

# HEREFORDSHIRE BRIDGE ASSOCIATION

## CONSTITUTION

### 1 Name and description

- 1.1 The name of the Association shall be the Herefordshire Bridge Association, referred to hereinafter as the Association.
- 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 Objectives

- 2.1 To promote interest in and to encourage improvement in the standard of duplicate contract bridge in Herefordshire.
- 2.2 To license and organise duplicate contract bridge tournaments, congresses and competitions in Herefordshire.
- 2.3 To encourage participation in both local and national EBU competitions.
- 2.4 To maintain appropriate standards of conduct in competitions organised by or licensed by the Association and affiliated organisations.
- 2.5 To employ the funds of the Association in the best interests of the game of duplicate contract bridge, having regard to the fact that the Association is a non-profit making body.

### 3 Membership

**3.1 Full Membership.** All members of the Association must be Player Members of the EBU. A Player Member of the EBU (not being a member of another County) becomes a paid-up member of the Association through payment of the County component of the Pay to Play subscription when participating in events in an Affiliated Duplicate Bridge Club, and when their primary allegiance is recorded with the EBU. This must be done before 31<sup>st</sup> May for the member to have voting rights at the following AGM. A member may choose to change his or her County of primary allegiance once during a membership year.

**3.2 Dual Membership.** Open to any member of the EBU who has chosen another County Association as his or her County of primary allegiance, subject to the provisions of clause 3.6 (below), on payment of the appropriate membership subscription.

**3.3 Direct Members.** Direct members of the EBU, who do not have allegiance to another county, may play in Association events on payment of the appropriate membership subscription.

**3.4 Affiliated Clubs.** Any Duplicate Bridge Club may affiliate to the Association and all such Clubs shall be affiliated to the EBU. Affiliated Clubs will on behalf of the EBU collect from Playing Members and visitors a Pay to Play subscription that includes the County component, and will pay an appropriate affiliation subscription.

**3.5 Conduct.** All members shall be required to conform to the standards of fair play, courtesy and personal deportment prescribed in the Bye-laws and Regulations for the

time being of the EBU and the Association. Power of enforcement is vested in the Committee who shall take such steps as may be necessary to uphold this rule. The Association shall have the powers and procedures for the enforcement of this requirement as set out in the Schedule to this Constitution (which forms part of the Constitution and shall be subject to the same procedures as the Constitution for its amendment).

**3.6 Exclusion.** No player who is currently barred from membership of the EBU may remain or become a member of the Association.

## **4 Management**

**4.1 Committee.** 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) Events Secretary
- (f) Membership Secretary
- (g) County Team Captain

and up to 4 other members of the Association, together with one member of each Affiliated Club. These together will form the Executive Committee. All Officers and the other members of the Association on the Executive Committee must be elected annually at the Annual General Meeting by a simple majority of the paid up members of the Association. The members of Affiliated Clubs appointed to the Executive Committee must be selected annually by their Clubs, ideally by election at an Annual General Meeting of the Club by a simple majority of paid up members of that Club

**4.2 Co-option.** The Committee shall have the power to co-opt up to two other voting members.

**4.3 Terms of Office.** All Officers and members elected at an AGM to serve on the Executive Committee serve for a period of one year or until the next AGM following appointment, whichever is the sooner, but will be eligible for re-election at the AGM, except that the Chairman may not serve for a continuous period exceeding three years. Any vacancy among the Officers may be filled by the Committee until the next AGM. Committee members elected by Clubs serve for a period determined by their Club. Co-opted members serve for a period determined by the Committee or until the next AGM following appointment, whichever is the sooner.

**4.4 Committee Meetings.** The Committee shall meet four times per year and at such other times as are necessary for the exercise of its functions. The Secretary shall give Committee members and Clubs two weeks notice in writing or by e-mail where possible of the agenda and the date, time and place of such meetings. No business shall be transacted at Committee meetings unless at least five members of the Committee are present, of whom at least one is a member elected by Affiliated Clubs and at least two are Officers, of whom at least one is the Chairman, Secretary or Treasurer. Where a ballot is necessary each person on the Committee shall be entitled to one vote. In the event of a tie the Chairman shall be entitled to an additional vote.

**4.5 Conduct of Business Between Committee Meetings.** The Officers shall be responsible for business in their areas of responsibility. In case of uncertainty the Secretary shall be responsible for all aspects of the Association's business other than finance and the Treasurer shall be responsible for all financial matters. Where a decision is required which is outside the area of responsibility of any one Officer, the Chairman, Secretary and Treasurer shall agree whether to make the decision jointly or to call an emergency Committee meeting. A joint decision requires the agreement of all three.

