from time to time as it deems fit. A quorum shall consist of six members and, in the event of a tie on votes cast, the Chairman of the meeting shall have the casting vote.

3.3 The Executive Committee shall have the power to co-opt and to fill any vacancies.

3.4 The Executive Committee may from time to time appoint and disband sub-committees as may be deemed necessary, and may delegate to them such powers or duties as may be deemed to be expedient. Such sub-committees shall conduct their business as directed by the Executive Committee.

3.5 The Executive Committee shall appoint a Conduct Committee and a Disciplinary Committee through its powers to appoint a sub-committee under Clause 3.4 of the Constitution. The Conduct Committee shall

consist of no fewer than three, and no more than five, members of the Association. The Terms of Reference for these Committees are contained in the Schedule of Disciplinary Procedures.

- 3.6 The Executive Committee is responsible for the control of all monies and assets of the Association. The Treasurer shall be responsible for the collection of all monies due to the Association, the payment of all accounts and for keeping the books of account. The Treasurer shall account to the Executive Committee for all financial transactions as and when required, and shall prepare a report and statement of accounts duly audited, for each Annual General Meeting.

#### **4. MEMBERSHIP**

- 4.1 All members of the Association must be Player Members of the EBU.
- 4.2 There are three categories of membership.
- a. Ordinary membership –members of the EBU who have their primary allegiance recorded with the Association; membership commences when their primary allegiance is recorded with the EBU.
  - b. Dual membership –members of the EBU who have their primary allegiance recorded with another Association can become a member of the CCBA by meeting the terms and conditions in force at the time of the request for membership.
  - c. Direct membership –members of the EBU who do not have primary allegiance to any Association can become a member of the CCBA by meeting the terms and conditions in force at the time of the request for membership.
- 4.3 The membership year shall run from 1<sup>st</sup> April to 31<sup>st</sup> March.
- 4.4 The Association may decide to charge an annual subscription for each category of membership.
- 4.5 A member of the Association becomes a paid-up member through payment of any Association Pay-to-Play County component when participating in events at an affiliated Duplicate Bridge Club and/or through any annual subscription for their membership category.
- 4.6 A member of the Association ceases to be a paid-up member if any annual subscription is not paid by 31<sup>st</sup> May.

- 4.7 A member of the Association must be a paid-up member for the relevant membership year in order to vote at its AGM, and to participate in its main competitions within that membership year.
- 4.8 The Association Pay-to-Play County component, and any annual subscription for each membership category for the year commencing the next 1<sup>st</sup> April, shall be decided by a simple majority of the paid-up members at the Association AGM.

## **5. LIFE MEMBERS**

- 5.1 The Executive Committee of the Association may honour long standing members for their service to the Association by electing them to life membership of the Association. A Life Member of the Association shall automatically become a paid up member of the Association for each Membership Year. In addition a Life Member of the Association shall not be required to pay the entrance fee to any of its county competitions.

## **6. MEETING OF THE ASSOCIATION MEMBERS**

- 6.1 An Annual General Meeting (AGM) of the Association shall be held in September of each year, or as soon as possible thereafter. The place, date and time of the AGM shall be determined by the Executive Committee, and shall be detailed in the Members Handbook circulated in July to all members of the Association.
- 6.1.1 The ordinary business of the meeting shall comprise submission of the Reports of the Executive Committee, adoption of the Accounts, election of Officers and Executive Committee members, ratifying the Membership Subscriptions and County Pay to Play levy, appointment of an Auditor, and election of EBU Representatives.
- 6.1.2 Six weeks before the date set for the AGM, the Secretary shall send an advance notice to all Club Secretaries inviting members of the Association to (a) submit Special Resolutions for inclusion in the Agenda for the AGM, and, or (b) nominate a member to serve on the Executive Committee.
- 6.1.3 A request for a Special Resolution from a member of the Association, which shall require a vote by the paid up members at the AGM, must be lodged in writing with the Secretary no later than four weeks before the date of the AGM. The request must be supported in writing by two other members of the Association.
- 6.1.4 A nomination for a member of the Association to serve on the Executive Committee must be received in writing by the Secretary four weeks before

the date of the AGM. The nomination must be supported by a proposer and a seconder, both must also be members of the Association.

