

MERSEYSIDE & CHESHIRE CONTRACT BRIDGE ASSOCIATION CONSTITUTION APPROVED AT THE 2018 A.G.M.

1. TITLE AND CONSTITUENT MEMBERSHIP

- 1.1. The Merseyside & Cheshire 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 this 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 areas of Merseyside and Cheshire and to encourage 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:-
 - i) Chairperson (who acts as the chairperson of the Executive Committee)
 - ii) Vice Chairperson
 - iii) Secretary
 - iv) Treasurer
 - v) Tournament Secretary
 - vi) Membership Secretary
 - vii) Selection Secretary

and not more than six other members of the Association, who together 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 full members of the Association present and voting.

- 3.2. The Executive Committee shall meet from time to time as it deems fit, but not fewer than three times within a calendar year. A quorum shall consist of six members and, in the event of a tie in votes cast, the chairperson of the meeting shall have the 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 sub-committees as may be deemed necessary, and may delegate to them such powers or duties as may be deemed to be expedient. At this time, the Executive Committee has appointed three sub-committees namely Tournament, Selection and Conduct and their members are elected at the AGM by a simple majority of full members present and voting. Such sub-committees 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 audited, for each Annual General Meeting. The signatures of the Treasurer and one other authorised member of the Executive Committee shall be required on all paperwork relating to the payment of monies out of the Association.

4. MEMBERSHIP

- 4.1. All members of the Association must be Player Members of the EBU.
- 4.2. **Full Member.** A Player Member of the EBU shall become an Full Member of the Association by recording with the EBU his or her primary allegiance to the Association and by fulfilling any of the following conditions, namely he or she:-
- i) resides in the area covered by the Association; or
 - ii) has his/her principal place of business in the area covered by the Association; or
 - iii) is an active, bona-fide member of a bridge club affiliated to the Association; or
 - iv) resides in a neighbouring county in respect of which there is no county Bridge Association; or
 - v) has been a full member of the Association for a minimum period of three years, and wishes to retain full membership, although not qualifying otherwise as above.

Full Members of the Association shall have the rights indicated below. They:

- i) are eligible to play in all Association competitions;
 - ii) are eligible to represent the Association in national or regional competitions by qualification or selection;
 - iii) may vote on, propose or second motions at general meetings;
 - iv) are eligible to serve as officers or Executive Committee members of the Association;
 - v) will receive the Association's publications and communications.
- 4.3. **Associate Member.** A Player Member of the EBU who has declared his or her primary allegiance to another county association may become an Associate Member of the Association by applying to the Executive committee of the Association and paying any fees that the Association may from time to time determine.

Associate Members of the Association shall have the rights indicated below. They:

- i) are eligible to play in all Association competitions except those designated by the Association as qualification for representation of the Association in national or regional events;
 - ii) may receive the Association publications and communications.
- 4.4. **Direct Member.** A Player Member of the EBU who is not a member of any affiliated club may become a Direct Member of the Association on payment of the appropriate fee. A Direct member shall have the same rights as a Full Member.

- 4.5. The Membership Year shall run for the twelve-month period from 1st April to 31st March.
- 4.6. A Full Member shall cease to be a Member of the Association if he or she ceases to fulfil the conditions of paragraph 4.2 above.
- 4.7. Associate Members and Direct Members cease to be Members of the Association on 31st May if at that date any outstanding annual subscription fee has not been paid.
- 4.8. The Association Pay to Play county component and each of the Association member category's annual subscription, for the Membership Year starting on the following 1st April, shall be determined by a simple majority of the Full members present and voting at the preceding Annual General Meeting.

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. A Life Member of the Association shall automatically become a full member of the Association for each Membership Year whilst they remain a Playing Member of the EBU and shall not be required to pay any annual subscription fee for their Association membership category. 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) shall be held on or after 1st June and before 31st July of each calendar year. 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, appointment of an Independent Examiner^{***} and election of EBU shareholders.
- 6.2 The venue, date and time of the AGM shall be published on the County Website at least six weeks before the date of the AGM. Notification will be given to members either through notices sent to clubs for members of an affiliated club or by direct notification by post or email to members who are not club members. Notification 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 Secretary to the secretaries of the Association's affiliated clubs.
- 6.3 A request for a Special Resolution from a full Association member, which shall require a vote of the full members present at the AGM, must be sent in writing to the Secretary no later than three weeks before the date of the AGM. The request must be supported in writing by two other full members of the Association.
- 6.4 The 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 full Association member to serve on the Executive Committee must be received in writing by the Secretary three weeks before the date of the AGM. The nomination must be from a full member of the Association and supported by another full member of the Association.

- 6.6 The 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 full member of the Association must be sent in writing to the Secretary together with the Special Resolution(s), which shall require a vote of the full members. The request must be supported in writing by at least twelve current full members of the Association.
- 6.8 The EGM shall be held no earlier than 28 days and no later than 42 days after the Secretary has received the written request. The 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 casting vote of the chairperson of the AGM or EGM.
- 6.10 The quorum for an AGM and EGM shall be six full members.
- 6.11 The 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 Secretary shall publish the date, venue and time of the EGM at least three weeks before the date of the additional EGM.
- 6.12 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, whether at or away from the bridge table, 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. including the fundamental principle of safety and non-discrimination set out in the EBU's "Best Behaviour at Bridge".
- 7.2. The Association shall have the powers and the procedures for the enforcement of the requirement in clauses 7.1. These 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

A Duplicate Bridge Club affiliated to the EBU can also affiliate to the Association. The Association has the right to determine at an Annual General Meeting through a simple majority of its full members present and voting, the annual club affiliation fee 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 full members present and voting.

10. DISSOLUTION OF THE ASSOCIATION

The Association can be dissolved at an EGM provided at least two thirds of the total number of full members present on the date of the EGM positively vote for its dissolution.

The assets of the Association on a dissolution shall be donated to a charity or charities decided by the Full 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

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

***The term Independent Examiner is as set out in the Charity Commission publication accessible here: <http://www.charitycommission.gov.uk/publications/cc31.aspx#d>

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 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 Executive Committee of the Association shall appoint its Conduct Committee through its powers to appoint sub committees under clause 3.4 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 3.4 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.