

# DEVON BRIDGE ASSOCIATION

**CONSTITUTION amended at the AGM on 1 October 2010 replacing that accepted at the AGM on 14 June 2009, being an amended version of the 2006 Constitution.**

**Further amended at the 2012 AGM, 2013, 2014, 2016, & 2017 AGMs. Latest amendments made at the 2022 AGM (shown in brown) to take effect immediately.**

## **1) NAME**

The Association shall be called The Devon Bridge Association [the Association] and shall be a constituent member of The English Bridge Union (EBU).

## **2) COMMENCEMENT**

This document shall supersede all previous Constitutions and Rules promulgated in the name of the Devon Bridge Association.

## **3) OBJECTIVES OF THE ASSOCIATION**

- To promote and assist in the development of Duplicate Bridge in the County.
- To organise and / or manage all forms of duplicate bridge competition in the County.
- To promote participation in County duplicate bridge events.
- To promote the affiliation of Clubs to the County Association and EBU.
- To maintain and enforce the decisions and rules of the EBU.
- To assist members / affiliated clubs in dealings with the EBU.
- To ensure that every member of the Association has equal access to the benefits of membership 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 this 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 Annual General Meeting and to participate in its main competitions within that Membership Year.

4.5 The Membership Year for 2017-18 shall run from 1<sup>st</sup> April 2017 to 30<sup>th</sup> April 2018, and subsequent years for the twelve-month period from 1<sup>st</sup> May to 30<sup>th</sup> April.

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.

4.7 If any Association member has not paid their annual subscription by 30<sup>th</sup> June then that Association 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 30<sup>th</sup> June 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, but this late payment 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 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, for the Membership Year starting in the following 1 May, shall be determined by a simple majority of the paid up members at the preceding Annual General Meeting.

4.11 The Association membership categories shall be as follows:

4.11.1 Ordinary Association Member-a Player Member of the EBU who has their primary allegiance recorded with the Association on 1<sup>st</sup> May of the Membership Year. An Ordinary Association Member shall also be a new Player Member of the EBU whose EBU membership start date is within the Membership Year and that member's primary allegiance is recorded with the Association on their EBU membership start date.

4.11.2 Dual Member-a Player Member of the EBU who does not have their primary allegiance recorded with the Association by 1<sup>st</sup> April of the Membership Year.

4.12. Honorary Membership: Members who have given distinguished service to the Association may be elected Honorary Members for Life by the Association in General Meeting. Proposals to this effect must first be submitted to and endorsed by the Central Committee. An Honorary Life Member shall receive from the Association a voucher valid at County events to the value of the direct subscription to the EBU.

4.13: 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 Annual General Meeting 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 1 May.

## **5) SUBSCRIPTIONS**

- Members and dual members shall pay a Pay-to-Play component to the Association for all sessions played at affiliated clubs in the county.
- Affiliated clubs shall pay a subscription to the Association.
- The annual subscriptions to the Association and the Pay-to-Pay component shall be determined by the Central Committee and subject to its approval at the Annual General Meeting of the Association shall take effect in the following year.

## **6) ORGANISATION**

The Association shall be managed by a Central Committee assisted by committees elected for each of the Sections representing the North, East, South and West parts of Devon. The Central Committee may vary the geographical areas covered by the latter committees.

## **7) CENTRAL COMMITTEE**

a) The Officers shall be a Chairman, Vice Chairman, Secretary and Treasurer.

b) The Officers shall be elected by the members at the Annual General Meeting of the Association. Nominations for these posts must be proposed and seconded by members of the Association and submitted to the Secretary four weeks before the date of the AGM. The Chairman and vice-Chairman shall be elected at the AGM for a maximum of 3 consecutive years, which can be extended if approved by three-quarters of those attending.

d) The Secretary is responsible to the Committee for the day-to-day management of the Association and the Treasurer is similarly responsible for the sound management of the Association's financial affairs and the implementation of financial decisions of the Committee. The Treasurer shall coordinate the annual budget cycle which shall consist of:

1. presentation to the AGM of the consolidated Section and County income and expenditure for the preceding financial year for approval
2. reporting to the Central Committee any funding shortfalls and significant variances to budget as they occur
3. independent examination of Section and County income, expenditure and cash reserves
4. maintaining records of all financial transactions.

e) The Committee shall comprise the Officers and two additional members from each of the Section committees nominated by those committees. Any such member who is unable to attend a particular meeting may appoint a deputy.

f) The Committee shall from time to time set up such committees or sub-committees as are thought proper, necessary or desirable for the conduct of the business of the Association and shall delegate to such committees or sub-committees such power and authority as may be considered desirable for the purpose for which they are formed, the terms of reference of such committees or sub-committees being laid down in their Minute of Appointment.

g) The Committee may co-opt other members, as deemed appropriate from time to time, and shall have the power to fill any vacancies that arise from time to time to assist in the execution of its activities.

h) A member of the Committee who has failed to attend three consecutive Committee meetings may be called upon by the Association to resign.

i) The Committee, by a three-quarters majority of those present at any meeting, may suspend or dismiss any of its Officers, providing that the majority is more than half of the total number of the Committee.

## **8) SECTION COMMITTEES**

a) The members of each Section shall at their AGM, which must be held between 1st of May and 30th June each year, elect a Committee to assist in the management of bridge in their area. Each Committee shall comprise a Chairman, and Treasurer plus such additional members as the Officers see fit.

b) Sections shall formulate their own local rules and procedures where necessary, paying due regard to the overriding authorities of the Central Committee and the EBU.