**4.6 Sub-Committees.** 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.

**4.7 Annual General Meeting (AGM).** The AGM will be held in September and all members as defined in paragraph 3.1 are eligible to attend and to participate. Notice will be sent to members and affiliated organisations in writing or by e-mail where possible two weeks before the due date advising the agenda, the date, time and place and the list of candidates for election. Normally the agenda will cover: reports from the Chairman and Treasurer, the adoption of accounts, membership subscriptions, election of Officers and appointment of the Auditor.

**4.8 Nominations and Motions for the AGM.** Nominations for Officers may be made by any two full members of the Association, by any Affiliated Club or by the Committee, must have the approval of the nominee and must reach the Secretary in writing before August 7<sup>th</sup>. In the absence of any valid nomination for a position, verbal nominations may be accepted at the AGM. Any member who wishes any special business to be considered at the AGM may make a proposition in writing to the Secretary, to be received before August 7<sup>th</sup>. The proposition will then be included in the notice of the meeting. Any other business may be raised by members at the meeting, but such items shall be for discussion only.

**4.9 Extraordinary General Meeting (EGM).** An EGM may be convened at any time by the Committee or shall be convened by the Secretary within 30 days of the receipt of a written request signed by at least 15% of full members or 15 full members whichever is the less. Such requests must state the purpose for which the meeting is required. All members as defined in paragraph 3.1 are eligible to attend and to participate. Notice will be sent to members and Affiliated Clubs in writing or by e-mail where possible two weeks before the due date advising the date, time and place, and the agenda.

**4.10 Quorum at General Meetings.** The quorum at an AGM or an EGM shall be 20 members.

**4.11 Voting at General Meetings.** Other than changes to this Constitution, which are considered in accordance with paragraph 6 below, all resolutions at an AGM or EGM shall be carried by a simple majority of those voting. In the event of a tie the Chairman shall have the right to exercise a second vote.

## **5 Finance**

**5.1 Full Membership Subscriptions.** All members shall pay an annual subscription, which may be collected through the county element of the Pay to Play subscription, and which will be proposed by the Committee to be voted on at the AGM.

**5.2 Affiliation Subscriptions.** Each organisation affiliated to the Association shall pay an annual subscription which shall be proposed by the Committee and voted on at the AGM.

**5.3 Dual Membership Subscriptions.** Dual members shall pay an annual subscription which shall be proposed by the Committee and voted on at the AGM.

**5.4 Direct Members.** Direct members of the EBU who wish to play in Association events shall pay an annual subscription which shall be proposed by the Committee and voted on at the AGM.

**5.5 Financial Year.** The financial year begins on 1<sup>st</sup> August and ends on 31<sup>st</sup> July the following year. Club affiliation subscriptions are due on 1<sup>st</sup> April each year.

**5.6 Fund Holding.** The Association's funds shall be held in cash and in suitable accounts in the name of the Herefordshire Bridge Association. Cheques will require the signatures of any two of the Chairman, Secretary and Treasurer. The opening of new accounts shall require the approval of all three of the Chairman, Secretary and Treasurer.

**5.7 Annual Accounts.** The Treasurer shall prepare a statement of accounts and a balance sheet within six weeks of the end of each financial year. The accounts shall be audited.

## **6 Amendments to the Constitution.**

The Constitution may be amended only at an AGM or EGM of the Association. Notice of any proposed amendment must be given in writing to the Secretary, who shall include it on the agenda and circulate it to all members at least three weeks before the meeting. The Constitution may then be amended if two-thirds of the votes cast are in favour, providing that the positive votes cast represent a simple majority of the members attending and are at least fifteen in number.

## **Schedule of Disciplinary Procedures**

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

This Schedule is referred to under clause 3.5 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 3.5 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 3.5 of the Constitution, must do so in writing to the Secretary or the Chairman of the Association.

### **3. Conduct Committee**

The Executive Committee of the Association shall appoint its Conduct Committee through its powers to appoint sub committees under clause 4.6 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 4.6 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, 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. If it does 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.

### **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.

*This amended Constitution, adopted at the AGM 10<sup>th</sup> May 2002 and ratified by the Council of the EBU 8<sup>th</sup> January 2003, was further amended and adopted at the AGM of 13<sup>th</sup> May 2005 and further amended and adopted at the AGM of 11<sup>th</sup> September 2009, and ratified by the EBU Board on the 17<sup>th</sup> September 2009. Further amended and approved at the September 2023 (online) AGM.*