

## The 2016 CONSTITUTION of the DERBYSHIRE CONTRACT BRIDGE ASSOCIATION

### 1) TITLE AND CONSTITUENT MEMBERSHIP

a) The Derbyshire 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 DCBA throughout the Constitution.

b) The DCBA is a Constituent Member of the English Bridge Union Ltd. It shall abide with its Bye Laws and Articles, Policies, Rules and Regulations. Hereinafter the English Bridge Union Ltd shall be referred to as the EBU.

### 2) OBJECTS OF THE ASSOCIATION

a) To promote duplicate contract bridge (hereinafter referred to as bridge) in the county of Derbyshire (deemed to include Burton on Trent.)

b) To promote and encourage bridge competitions for DCBA members and to encourage their participation in interclub, county, inter-county and national competitions.

c) To encourage the formation of duplicate bridge clubs within the county of Derbyshire and the affiliation of such clubs to the DCBA and EBU.

d) To provide any advice or assistance as may, from time to time, be requested by bridge clubs, whether affiliated or not, in the management and conduct of their affairs; this to include

i) Promotion and co-ordination of the teaching of bridge throughout Derbyshire.

ii) Assistance with recruitment, training and onward development of new and current players.

iii) Advice on organising appropriate competitions for players of all ability levels.

iv) Advice on Tournament Direction including the application of the Laws of Duplicate Bridge as promulgated by the World Bridge Federation and all regulations as may, from time to time, be promulgated by the EBU.

e) To employ the funds of the DCBA in the best interests of the game of bridge, having regard to the fact that the DCBA is a non-profit making body.

3) AFFILIATED CLUBS Any duplicate bridge club, or any club whose activities include the playing of duplicate bridge, whose area of activity lies wholly or partly within the County of Derbyshire, or in an adjoining County (with the consent of that County's Bridge Association), may become affiliated to the DCBA, providing the club is also affiliated to the EBU.

### 4) MEMBERSHIP

a) Membership of the DCBA is conferred on all members of DCBA affiliated clubs. An individual who is a Direct or Honorary member of the EBU and who nominates Derbyshire as their county of allegiance is also conferred membership.

b) The DCBA may elect an individual as an Honorary Life Member following a recommendation of the General Committee. A Life Member shall not be required to pay entry fee for the Brigden Trophy or County Pairs.

c) Restrictions on Members

i) Each member of the DCBA shall undertake to observe and be bound by the Laws of Duplicate Bridge and the rules, regulations and Bye Laws of the English Bridge Union for the time being in force.

ii) The DCBA shall have the powers and the procedures for the enforcement by its Conduct Committee of the standards of fair play, courtesy and personal deportment prescribed in the Bye Laws and Regulations for the time being of the English Bridge Union, to which each member of the DCBA shall be required to conform.

iii) Only members of the DCBA whose primary allegiance is with the DCBA may represent the DCBA in intercounty or national competitions or play in DCBA qualifying events for those competitions, except where EBU regulations permit.

## 5) OFFICERS

a. The Officers of the DCBA shall consist of the following:

- i. The President
- ii. The Chairperson
- iii. The Secretary
- iv. The Treasurer
- v. The Competitions Secretary
- vi. The Chief Tournament Director

b. There shall be no prohibition on any individual member being the holder simultaneously of more than one of the offices of the DCBA.

c. The Officers shall be elected as in Section 10 of this document. Casual vacancies, during the course of the year, among the Officers shall be filled by appointment of the Committee.

6) MANAGEMENT The DCBA shall be managed by a Committee and a number of Sub-Committees.

a) The DCBA Committee shall comprise the following:

- i) The officers of the DCBA.
- ii) One representative from each affiliated club.
- iii) Additional Committee members elected by AGM or appointed by the Committee to fulfill particular tasks.

b) Sub-Committees The DCBA Committee may, at any time, create, dissolve or vary the composition of any Sub-Committee except that any such Sub-Committee required by this constitution must exist. In creating such a Sub-Committee, the DCBA Committee shall specify the remit of the Sub-Committee and which, if any, of the officers shall be ex officio members and the maximum number of additional members. The Committee may specify that members of a sub-Committee are elected at the AGM. A subsequent decision to reduce the size of such a Sub-Committee shall not curtail the term of office of any elected member. Sub-Committees shall report to the DCBA Committee.

7) GENERAL MEETINGS Each affiliated Club Secretary will be notified of the time and place of a General Meeting by written communication which may be posted, emailed or delivered by hand. Notice of fourteen days is required for a General Meeting. Clubs have the responsibility to inform their members. No other notification of members by the DCBA is required. All individuals in attendance who are members may vote at a General Meeting. The quorum for a General Meeting shall be 15. If there are insufficient members at the meeting to form a quorum, then the meeting may proceed except that any vote for an Officer where there is more than 1 candidate for that office must be delayed until an EGM is held in not less than 2 weeks and not more than 4 weeks after the AGM. In the event of only one applicant for all officer positions there shall be no need to call an EGM for officer elections. Furthermore In the event of an EGM being called due to a failure to gain a quorum at an AGM, then the number of attendees at that EGM shall be considered to be a quorum. There are to be no proxy votes. General Meetings of the DCBA shall be held on the following occasions:

a) The Annual General Meeting (hereinafter referred to as "the AGM"), shall be held each year, normally during the month of May. The AGM will include in its agenda

- i) Presentation of the Accounts for the financial year preceding the AGM.
- ii) Reports from DCBA Officers.
- iii) Election of Officers as prescribed in Section 10 of this document.

