

# **NOTTINGHAMSHIRE CONTRACT BRIDGE ASSOCIATION CONSTITUTION**

## **1. TITLE AND CONSTITUENT MEMBERSHIP**

- 1.1 The Nottinghamshire Contract Bridge Association, hereinafter the Association, is an Association as defined in the Bye Laws of the English Bridge Union Ltd,
- 1.2 The Association is a Constituent Member of the English Bridge Union Ltd, hereinafter the EBU, and shall abide with its Bye Laws, Rules and Policies.

## **2. OBJECTS OF THE ASSOCIATION**

- 2.1 To promote Duplicate Contract Bridge in the County of Nottinghamshire 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) Chairperson (who acts as the chairperson of the Executive Committee)
  - (b) Secretary
  - (c) Treasurer
  - (d) County Captain
  - (e) Chief Tournament Director

and not more than eight 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 [AGM] by a simple majority of those 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 chairperson of the meeting, shall have the casting vote. The President of the Association, appointed as paragraph 6.2, may attend but not vote at such meetings.
- 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 such sub-committees as may be deemed necessary, delegating such powers or duties as may be deemed expedient. 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, certified by an Independent Examiner [see para 12], for each AGM.

#### **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 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 AGM and to participate in its main competitions within that Membership Year.

4.5 The Membership Year is 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 fee for their Association membership category.

4.7 If any Association member has not paid their annual subscription fee by 1<sup>st</sup> May then that member will not be able to vote at the following AGM as a paid up Association member.

4.8 An Association member ceases to be a paid up Association member on 1<sup>st</sup> May if at that date the Association member has not paid any outstanding annual subscription fee. That member can subsequently become a paid up Association member on payment of the current Membership Year's subscription fee, but that 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 fee 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 fee, 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 AGM.

4.11 The Association membership categories shall be as follows:

4.11.1 Ordinary Member - a Player Member of the EBU who has their primary allegiance recorded with the Association

4.11.2 Dual Member - a Player Member of the EBU who has their primary allegiance recorded 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. A Life Member of the Association shall automatically become a paid up 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.

## **6. MEETING OF THE ASSOCIATION MEMBERS**

6.1 An Annual General Meeting of the Association [AGM] shall be held in May of each year, or as soon as possible thereafter. The place, date and time of the AGM shall be determined by the Executive Committee. A notice convening the meeting and the agenda listing the ordinary and special business to be transacted shall be sent to each affiliated club and posted on the Association website at least 21 days before the date of the meeting. 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 [see para 12] and election of EBU shareholders and when appropriate, a President.

6.2 The President shall be elected at an AGM (by secret ballot if necessary) for a period of three years, and shall be eligible for further terms of office. The Executive Committee may nominate a candidate. Any other nomination, duly proposed and seconded, and with the written consent of the nominee, must be in the hands of the Secretary not less than seven days before the date of the AGM. Should the position become vacant during a period of office, it shall remain so until the next AGM, any duties being undertaken by the Chairman.

6.3 A Special Resolution from a paid up Association member, which requires a vote of the paid up members at the AGM, must be sent in writing to the Secretary no later than 14 days before the date of the AGM and have the written support of two other paid up members of the Association.

6.4 A nomination for a paid up Association member to serve on the Executive Committee must be received in writing by the Secretary 21 days 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.

6.5 The Secretary shall publish all nominations to serve on the Executive Committee no later than 14 days before the AGM. Late nominations may be accepted subject to AGM vote.

6.6 An Extraordinary General Meeting [EGM] shall be convened on the instructions of the Chairman or on receipt of a requisition signed by not less than 15 members and stating the purpose of such a meeting. A notice convening the meeting together with either the motions or a statement of the matters to be discussed shall be sent to each affiliated club and directly to members who do not belong to clubs of the Association at least 14 days before the date of the meeting. The meeting shall deal only with such matters.

6.7 The EGM shall be held no earlier than 21 days and no later than 42 days after the Secretary has received the written request.

6.8 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.

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

6.10 The quorum for an AGM and EGM shall be fifteen paid up 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 21 days to 42 days after the aborted AGM or EGM. The Secretary shall publish the date, venue and time of the EGM at least 14 days before the date of the additional EGM.

6.12 If the additional EGM fails to reach a quorum, the Executive Committee may take any decisions necessary to 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.

## **8.1 AFFILIATED DUPLICATE BRIDGE CLUBS**

### **8.1 Affiliated Bridge Clubs**

Any Duplicate Bridge Club may affiliate to the Association and all such Clubs shall be affiliated to the EBU. The Association has the right to determine at an AGM through a simple majority of its paid up members, the county component if any, of 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 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 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 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**

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 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.

### **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 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 week's 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.

**NCBA 27 NOVEMBER 2013**