

# LEICESTERSHIRE CONTRACT BRIDGE ASSOCIATION CONSTITUTION

[Approved by the EBU Board & adopted by the LCBA AGM on 16 June 2010; last amended by the LCBA AGM on 30 September 2020]

## 1. TITLE AND CONSTITUENT MEMBERSHIP

- 1.1 The Leicestershire 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 the Counties of Leicestershire and Rutland and the environs thereof \*[see 12.2] and the encouragement of 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 regard 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) Chair (who acts as the chair of the Executive Committee)
  - (b) General Secretary
  - (c) Treasurer
  - (d) and such other Officers as the Executive Committee may from time to time designateand not more than six other members of the Association, who together will form the Executive Committee. All Officers and other Executive Committee members must be elected annually at the Annual General Meeting by a simple majority of the paid up members of the Association present.
- 3.2 The Executive Committee shall meet from time to time as it deems fit, but not fewer than four times within a calendar year. A quorum shall consist of six members and, in the event of a tie on votes cast, the chair of the meeting shall have a second or casting vote.
- 3.3 The Executive Committee shall have the power to co-opt and to fill any casual vacancies.
- 3.4 The Executive Committee may from time to time appoint and disband subcommittees as may be deemed necessary, and may delegate to them such powers or duties as may be deemed to be expedient. Such subcommittees shall conduct their business as directed by the Executive Committee.
- 3.5 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, 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 prepare a report and statement of accounts duly certified by an independent financial examiner, for each Annual General Meeting.

## 4. MEMBERSHIP

- 4.1 All members of the Association must be Player Members of the EBU.
- 4.2 A Player Member of the EBU shall become a member of the Association when their primary allegiance to the Association is recorded with the EBU.

- 4.3 A Player Member of the EBU whose primary allegiance is with another Association, or having become a Player Member of the EBU by Direct Subscription without having declared allegiance to any other Association, can become a member of the Association by meeting its terms and conditions in force at the time of the request for membership.
- 4.4 A member of the Association must be a paid up member for the relevant Membership Year in order to vote at its Annual General Meeting and to participate in its main competitions within that Membership Year.
- 4.5 The Membership Year shall run for the twelve month period from 1st April to 31st March.
- 4.6 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 payment of an annual subscription for their Association membership category.
- 4.7 If any Association member has not paid their annual subscription by 31st May then that Association member will not be able to vote at the next following AGM as a paid up Association member.
- 4.8 An Association member ceases to be a paid up Association member on 31st May if at that date the Association member has not paid any outstanding annual subscription. That member can subsequently become a paid up Association member on payment of the current Membership Year's subscription fee, but this late payment shall not override clause 4.7 above.
- 4.9 For the avoidance of doubt, if an Association member is within a membership category that has a nil Association Pay to Play county component and a nil annual subscription for a Membership Year, then that member shall automatically become a paid up Association member for that Membership Year.
- 4.10 The Association Pay to Play county component and each of the Association member category's annual subscription for the Membership Year starting in the following 1 April, shall be determined by a simple majority of the paid up members at the preceding Annual General Meeting.
- 4.11 The Association membership categories shall be as follows:
- 4.11.1 Ordinary Association Member –
- i) a Player Member of the EBU who has their primary allegiance recorded with the Association on 1st April of the Membership Year, or
  - ii) a new Player Member of the EBU whose EBU membership start date is within the Membership Year and that member's primary allegiance is recorded with the Association on their EBU membership start date, or
  - iii) a Player Member of the EBU by Direct Subscription not having primary allegiance to any other Association.
- 4.11.2 Dual Member-
- a Player Member of the EBU whose primary allegiance is recorded by the EBU as being with another Association.

## **5. LIFE MEMBERS**

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. Such persons shall thereafter receive from the Association an Annual Honorarium.

A Life Member of the Association shall for so long as they remain a Playing Member of the EBU automatically be a paid up member of the Association for each subsequent Membership Year.

## 6. MEETING OF THE ASSOCIATION MEMBERS

6.1 There shall be an Annual General Meeting (AGM) to be held within the month of September of each calendar year.

6.2 The venue, date and time of the AGM shall be published at least six weeks before the date of the AGM.

Individual notice convening the meeting shall be sent to each member of the association at least 21 days before the date of the meeting, and multiple copies of an agenda listing the ordinary and special business to be transacted sent to each affiliated club also at least 21 days before the meeting.

The normal business of the AGM shall include inter alia the Report of the Executive Committee, the presentation by the Treasurer of the Accounts, the election of the Officers, and other Executive Committee members, the ratification of Subscriptions including County P2P charges for the next following Financial Year and the appointment of an independent financial advisor.

6.3 A request for a Special Resolution from a paid up Association member, which shall require a vote of the paid up members at the AGM, must be sent in writing to the General Secretary no later than three weeks before the date of the AGM. The request must be supported in writing by two other paid up members of the Association.

6.4 The General Secretary shall publish all Special Resolutions received for the AGM no later than two weeks before the date of the AGM.

6.5 A nomination for a paid up Association member to serve on the Executive Committee must be received in writing by the General Secretary three weeks before the date of the AGM. The nomination must be from a paid up member of the Association and supported by another paid up member of the Association.

6.6 The General Secretary shall publish all nominations to serve on the Executive Committee no later than two weeks before the AGM.

