



# Essex Contract Bridge Association

A constituent member of the English Bridge Union

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## Constitution

### 1. TITLE AND CONSTITUENT MEMBERSHIP

**1.1** The Essex 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 by 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 county of Essex, organise competitions within Essex and to support 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 Association shall be vested in the following:

- |   |                          |
|---|--------------------------|
| a. Hon Chairman (who acts as the chairman of the committee) | f. Hon League Secretary  |
| b. Hon Secretary  | g. Hon Education Officer |
| c. Hon Treasurer  | h. Hon Web-master        |
| d. Hon Tournament Secretary                                 | i. Two elected members   |
| e. Hon Membership Secretary                                 |                          |

All Committee members must be elected annually at the Annual General Meeting by a simple majority of the paid up members of the Association attending the AGM.

**3.2** The 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 five members and, in the event of a tie on votes cast, the chairman of the meeting shall have the casting vote.

**3.3** The committee shall have the power to co-opt and to fill any casual vacancies.

**3.4** The committee shall appoint shareholders to EBU in accordance with the Association's entitlement as defined by the Bye Laws of the EBU, and such shareholders shall be co-opted to the committee (if not otherwise a member of the committee) with full voting rights.

**3.5** The 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 expedient. Such sub-committees shall conduct their business as directed by the committee.

**3.6** The 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 accounting records. The Treasurer shall account to the committee for all financial transactions as and when required, and prepare a report and statement of accounts duly examined by an independent Examiner, for each Annual General Meeting after which the Examiner for the following year will be elected. The signatures of the Treasurer and one other authorised member of the committee shall be required on the paperwork for 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** 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 not with the Association can become a member of the Association as under 4.10.2

**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, or by direct subscription, as defined by the EBU.

**4.7** An Association member ceases to be a paid up Association member on 31st July 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.

**4.8** 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.

**4.9** The Association Pay to Play 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.

**4.10** The Association membership categories shall be as follows:

**4.10.1 Full Membership**

Full Membership of the Association shall be open to any bridge player who fulfils and continues to fulfil any of the following conditions, namely he or she:

- i) resides in the county of Essex; or
- ii) has his/her principal place of business in Essex; or
- iii) is an active, bona-fide member of a bridge club affiliated to Essex; 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.

**4.10.2 Associate Membership**

Associate Membership of the Association shall be open to any bridge player who has declared his or her first allegiance to another county association. The Association reserves the right to exclude such members from such of its competitions as it may from time to time determine.

**5. PRESIDENT, VICE-PRESIDENT AND LIFE MEMBERS**

The Committee of the Association may honour long standing members for their services to the Association by electing them as the President, the Vice-President or as a Life Member of the Association. The President and Vice-President may attend Committee Meetings but have no voting rights. A Life Member of the Association shall be given a sum each year, equal to the direct membership of the EBU enabling the member to join the EBU as a full member by this method, if necessary. These apply only to those members continuing with full membership of the Association.

**6. MEETING OF THE ASSOCIATION MEMBERS**

**6.1** There shall be an Annual General Meeting (AGM) to be held in Essex as early as possible after 1st April and not later than 30th June.

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

**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 Hon Secretary no later than four 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 Hon Secretary shall give notice of 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 Committee must be received in writing by the Hon 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** An Extra-ordinary General Meeting shall be convened on receipt of a requisition signed by not less than twenty members stating the purpose for which such meeting is to be called. The Hon Secretary shall issue notices of such meetings and such notices shall contain either the resolution or resolutions to be considered or the general purport of matters to be discussed. Twenty eight days' notice of such a meeting shall be given on the website.

**6.7** At a General Meeting every question shall be decided by a show of hands, unless a ballot is either directed by the Chairman or demanded by not less than ten persons present and entitled to vote. In the case of an equality of votes, the Chairman shall have a second or casting vote.

**6.8** Notice of all General meetings, and Agenda shall be sent to all members of the Association and to the Secretaries of all Affiliated Clubs, twenty one days, at least, prior to the date fixed for such meetings. The Hon Secretary shall make every effort to widen the circulation using email addresses and the Association website.

