Constitution of the XXX Bridge Club

1. NAME

1.1. The Club shall be Called The XXX Bridge Club (XBC).

2. OBJECTS

2.1. The objectives of the Club shall be to provide a friendly and supportive atmosphere in which

a) members can enjoy a range of opportunities to play Duplicate Contract Bridge;
b) newcomers to the game and less experienced players can learn and develop their Duplicate Contract Bridge.

In delivering these objectives the Club will promote the game locally and seek to offer classes for new students and appropriate routes for inexperienced players to transition from "the classroom to the clubroom".

3. HEADQUARTERS

3.1. The Club shall meet at such venue or venues as the Committee (see section 7) shall from time to time arrange within the XXX area.

4. AFFILIATIONS

4.1. The Club will be affiliated to the XXXX County Association and to the English Bridge Union.

5. MEMBERSHIP

5.1. Membership shall be open to all bridge players and those wishing to learn the game.

5.2. Any person wishing to be a member of the Club shall apply for membership by contacting the Secretary.

5.3. In the event of the Committee declining an application it may give a reason but is not obliged to do so; an individual whose membership application has been declined shall not be afforded any privileges of membership, and specifically may not be a member's guest nor a visitor to the Club.

5.4. A member shall cease to be a member of the Club one month after a missed subscription payment (see section 12), and immediately if expelled from the Club under the provisions of section 15 or if their written resignation is delivered to the Secretary; an ex-member who has been expelled, or who is no longer a member having resigned pending a Disciplinary investigation, is ineligible to visit the Club or be a guest of a member. Further, such ex-members may not apply for membership within two calendar years of having left the Club.

5.5. All members, eligible guests and visitors to the Club are welcome to play at the Club; members have a responsibility for the conduct of their guests; guests or visitors who are found to have been in breach of the Conduct requirements of the Club shall lose their 'eligible guest or visitor' status for a time period as determined by the appropriate authority of the Club.

6. OFFICERS

6.1. The Officers of the Club shall be the Chair, Secretary, Treasurer and Club Captain.

6.2. No Officer of the Club shall simultaneously hold more than one office of the Club, except in a temporary capacity under the provision of clause 6.5.

6.3. Each Officer of the Club shall be elected at the Annual General Meeting (AGM) of the Club, and shall retire annually at the ensuing AGM, but shall be eligible for re-election.

6.4. The Chair shall not normally serve for a consecutive period of more than 5 years. Exceptionally a General Meeting may approve the appointment of a Chair for a 6th or subsequent year (by a majority of at least 3 to 1 of the eligible voters at a quorate meeting and in the absence of another candidate).

6.5. In the event of a vacancy arising during the year for any Officer of the Club, the Committee shall choose one of their number to fill such a vacancy until the ensuing AGM or shall seek to co-opt a member to the Committee.

7. COMMITTEE

7.1. The Executive Committee of the Club (referred to as 'the Executive' or 'the Committee') shall comprise the Officers of the Club together with other co-opted members all of whom shall retire annually at the ensuing AGM but shall be eligible for re-election or co-option.

7.2. The Committee may from time to time co-opt members of the Club to serve on the Committee until the ensuing AGM, whether to fill a vacancy arising, or as additional members, except that the total number of members of the Committee (including Officers) shall at no time exceed twelve. Co-opted members shall be entitled to participate fully in the Committee's proceedings.

7.3. Of the co-opted members, one may be designated the Vice Chair and it will be the normal expectation that that member would be nominated to be the Chair in the event of the current Chair either having resigned or not standing for re-election (which does not, of course, preclude the Vice Chair from being nominated as Chair at any AGM, nor does it preclude any other member being nominated as Chair at any AGM).

7.4. Of the co-opted members, one shall be the designated Club Safeguarding Officer.

7.5. A quorum at meetings of the committee shall be three members of the Committee including at least one officer.

7.6. The Committee may from time to time appoint sub-committees to undertake on its behalf such aspects of the administration of the Club as it shall think fit, and members of such sub-committee may include members of the Club who are not members of the Committee.

7.7. Proceedings of the committee and of any sub-committees shall be regulated in such manner as the Committee may from time to time decide.