6.7 A request for an Extraordinary General Meeting (EGM) by a paid up Association member must be sent in writing to the General Secretary together with the Special Resolution(s), which shall require a vote of the paid up members. The request must be supported in writing by at least twenty current paid up members of the Association.

6.8 The EGM shall be held no earlier than 28 days and no later than 42 days after the General Secretary has received the written request. The General Secretary must publish the date, venue and time of the EGM at least three weeks before the date of the EGM.

6.9 Any vote at an AGM or an EGM, which is tied, shall be split by the second or casting vote of the Chair of the AGM or EGM.

6.10 Notice of an AGM or an EGM shall be deemed to have been published three days after written details are posted (and this shall include email posting) by the General Secretary to the secretaries of the Association affiliated clubs. The General Secretary shall make every effort to widen the circulation using available individual member email lists and the Association website.

6.11 The quorum for an AGM and EGM shall be twenty paid up members.

6.12 The General Secretary shall be required to arrange a further EGM, if an AGM or EGM respectively fails to reach a quorum. In both circumstances the additional EGM shall be scheduled to occur within the period of 28 days to 42 days after the aborted AGM or EGM. The General Secretary shall publish the date, venue and time of the EGM at least three weeks before the date of the additional EGM.

6.13 If the additional EGM once again fails to reach a quorum, the Executive Committee shall be able to take any decisions necessary so that it can continue to manage the affairs of the Association.

## **7. MEMBERS' BEHAVIOUR**

7.1 Each member of the Association shall be required in connection with the game of Duplicate Contract Bridge, to conform to the 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 Schedule of the Constitution, and shall stand as part of the Constitution and be subject to the same provisions of the Constitution for its amendment.

## **8. AFFILIATED DUPLICATE BRIDGE CLUB**

Any Duplicate Bridge Club situated within the Counties of Leicestershire and Rutland or (subject to 12.2.2) in the environs thereof may affiliate to the Association, subject only to the over-riding requirement that such clubs also 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, any LCBA club affiliation fee, which shall be determined by the LCBA Executive Committee, to be charged for the twelve month period from the following 1 April.

## **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 can be dissolved at an EGM provided at least two thirds of the total paid up members present at the EGM positively vote for its dissolution. On dissolution the assets of the Association shall be donated to a charity or charities decided by the paid up members attending the dissolution meeting.

## **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**

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

12.2.1 The 'environs' comprise those contiguous areas that for historic or practical considerations such as transport networks wish to be associated with the counties of Leicestershire and Rutland

12.2.2 12.2.1 embraces the status quo, but the affiliation of any additional club sited outside the two counties would be subject to EBU Board approval.

# **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 Investigatory and Conduct Committees for the enforcement of standards prescribed in clause 7.1 of the Constitution. The county Association may deal with any disciplinary allegations referred to it by any of its affiliated clubs using the Disciplinary Procedures set out in the Schedule to this Constitution. It may similarly at the request of the EBU deal with allegations made to it by LCBA members subject to this process not being contrary to the Constitution of the Club. 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 General Secretary or the Chair of the Association.

## **3. Investigatory Committee**

The Executive Committee of the Association shall appoint the Investigatory Committee through its powers to appoint subcommittees under clause 3.4 of the Constitution. The Investigatory 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 Conduct Committee.

The Investigatory Committee shall consist of five appointed members of the Association who shall be joined if necessary (see 5 below) by up to two co-optees to achieve a quorum of three members for any meeting. It shall act by simple majority vote and its appointed Chair, or whomsoever in his absence the Investigatory Committee shall select to chair a meeting, shall have a second, or casting vote in the event that there is parity of voting.

## **4. Conduct Committee**

The Executive Committee of the Association shall appoint the Conduct Committee through its powers to appoint subcommittees under clause 3.4 of the Constitution. The Conduct 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 Conduct Committee shall consist of five appointed members of the Association who shall be joined if necessary (see 5 below) by up to two others co-opted by the Executive Committee so that a quorum of at least three members are present at any meeting. Any decision to uphold a complaint and impose sanctions on the offending member may only be made by a so quorate meeting. It shall act by simple majority vote and its appointed Chair, 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.

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

Any member of either the Investigatory or Conduct 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 Investigatory and Conduct 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 Investigatory 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 Investigatory 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 Investigatory Committee shall also be entitled to make such further investigations and enquiries as it in its absolute discretion considers appropriate. The Investigatory 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 Investigatory Committee decides that the complaint is not justified, all parties shall be notified and the matter ended.

## **6.3. Complaint justified**

If the Investigatory 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 Investigatory Committee decides a verbal caution is inappropriate, the Investigatory Committee shall refer the case to a hearing by the Conduct 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 Conduct Committee and to attend the hearing, accompanied if he wishes by a lay friend. The Defendant shall also have the right to be represented by legal counsel of his choice, subject to having given one week's written notice to the Conduct Committee of this intention. The Conduct Committee shall give at least two weeks' notice of the hearing to the Defendant.

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

If after the hearing the complaint is upheld, the Conduct 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 Conduct Committee shall have the power to suspend such member from the Association's Executive Committee and any of its subcommittees for such a period that it shall determine.

Any sanctions imposed by the Conduct 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 Conduct 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 Conduct Committee's decision to the offending member. 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.

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

At any time the Conduct Committee may refer a complaint to the EBU Laws & Ethics Committee for its consideration. The intention of the defendant to be represented by Legal Counsel shall in itself be sufficient grounds for such referral. In doing so the Conduct 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.