- 6.1.5 The Secretary shall publish an Agenda for the AGM no later than three weeks before the AGM. The Agenda shall be distributed to all Club Secretaries; Dual and Direct members of the Association shall be mailed individually.
- 6.2 An Extraordinary General Meeting (EGM) shall be convened on the instructions of the Chairman or on receipt of a requisition signed by not less than 20 Association members and stating the purpose of such a meeting. A notice convening the meeting together with either the motions or a statement of the matters to be discussed shall be sent to each affiliated club at least 21 days before the date of the meeting. The meeting shall deal only with such matters.
  - 6.2.1 The EGM shall be held no earlier than 28 days, and no later than 42 days, after the Secretary has received the written request.
- 6.3 Any vote at an AGM or an EGM which is tied shall be split by the casting vote of the Chairman of the AGM or EGM.
- 6.4 A notice convening an AGM or EGM shall be deemed to have been published three days after written details are posted (and this shall include email postings) by the Secretary to the secretaries of the Association's affiliated clubs. The notice shall also be posted on the Association's website.
- 6.5 The quorum for an AGM and EGM shall be twenty members of the Association.
- 6.6 The Secretary shall be required to arrange a further EGM, if an AGM or EGM fails to reach a quorum. In both circumstances the additional EGM shall be scheduled to occur within the period of 28 to 42 days after the aborted AGM or EGM. The Secretary shall publish the date, venue and time of the EGM at least 21 days before the date of the additional EGM.
- 6.7 If the additional EGM once again fails to reach a quorum, the Executive Committee shall take any decisions necessary to continue to manage the affairs of the Association.

## **7 MEMBERS' BEHAVIOUR**

- 7.1 Each member of the Association shall be required to conform with standards of fair play, courtesy and personal deportment prescribed by the Bye Laws and regulations for the time being of the EBU.
- 7.2 The Association shall have the powers and the procedures for the enforcement of the requirement in clause 7.1. They are set out in the Disciplinary Procedures below.

## **8 AFFILIATED DUPLICATE BRIDGE CLUB**

- 8.1 Any Duplicate Bridge Club may affiliate to the Association and all such Clubs shall be affiliated to the EBU. The Association has the right to determine at an Annual General Meeting through a simple majority of its paid up members, the annual club affiliation fee to be charged for the twelve month period from the following 1 April.
- 8.2 Elections for the Regional Club Committee

All affiliated Clubs are entitled to propose and vote for the County Representative to sit on the Regional Club Committee (South West). All nominations for this must be submitted to the County Secretary in writing (or email) at least 28 days prior to the AGM. In the event that there is more than one nomination for the post each affiliated club shall have one vote to be exercised (by the letter or email) to the County Secretary to arrive prior to the commencement of the AGM. The representative for the Regional Club Committee should be independent of the County Committee.

## **9. CONSTITUTION AMENDMENTS**

Alterations to the Constitution shall be made only at an AGM or EGM through the positive votes of at least two thirds of the paid up members present.

## **10. DISSOLUTION OF THE ASSOCIATION**

The Association shall be dissolved at an EGM provided at least two thirds of the total paid up members present on the date of the EGM positively vote for its dissolution. The assets of the Association on a dissolution shall be distributed in accordance with the wishes of the majority of the members present.

## **11. INTERPRETATION**

On all questions of interpretation of the Constitution the decisions of the Executive Committee shall be binding until or unless upset at an AGM or EGM. The Executive Committee shall determine any point or matter that is not covered by the Constitution.

## **12. DEFINITIONS**

The terms Association, Constituent Member, Duplicate Contract Bridge and Playing Member have the meanings set out in the Bye Laws of the EBU.

# **Schedule of Disciplinary Procedures**

## **1. Requirements of the Schedule**

This Schedule is referred to under clause 7.2 of the Constitution and prescribes the powers and procedures for enforcement. It will comply with and follows the EBU disciplinary procedures and any variations thereof that are made from time to time. The Association shall act through its Conduct and Disciplinary Committees for the enforcement of standards prescribed in clause 7.1 of the Constitution. The Association shall have additional powers as set out in the clauses below.

## **2. Receipt of allegation**

Any person making a complaint against one or more members of the Association, under the terms of clause 7.1 of the Constitution, must do so in writing to the Secretary or the Chairman of the Association.

The County Association will deal with any disciplinary allegations referred to it from its affiliated clubs using the Disciplinary Procedures set out in this Constitution.

This may involve investigation, a hearing and an appeal, however if a proper hearing has already been held then the County Association should only convene an appeal hearing.

## **3. Conduct Committee**

The Executive Committee of the Association shall appoint its Conduct Committee through its powers to appoint sub committees under clause 3.5 of the Constitution. The Conduct Committee shall be responsible for investigating complaints against the Association's members and to determine whether a Disciplinary Offence should be referred to the Association's Disciplinary Committee.