7.8. The Committee shall make a report to each AGM concerning the affairs of the Club since the previous AGM.

8. MANAGEMENT

8.1. The affairs of the Club shall be managed by the Committee, and the Committee shall have power to determine any issue arising in connection with the affairs of the Club which is not specifically provided for in this Constitution.

8.2. The Committee may from time to time formulate and publish such rules as it thinks expedient for the efficient and harmonious running of the Club (but in the case of any conflict between such rules and this Constitution, the Constitution shall prevail). Such Rules shall have immediate effect from the Committee Meeting at which they were approved and are subject to variation at a General Meeting as set out in 8.3.

8.3. Any issue of policy determined by the Committee or any rules published by the Committee may be varied by a resolution of members at a General Meeting, provided that such resolution is not in conflict with this Constitution and is not retrospective in application.

8.4. In the event of such variation being made, the policy or rules (as the case may be) shall not be further varied by the Committee in a manner inconsistent with the resolution within a calendar year of the General Meeting.

9. GENERAL MEETINGS

9.1. An Annual General Meeting of the Club shall be held in each year no later than six weeks after the end of the financial year.

9.2. A Special General Meeting of the Club shall be convened by the Committee if a request for such a meeting signed by at least ten members of the Club is delivered to the Secretary, stating the reason for the meeting, and such a meeting shall take place within one month of the receipt of such a request.

9.3. A Special General Meeting of the Club may be convened by the Committee on its own initiative at any time.

9.4. All General Meetings of the Club shall be held at the current venue of the Club if face-to-face or hybrid or, as deemed appropriate by the Committee, virtually at a time determined by the Committee.

9.5. The Chair if present shall chair all General Meetings of the club, and in their absence another Committee member (normally the Vice Chair when that post exists) shall chair the meeting.

9.6. Notice of all General Meetings of the Club shall be given to all members of the Club by whatever means determined by the Committee no later than two weeks prior to the date fixed for the meeting.
9.7. Any member may propose a motion to be discussed at a General Meeting provided that written notice of the proposed motion is delivered to the Secretary no later than one week prior to the meeting.
9.8. The Chair of the meeting may permit discussion of other business at a General Meeting if they think fit.
9.9. A quorum at General Meetings of the Club shall be ten members.
9.10. If a General Meeting of the Club is (or becomes) inquorate, the meeting may proceed but any indicative decisions must be ratified at a subsequent rearranged General meeting. At a rearranged General Meeting (of which members shall be given two weeks' notice) the number of members as are actually present shall constitute a quorum.
9.11. Voting at General Meetings of the Club shall be by a show of hands, and in the event of parity of voting the chair of the meeting shall have a second or casting vote.

10. NOTICES

10.1. Notice of General Meetings of the Club shall be displayed on the Club's website and announced before the commencement of play at the Club in the two weeks prior to the meeting.
10.2. Notices of any other matters to be brought to the attention of members shall be made by email, by displaying a notice at the playing venue and on the Club's website.

11. NOMINATIONS

11.1. Nominations for Officers can be made writing, to the Club Secretary, before the AGM or can be accepted from the floor at the AGM. In both cases the nominations must be proposed and seconded by Club Members and must have the agreement (in writing if a written proposal) of the nominee.

12. SUBSCRIPTIONS AND FEES

12.1. Each member of the Club shall pay an annual subscription, the amount of which shall be decided at the AGM.
12.2. Annual subscriptions may be paid as a single lump sum or monthly.
12.3. New members joining the Club mid-year shall pay a pro rata subscription for their first year.
12.4. If a member, paying their subscription monthly, cancels their monthly payment they shall cease to be a Club Member one month after the first missed payment (and shall be treated as a visitor) until either they rejoin at the start of the next year or make good their missing payments.
12.5. Club members shall pay table money at any regular Club session, at a rate determined by the AGM. That rate may be zero.
12.6. Non members shall pay table money from the second occasion they play at the Club in any year, and the amount shall be decided at the AGM.
12.7. The methods of payment shall be determined by the Committee and laid before a General Meeting for approval.