- iv) Review of the DCBA Pay-to-Play component for the EBU year.
- v) Other items that the DCBA Committee deem necessary.

b) An Extraordinary General Meeting shall be held within thirty days of:

- i) a resolution calling for such a meeting to be held being adopted by the DCBA Committee. Such a resolution shall specify the business which shall be discussed at that meeting and no other business may be discussed at that meeting.
- ii) a petition calling for such a meeting, bearing the signatures of no fewer than 40 ordinary members, being presented to the Secretary. Such a petition shall specify the business which shall be discussed at that meeting and no other business may be discussed at the meeting.

8) DCBA COMMITTEE MEETINGS The DCBA Committee shall meet at its own discretion.

9) SUB-COMMITTEE MEETINGS Sub-Committees shall meet at their own discretion.

#### 10) ELECTIONS

a) The Officers shall be elected, by the AGM to take office at the conclusion of the AGM for the period of a year until the next AGM.

b) Annually each club, in rotation, shall be asked to provide a suitable candidate to be President of the Association to take office at the conclusion of the AGM for one year.

c) Retiring officers may offer themselves for re-election except in the following circumstances: No individual member may serve for more than one term as the President of the Association.

d) Club representatives

- i) Club representatives shall be elected or appointed by the Affiliated Clubs at any time to take office at any specified time. Each club shall notify the Secretary of the DCBA in writing of the name and contact details of its representative.
- ii) There shall be no prohibition on any officer of the DCBA also being elected to serve as a club representative or on any individual member being elected to serve simultaneously as the representative of more than one affiliated club.

e) The term of office of all Committee members will be for a period of one year or when co-opted, until the next AGM.

#### 11) CONDUCT OF ELECTIONS

a) Nominations for any office or for elected membership of any Sub-Committee must be in writing, must be signed by the candidate and two Ordinary Members other than the candidate and may be submitted to any member of the DCBA Committee.

b) The DCBA Committee shall ensure that any nominations which are valid under the terms of (a) shall be included on the agenda for the appropriate meeting, provided that they were received no fewer than twenty-eight days before the scheduled date of that meeting, and may, at its discretion, include any nominations received later than this but before the preparation of the agenda.

c) Nominations shall be considered valid if they appear on the agenda for the meeting at which the election is to take place and if the member nominated is eligible to be elected at the time of the election.

d) For all elections the following procedure shall be followed:

i) If the number of valid nominations is less than the number of places to be filled, any candidates for whom valid nominations have been received shall be elected without a vote. The election will then proceed for the remaining place or places and nominations shall be accepted from the floor of the meeting.

ii) If the number of valid nominations, including any accepted under the terms of (i), is exactly equal to the number of places to be filled, the candidate or candidates shall be elected without a vote.

iii) If a vote is required for a single place, it shall be conducted by a show of hands.

iv) If a vote is required for more than one place, each member present and eligible to vote shall be supplied with a ballot paper showing clearly the names of all candidates and the number of places to be filled. The Chairman shall appoint one or more tellers to collect and count the ballot papers. The appropriate number of candidates who receive the largest number of votes shall be elected. Any tie shall be determined by lot.

v) In the event of this procedure leaving any vacancy unfilled, the DCBA Committee shall have the authority to appoint to any such vacancy any Member who would have been eligible for nomination at the time of the election.

e) All affiliated Clubs are entitled to propose and vote for a County Representative to sit on the EBU Regional Club Committee. 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 are more than one nominations for the post each affiliated club shall have one vote to be exercised (by letter or email) to the County Secretary to arrive prior to the commencement of the AGM.

## 12) FINANCE

a) The DCBA shall be a non-profit-making body but the Committee shall ensure that sufficient reserves are maintained to meet all of the Association's foreseeable expenses.

b) It shall be the responsibility of the Committee to ensure that the funds of the DCBA are employed in such a manner as to be in the best interests of the DCBA and of the game of Contract Bridge.

c) Accounts shall be made up to the thirty-first day of March in each year and shall be certified by an Honorary Auditor appointed at the preceding AGM. The accounts shall be submitted for approval to the AGM next following.

13) MEMBERS BEHAVIOUR Members of the DCBA are required to follow the Best Behaviour at Bridge standard promoted by the EBU. They are also required to conform to the standards of fair play, courtesy and personal deportment prescribed by the EBU. Failure to comply with these standards shall be considered misconduct. In accordance with the attached Schedule of Disciplinary Procedures which will conform mutatis mutandis to those prescribed in the Bye-Laws of the English Bridge Union for enquiry by its Law and Ethics Committee into allegations of misconduct by individual members:

a. The DCBA Committee shall appoint a Conduct Committee. The Conduct Committee shall be responsible for investigating complaints against DCBA members and to determine whether a disciplinary offence should be referred to the Disciplinary Committee of the DCBA

b. If required the DCBA Committee shall appoint a Disciplinary Committee to deal with a specific case. Once that case is complete the term of office of the Disciplinary Committee is ended. More than one such Disciplinary Committee may exist at any one time.

14) AMENDMENTS TO THE CONSTITUTION The Constitution of the DCBA may be amended by a General Meeting of the Association provided that the resolution to amend the Constitution has been properly published on the agenda for the meeting and that the resolution is supported by no less than two-thirds of those present and voting.

## Schedule of Disciplinary Procedures

1. Requirements of the Schedule This Schedule is referred to under clause 12 (b) 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 3 (d) (ii) 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 3 (d) (ii) of the Constitution, must do so in writing to the Secretary or the Chairperson 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 DCBA Committee shall appoint the Conduct Committee through its powers to appoint sub committees under clause 5 (b) 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 DCBA Committee shall appoint the Disciplinary Committee through its powers to appoint sub committees under clause 5 (b) 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:

6.4.1. Give a written reprimand to the offending member(s), or

6.4.2. 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.

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

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

6.4.5. 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.