The Conduct Committee shall consist of no fewer than three members of the Association and no more than five. A quorum for any meeting shall be three of its members. It shall act by simple majority vote and its appointed chairman, or whomsoever in his absence the Conduct Committee shall select to chair a meeting, shall have a second, or casting vote in the event that there is parity of voting.

## **4. Disciplinary Committee**

The Executive Committee of the Association shall appoint the Disciplinary Committee through its powers to appoint sub committees under clause 3.5 of the Constitution. The Disciplinary Committee shall, determine sanctions for offences admitted by the defendant, hear charges of offences and determine whether those charges are proved and if proved, to determine the sanction imposed.

The Disciplinary Committee shall consist of no fewer than three members of the Association and no more than five. At least three of its members must be present when it makes a decision to uphold a complaint and impose sanctions on the offending member. It shall act by simple majority vote and its appointed chairman, or whomsoever in his absence the Disciplinary Committee shall select to chair a meeting, shall have a second, or casting vote in the event that there is parity of voting.

## **5. Conflicts of Interest and Independence of the Conduct and Disciplinary Committees**

Any member of either the Conduct or Disciplinary Committee who is in any way personally involved in the allegations within a complaint will be disqualified from participating in either Committee's handling of the complaint.

A member of the Association cannot be a member of both the Conduct and Disciplinary Committees.

## **6. The Complaints Process**

### **6.1. Notice of Meetings**

Where a written complaint is made, or a matter otherwise comes to the attention of the Conduct Committee, it shall first consider whether such complaint or matter falls within the scope of the Disciplinary Rules and whether further action is warranted. Normally no action will be taken in respect of a complaint relating to an alleged offence which occurred three months or more prior to a formal complaint in writing made to the appropriate Officer. If it does take action the Conduct Committee secretary shall first write to the Defendant, seeking the Defendant's comments on the substance of the complaint or matter that has been raised. The Conduct Committee shall also be entitled to make such further investigations and enquiries as it in its absolute discretion considers appropriate. The Conduct Committee shall also be entitled to seek advice both from within the Association and from the EBU Laws and Ethics Committee, and to obtain external legal advice.

### **6.2. Complaint not justified**



If the Conduct Committee decides that the complaint is not justified, all parties shall be notified and the matter ended.

### **6.3 Complaint justified**

If the Conduct Committee decides that the complaint is justified, it may, in its absolute discretion, offer a verbal caution to the offending member, which if accepted, ends the matter.

If the Defendant does not accept the verbal caution, or the Conduct Committee decides a verbal caution is inappropriate, the Conduct Committee shall refer the case to a hearing by the Disciplinary Committee. The Defendant shall be notified, in writing, within two weeks of this decision and of his right to make a written submission to the Disciplinary Committee and to attend the hearing. The Defendant shall have the right to be represented by legal counsel of his choice or may be accompanied by a person to speak on his behalf. The Disciplinary Committee shall give at least two weeks notice of the hearing to the Defendant.

### **6.4. Disciplinary Committee's Sanctions**

If after the hearing the complaint is upheld, the Disciplinary Committee may in its absolute discretion:

- (a) Give a written reprimand to the offending member(s), or
- (b) Suspend the offending member(s) from all or some of the competitions sponsored or licensed by the Association for such period as it shall determine.

If the complaint is against a member of the Executive Committee then in addition to any other sanctions applied, the Disciplinary Committee shall have the power to suspend such member from the Association's Executive Committee and any of its sub committees for such a period that it shall determine.

Any sanctions imposed by the Disciplinary Committee must be communicated to the offending member in writing within twenty one days of the hearing.

No sanction shall come into effect until the time limit for an appeal has expired. If an appeal is made the sanction will not come into effect until the appeal has been determined, and will be modified or cancelled if that determination so requires.

### **6.5. Appeal**

Each member found guilty of a Disciplinary Offence by the Disciplinary Committee has the right to appeal to the EBU Laws and Ethics Committee. Appeals must be in writing and lodged with the Secretary of the EBU Laws and Ethics Committee within twenty one days of the written communication of the Disciplinary Committee's decision to the offending member.

**6.6.Referral to the EBU Laws & Ethics Committee**

At any time the Disciplinary Committee may refer a complaint to the EBU Laws & Ethics Committee for its consideration. In doing so the Disciplinary Committee shall have fully discharged its responsibilities under this Schedule.

**7 Definitions**

The terms Disciplinary Rules and Disciplinary Offence have the meaning set out in the Bye Laws of the EBU.

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This Constitution and Disciplinary Procedure was adopted at the Annual General Meeting on 16 September 2012 in the presence of :

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CCBA Chairman

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CCBA Secretary

and a further ..... members of the association.