13. ACCOUNTS

13.1. The Committee shall arrange for accounts to be prepared in respect of financial affairs of the Club for each year ending on 31st March.
13.2. The accounts for each year shall be presented to the AGM.

14. VISITORS

14.1. Visitors may be permitted to play in the Club at any time, but in the event of the playing facilities reaching physical capacity, priority shall be given to members.

15. CONDUCT

15.1. Each member, eligible guest or visitor of the Club 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 of the EBU, including the fundamental principle set out in the EBU's "Best Behaviour at Bridge". In the case of members this requirement extends to their behaviour whilst playing bridge elsewhere. For the avoidance of doubt, the Club's Disciplinary processes are only in force "away from the table" when the member is demonstrably behaving as a member of the Club.

15.2. The Club will always seek to resolve any complaint at the lowest possible level possible and without recourse to formal proceedings as set out in the Schedule of Complaints Procedure. However, if resolution proves impossible, the Club shall have the powers and the procedures for the enforcement of the requirement in clause 15.1. These include the appointment of both a Conduct and a Discipline Committee also as set out in the Schedule of the Constitution. The Schedule shall stand as part of the Constitution and be subject to the same provisions of the Constitution for its amendment.

16. ALTERATIONS TO THE CONSTITUTION

16.1. No alterations shall be made to this constitution except at a General Meeting of the Club.

16.2. In order for a resolution to alter this constitution to have effect, at least two-thirds of the votes cast on the resolution must be in favour.

17. WINDING UP

17.1. In order for a resolution that the Club shall be wound up to have effect, at least two-thirds of the votes cast on the resolution must be in favour, and in addition the number of votes cast in favour of the resolution must exceed one-half of the number of members of the Club entitled to attend and vote at the General Meeting of the Club at which the resolution is put.

17.2. If a resolution that the Club shall be wound up is effectively passed, the Committee shall be responsible for winding up the affairs of the Club and unless the winding up has been initiated with a view to amalgamating the Club with some other EBU Affiliated Club (in which case any surplus assets and funds shall be transferred to such other Club), any surplus assets and funds shall be transferred to such of the organisations mentioned in clause 17.3 as may be specified in the resolution initiating the winding up, and if no such organisation is so specified, to such of those organisations as the Committee may think fit.

17.3. The organisations referred to in clause 17.2 are:

17.3.1 The English Bridge Union;

17.3.2 The County Association;

17.3.3 English Bridge Education and Development (EBED) or any registered or recognised charitable body.

Rules of the Club (as permitted by para 8.2)

1.1. Play will begin at the various sessions of the Club at times as advertised; play begins at the designated time and all players are required to be sat at their table at least 10 minutes prior to the start of play.

1.2. Players arriving within 10 minutes of the start of play are not guaranteed to be able to play; the Director will use their discretion in such cases.

1.3. The Club may, at its discretion, provide a hosting system at some of its events; hosting, when in place, is available to all members and to eligible guests and visitors; the hosting scheme is not designed to, nor shall it, provide a partner to any member or anyone else on a regular basis. It is designed to accommodate extraordinary events, such as a member's partner being temporarily unavailable, or a visitor to the area.

1.4. For the avoidance of doubt, the hosting system may be used regularly by new members who have no regular partnership for a period of up to 3 calendar months from their joining the Club.

1.5. If the Hosting system is in place the host shall be assigned a partner 10 minutes prior to the start of play, but not later except by the agreement of the Host and always subject to the Director's final decision.
1.6. All members, eligible guests and visitors to the Club are welcome to play at the Club; members have a responsibility for the conduct of their guests; guests or visitors who have lost their 'eligible guest or visitor' status will no longer be able to play at the Club.
1.7. The Club seeks to encourage an appropriate pace of the auction and play.
1.8. If the Director has called the move and the cards of a board have not been removed by any one of the 4 players that Board shall not be played by those pairs, and the Director shall award a score (adjusted as deemed appropriate).
1.9. The Committee shall meet (face-to-face, virtually or hybrid as the Committee think fit) as often as it deems proper for the effective running of the Club; Minutes shall be made public via the Website for Members once the subsequent Meeting has approved them.

