

# **THE CONSTITUTION OF THE HERTFORDSHIRE BRIDGE ASSOCIATION**

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

- 1.1 The Hertfordshire 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 the playing and teaching of Duplicate Contract Bridge throughout the County of Hertfordshire and to encourage participation in 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) Chairman
- (b) Secretary
- (c) Treasurer
- (d) Tournament Secretary
- (e) Membership Secretary

and not more than nine 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 at the AGM.

### **3.1.1 HONORARY MEMBERSHIP**

The Committee may admit to Honorary Membership of the HBA, for such period as it may determine, individuals whom the Committee considers have rendered special service to the HBA. These Honorary members may be President or Vice-Presidents of the Association.

An Honorary Member shall receive notice of and shall be entitled to attend all Committee Meetings and to speak but not vote. An Honorary Member shall remain an Honorary Member whilst they are a member of any EBU affiliated club or until determined by the Committee.

An Honorary Member shall not be required to sign any application for

membership or to pay any fees or subscriptions.

- 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. The Chairman, or in his absence, a Chairman elected at the meeting, shall chair meetings of the Executive Committee. A quorum shall consist of six members and, in the event of a tie on votes cast, the Chairman 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. 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 two authorised members of the Executive Committee shall be required for the payment of any monies out of the Association.~~

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#### **4 MEMBERSHIP**

- 4.1 All members of the Association, apart from Honorary Members, 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 and are in good standing with the Association.
- 4.3 A Player Member of the EBU whose primary allegiance is with another Association, but who is in good standing with this Association, can become a dual member of this Association by payment of an annual subscription. The annual subscription payable will be determined by the Executive Committee. Such a dual member shall only have the right to participate in certain events organised by the Association but they would have no voting rights at the Association's AGM or EGM or any entitlement to request a Special Resolution.
- 4.4 The Financial Year shall run for the 12 month period from 1st July to 30th June.
- 4.5 The Association will collect membership fees through the Association UMS (formerly called P2P) county component which is collected on behalf of the Association by the EBU from clubs affiliated to the Association. Any proposed increase to the UMS County Component from the following 1st April from that currently existing requires approval by a simple majority of the members present and voting at the Annual General Meeting. However, the Executive Committee

has the power to alter the rate provided any increase is not greater than 25%.

## **5 MEETING OF THE ASSOCIATION MEMBERS**

- 5.1 There shall be an Annual General Meeting (AGM) to be held on or after 1st September and before the 31st October of each calendar year.
- 5.2 The venue, date and time of the AGM shall be published at least six weeks before the date of the AGM.
- 5.3 A request for a Special Resolution from an Association member, which shall require a vote of the members at the AGM, must be sent in writing to the Secretary no later than four weeks before the date of the AGM. The request must be supported in writing by two other members of the Association.
- 5.4 The Secretary shall publish all Special Resolutions received for the AGM no later than two weeks before the date of the AGM.
- 5.5 A nomination for an Association member to serve on the Executive Committee must be received in writing by the Secretary four weeks before the date of the AGM. The nomination must be proposed and seconded by members of the Association
- 5.6 The Secretary shall publish all nominations to serve on the Executive Committee no later than two weeks before the AGM.
- 5.7 The Chairman of the Association, if present, will chair the AGM. The following minimum business must be conducted at the AGM
- approval of the minutes of the previous meeting
  - approval of the accounts for the past financial year
  - appointment of honorary auditor for the coming year
  - election of officers and executive committee members for the coming year
- 5.8 A request for an Extraordinary General Meeting (EGM) by an Association member must be sent in writing to the Secretary together with any Special Resolution(s), which require a vote of the members. The request must be supported in writing by at least twenty members of the Association.
- 5.9 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.
- 5.10 Only members present at an AGM or EGM are entitled to vote. Any vote at such a meetings which is tied, shall be split by the casting vote of the chairman.
- 5.11 Notice of an AGM or EGM as well as required notification of Nominations and Special Resolutions and the agenda listing the ordinary and special business to be transacted will be made by posting details on the Association website in accordance with clauses 5.2, 5.4, 5.6 and 5.9. 5.13 Notifications will also be sent by email to affiliated clubs, and members, for display on club notice boards and distribution to members
- 5.12 The quorum for an AGM and EGM shall be thirty members.
- 5.13 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.

5.14 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.

## **6. MEMBERS' BEHAVIOUR**

6.1 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.

6.2 The Association shall have the powers and the procedures for the enforcement of the requirement in clause 6.1. 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.

## **7. AFFILIATED DUPLICATE BRIDGE CLUB**

Any Duplicate Bridge Club affiliated to the EBU may apply to affiliate to the Association.

## **8. 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 members present.

## **9. DISSOLUTION OF THE ASSOCIATION**

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

9.2 If a resolution to dissolve the Association is passed, the Executive Committee shall be responsible for winding up the affairs of the Association and shall be empowered to take whatever action may be required to realise the assets of the Association

9.3 If the dissolution has been initiated with a view to amalgamating the Association with another EBU approved County Association any surplus assets and funds shall be transferred to such other Association. In any other case any surplus assets and funds shall be donated to a charity or charities decided by the members attending the dissolution meeting

## **10. INTERPRETATION**

On all questions of interpretation of the Constitution the decisions of the Executive Committee shall be binding until or unless overturned at an AGM or EGM. The Executive Committee shall determine any point or matter that is not covered by the Constitution.

## **11. DEFINITIONS**

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

## **Schedule of Disciplinary Procedures**

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

This Schedule is referred to under clause 6.2 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 6.1 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 6.1 of the Constitution, must do so in writing to the Secretary or the Chairperson of the Association.

The Association will deal with any complaint or disciplinary allegation referred to it from its affiliated clubs using the Disciplinary Procedures set out in the Constitution.

This may involve investigation, a hearing and an appeal, however if a proper hearing has already been held then the 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 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. 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.

Issue 1

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Issue 5 DRAFT

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