**6.9** The quorum for an AGM and EGM shall be twenty five paid up members of the Association.

**6.10** The Hon Secretary shall be required to arrange a further GM if an AGM or EGM respectively fails to reach a quorum. In both circumstances the additional GM shall be scheduled to take place within forty two days after the aborted AGM or EGM. The Hon Secretary shall publish the date, venue and time of the GM at least three weeks before the date of the additional GM.

**6.11** If the additional GM once again fails to reach a quorum, the Committee shall be able to take any decisions necessary to 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, and to the Codes of Practices published by the ECBA.

**7.2** The Association shall have the powers and 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**

A Duplicate Bridge Club affiliated to the EBU can also affiliate to the Association. The club must have its premises in the county of Essex, unless agreement is made with a neighbouring county. The Association has the right to determine at an AGM 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 1st April.

## **9. ALTERATIONS TO THE CONSTITUTION**

No alteration shall be made to this Constitution except at a General Meeting by a resolution carried by at least two-thirds of the votes cast at the meeting, and notice of any alterations to be proposed must be sent in writing to the Hon Secretary, so that it can be circulated with the Notice or the Meeting.

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

**10.1** At a GM a resolution to dissolve the Association may be put. The quorum for such a Meeting shall be one hundred paid up members present thereat. To be effected such a resolution must be supported by at least two thirds of the paid up membership of the Association voting in person or by proxy as provided in su clause (b) hereof.

**10.2** A proxy form shall be sent to all paid up members with a notice of a GM proposing the dissolution of the Association. Such a form appointing an Officer of the Association or any paid up member shall be valid if signed by the absent member and delivered to the Hon Secretary prior to the commencement of the said GM. Such proxy votes shall be valid in determining if two thirds of the paid up membership has voted for the motion to dissolve the Association.

**10.3** In the event that a motion to dissolve the Association shall be passed in accordance with the requirements of this Clause. Then the Committee of the Association existing at the time of dissolution shall settle all the Association's outstanding debts and shall donate any remaining capital funds to a charity or charities of their choice. Such action shall be a full discharge of the duty of the members of the Committee to the membership as a whole.

## **11. INTERPRETATION**

On all questions of interpretation of the Constitution the decisions of the Committee shall be binding until or unless upset at any AGM or EGM. The Committee shall determine any point or matter if this 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.

## **13. SCHEDULE OF DISCIPLINARY PROCEDURES**

### **13.1 Requirements of the Schedule**

This schedule is referred to under Clause 7.2 of the Association and prescribes the powers and procedures for enforcement. It will comply with and follow 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 set out in the clauses below.

### **13.2 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 Hon Secretary or the Hon Chairman of the Association.

### **13.3 Conduct Committee**

The 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 Associations 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 its meeting, shall have a second, or casting vote in the event that there is parity of voting.

### **13.4 Disciplinary Committee**

The Committee of the Association shall appoint its 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 these 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 its meeting, shall have a second, or casting vote in the event that there is parity of voting.

### **13.5 Conflict of Interest and Independence of the Conduct and Disciplinary Committees**

Any member of either the Conduct or Disciplinary Committee who are 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.

### **13.6 The Complaints Process**

#### **13.6.1 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 of 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.

#### **13.6.2 Complaint not Justified**

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

#### **13.6.3 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 caution is not accepted by the offending member, or the Conduct Committee does not feel that a caution is appropriate, it 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/her 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/her choice or may be accompanied by a person to speak on his/her behalf. The Disciplinary Committee shall give at least two weeks notice of the hearing to the Defendant.

#### **13.6.4 Disciplinary Committee's Sanctions**

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

- (i) Give a written reprimand to the offending member(s), or
- (ii) 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 Committee then, in addition to any other sanctions applied, the Disciplinary Committee shall have the power to suspend such member from the Association's Committee and any of its sub-committees for such a period as it shall determine.

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

#### **13.6.5 Appeal**

Every Defendant found guilty of an 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 Defendant.

#### **13.6.6 Referrals from Affiliated Clubs**

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. 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.

#### **13.6.7 Referral to the EBU Laws and Ethics Committee**

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

#### **13.6.8 Definitions**

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