Schedule of Complaints Procedures

1. Requirements of the Schedule

This Schedule is referred to under clause 15 of the Constitution and prescribes the powers and procedures for enforcement. It aims to comply with, and follow, the spirit of the EBU procedures.

2. Scope and Purpose

Bridge should be pursued in an environment which is free any behaviour which could give cause for complaint (including, but not confined to, alleged contraventions of Best Behaviour at Bridge – BB@B). For the avoidance of doubt, this policy applies only to incidents and complaints which arise from events held under the auspices of XBC. The objectives of this Policy are to:

a) resolve incidents and complaints informally as and when possible; and
b) provide a framework for handling complaints.

3. XBC's Commitment

Complaints will be treated seriously and may, ultimately, result in formal action being taken. Any vexatious, demonstrably false or malicious complaints will themselves be dealt under this process. The XBC undertakes to:

a) apply the Policy equally to all members and those playing in XBC recognised events;
b) keep all parties appropriately informed of the progress of the formal complaint;
c) treat all complaints seriously, fairly, sensitively, promptly and with appropriate regard to confidentially.

4. Roles and Responsibilities

All members have a personal responsibility to behave consistently with BB@B and otherwise not liable to cause offence.

5. Procedures for raising an issue or making a complaint

Principles

a) members should raise issues and/or complaints in a timely manner and without unreasonable delay. Unless the XBC is notified of incidents within a reasonable time of the incident in question it may not be possible to investigate;
b) those against whom a complaint is made shall have the right to respond to any allegations made against them;
c) all parties should make every effort to resolve the matter informally, or at the early formal stage of the procedure, wherever possible;
d) a complaint determined by the XBC to be malicious, demonstrably false or vexatious may give rise to proceedings against the complainant;
e) for the avoidance of doubt, a disciplinary investigation by XBC is not a legal process and, as such, no party (including XBC itself) may bring legal representation to any meeting nor specify a third party to act on their behalf;
f) when the XBC Executive Committee appoints a Conduct Committee (CC) or a Disciplinary Committee (DC), such committees shall consist of no fewer than three XBC members and no more than five. A quorum for any meeting shall be three of its members. Such Committees shall act by simple majority vote and by reference to the balance of probabilities. The Chair shall have a casting vote in the event that there is a tied vote on any matter. No member of the CC may be a member of the DSC to consider the same case.

6. Informal Stage

Any incident which might give rise to a complaint should be raised, in the first instance and where possible, with the Tournament Organiser (see Law 80) or their relevant delegate. The delegate may be:

a) the Director at the competition in question whose duties and powers are defined by Law 81c and subsequent Laws (notably 91);
b) the Chair of an Appeals Committee (as established by the Tournament Organiser according to Law 80B(k));

c) any other person to whom the Tournament Organiser has delegated or assigned power (according to Law 80A3).

All parties should seek to resolve the matter at the earliest possible moment and at the least formal level.

If the incident in question did not fall under Law 80 then the complainant should write to the Secretary of XBC who shall invite the Club Committee to decide if the complaint falls within the jurisdiction of the XBC. If the Executive determine that it does not then the procedures are exhausted; otherwise the Executive shall seek to resolve the matter informally.

7. Formal Stage One

If, having raised the issue at the event in question (or, as above, with the XBC Committee directly), the matter has not been resolved satisfactorily:

(i) the complainant or the member complained against (the complainee) may request that an investigation be carried out by a nominated CC;

(ii) the Director or Chair of an Appeals Committee may (under Laws 81c(7), 93B3 and 93C2) refer the matter to the XBC and request the establishment of a CC.

Where appropriate, the complainant, complainee or the Director or any other person to whom power has been delegated should write to the XBC Secretary. The XBC Committee will, as appropriate, appoint a CC to investigate the matter; this begins the Formal Stage. The CC shall be responsible for investigating matters as directed by the Committee.

The CC will contact all parties involved in order to determine whether (i) the matter falls within its scope and (ii) if so whether further action is warranted. The CC is empowered to make investigations and enquiries as it, in its absolute discretion, considers appropriate.

Normally, within two weeks of having been appointed, the chair of the CC will write to all relevant parties and inform them of their intended timetable.

If the CC concludes the matter falls within its scope it shall ask the parties to respond directly to the substance of the matter.

The formal stage one of the process may conclude that:

a) the complaint is unfounded and no further action is necessary; or
b) the complaint is unfounded but is passed to a DC to examine whether the complaint is vexatious, demonstrably false or malicious; or
c) the complaint is founded but of no substantive consequence and no further action is necessary;
d) the complaint is founded and not trivial or
e) in exceptional circumstances the CC may be unable to determine whether the complaint is or is not founded.

If the CC decides that the complaint is justified, it may, in its absolute discretion:

(i) request the offending member, guest or visitor to offer an apology to the complainant; and/or
(ii) issue a written caution to the offender; and/or
(iii) prescribe any other reasonable and proportionate measure (but not a sanction) designed to resolve the issue to the satisfaction of all parties.

If a resolution, satisfactory to all parties, is identified this ends the matter. For the avoidance of doubt, the CC has no power of sanction beyond (ii) above. If, notwithstanding the best efforts of all parties, the issue cannot be either resolved or determined at this stage it shall refer the matter to a DC.

8. Formal Stage Two

When, in accordance with para 7, a matter is referred to a DC, the appointment of the DC begins the Formal Stage Two.

For the avoidance of doubt, when the CC has already determined that an offence has been committed (or the offence has been admitted), the DC will not normally re-investigate the complaint. However, the DC will itself investigate the complaint when either the CC has been unable to determine whether the complaint is or is not founded; or when new evidence (which was for good reason not available to the CC) is presented to the DC.

The CC will pass its entire file to the DC. The DC will call a meeting to which the complainee is invited and if the DC has been called because reconciliation attempts have been unsuccessful then all relevant parties will be invited.
All parties invited to attend the DC shall be notified, in writing, with at least two weeks' notice and all shall be invited to make written submissions. All invitees have the right to be accompanied by a friend (who must be a current XBC member). For the avoidance of doubt, this process is not a formal legal process, and no party may call upon legal representation. The DC will:

(i) determine sanctions for offences admitted, or found by the CC to have been committed;
(ii) exceptionally, hear the matter, decide whether the complaint is founded or not and, if founded, determine the appropriate action;
(iii) investigate (and proceed appropriately) if the CC had concluded that the original complaint was vexatious, demonstrably false or malicious;
(iv) in very rare circumstances, refer a complaint to the EBU CC for its consideration. In so doing, the DC shall have fully discharged its responsibilities under this Schedule.

The sanctions available to the DC include:

(a) reprimanding, in writing, the offender(s); or
(b) suspending the offender(s) from all or some of the competitions sponsored or licensed by the Club for such period as it shall determine; or
(c) expel the offending member(s) from the Club; or
(d) in the case when the offender is not a member disallow that individual from being a visitor or another member's guest at XBC events 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 DC shall have the power to suspend such a member from the Club's Committee and any of its sub committees for such a period that it shall determine.
Any sanctions imposed by the DC must be communicated to the offender(s) in writing within twenty one days of the hearing.
Any Sanction imposed by the DC shall take effect as soon as time for appeal has elapsed but if a Notice of Appeal has been filed within the time allowed the Sanction shall not normally take effect until such Appeal has been determined.

9. Conflicts of Interest

The EBU CoI policy shall be followed in the execution of this schedule.

10. Appeal

Anyone who has been issued with a formal sanction by the Club Disciplinary Committee has the right to appeal to the County Disciplinary Committee[1]. Appeals must be in writing and lodged with the Secretary of the Association within twenty one days of the written communication of the Club's Disciplinary Committee's decision. There are two admissible grounds for appeal: (i) the provision of new evidence (which was, for good reason, not available at the earlier stage) and/or (ii) a claim of a procedural irregularity of such an order as to cast doubt on the earlier decision. An appeal on other grounds is inadmissible.

Notes on the Schedule of Disciplinary Procedures

1. Consent of the County Association has been granted to enable this to be included this in the X Bridge Club's constitution.
The Committee will appoint members of the Conduct & Disciplinary Committees on an ad hoc basis.