## 9) SECTIONAL RESPONSIBILITIES

### a) Financial Planning

- Each Section shall participate in the annual budget cycle.
- The annual accounts of each Section shall include a budget projection for the following fiscal year setting out its expected/estimated costs in covering running expenses (including replacement of equipment) and its plans to assist the Association in achieving the objectives set out in this constitution.
- Each Section shall submit proposed budgets, in the first instance, to the Association Treasurer by the end of February each year or by other agreed date to meet the requirements of the annual budget cycle, for onward submission with recommendations to the Central Committee who will agree it or make amendments.
- Sections shall endeavour to self-finance their approved budget but shall be funded to cover these estimated costs at the direction of the Central Committee when necessary.
- Each Section may incur all expenditure approved by the Central Committee without further reference to that committee.
- Sections may hold Association funds in excess of its approved budget; but where it does so, it shall transfer to the DBA central account such part of that excess as the Association Treasurer with the approval of the Association Chairman may require provided that the Section shall not be required to deplete funds below the level required to meet its current year budget plus a contingency sum agreed by the Central Committee. Such transfers shall be effected within 14 days of the request.

### b) General

- A copy of the Minutes of all Section Committee meetings must be sent to the Association's Secretary.

The certified annual accounts of the Sections shall be passed to the Association's Treasurer by 31 May. Each Section Treasurer or another representative is required to attend the Annual General Meeting of the Association.

## 10) MEETINGS

The following shall apply to all meetings of the Association.

Voting at meetings shall be conducted as follows:

- Items that are proposed and seconded shall be voted on by the members who shall have equal voting rights including the Chairman with the latter having an additional casting vote if there is parity.
- By a show of hands if the Chairman feels there is a consensus or more carefully by ballot if there does not appear to be a consensus or if there is a request from the floor for a ballot.
- A simple majority shall determine whether or not the item voted on is to be adopted.

### a) Central Committee meetings

- Quorum: the number of members to constitute a quorum shall be five.
- Meetings shall be held at least quarterly; the date, time and venue for meeting shall be notified to Committee members by the secretary together with any appropriate material for pre-read.
- The minutes of the meeting shall be documented and circulated by the secretary.
- The minutes of each meeting shall be agreed by the attendees and shall be retained by the secretary and shall be available for inspection at reasonable notice by any member.

### b) Annual General Meeting

The Annual General Meeting shall be held by the 31st of July each year at a venue to be decided by the Central Committee. At least 28 days' notice of the meeting must be given. A notice convening the meeting shall be sent to each member of the Association at least 21 days before the date of the meeting and multiple copies of an agenda listing the ordinary and special business to be transacted shall be sent to each affiliated club at least 21 days before the date of the meeting.

- A Statement of Accounts shall be submitted to the members for approval.
- Any resolution for submission to the A.G.M. must be proposed and seconded and sent in writing to the Association's Secretary at least 28 days prior to the date of the A.G.M. Any resolutions shall be included in the agenda.
- A quorum shall be not less than 30 members of the Association.

If an AGM fails to reach a quorum, the Secretary shall be required to arrange a further AGM to occur within the period of 28 days to 42 days after the aborted AGM. The Secretary shall publish the date, venue and time of the AGM at least three weeks before the date of the additional AGM.

If the additional AGM 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.

- Any member is entitled to attend any general meetings by proxy, provided that the nomination shall be valid only if it fulfils the following criteria:
  - It is in writing and signed by the member.
  - Both absentee and the proxy are members of the Association.
  - The nomination is notified to the chair prior to the meeting.
  - No member may act as proxy for more than one other member.

c) Extraordinary General Meetings

- An extraordinary General Meeting shall be held within 28 days of a requisition calling for such a meeting, bearing the signatures of not less than 25 members, being presented to the Secretary. Such a requisition shall specify the business that shall be discussed at that meeting.
- A quorum shall be not less than 30 members of the Association.

**11) CONFORMANCE**

- The constitution of the Association shall apply to each section.
- The Central Committee is accountable to the members of the Association for achieving the objectives of the Association and presenting the consolidated audited accounts of the association's income and expenditure.
- Each Section is accountable to the members of the Association for the income and expenditure and care of the assets of the Association.

**12) ACCOUNTS AND BALANCE SHEET**

- The consolidated Section and County Accounts and Balance Sheet shall be made up each year to the 30<sup>th</sup> of April and shall be submitted to the Annual General Meeting for ratification.
- The annual accounts shall be examined by an independent examiner.

**13) LICENCES**

The eligibility to play in licensed events shall be governed by the rules of the EBU.

**14) CONDUCT OF MEMBERS**

Each member of the Association shall be required in connection with the game of Contract Bridge and variations thereof to conform to the standards of fair play, courtesy and personal deportment prescribed in the Bye -Laws for the time being of the EBU. The Association shall have the powers and procedures for the enforcement of this requirement which are set out in the Schedule of this Constitution (which shall stand part of the Constitution and be subject to the same provisions as the Constitution for its amendment).

**14A. CONDUCT OF MEMBERS IN CLUBS.**

The 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.

**15) VARIATION OF THIS CONSTITUTION**

This constitution may be revoked, varied or added to by a resolution passed by a two thirds majority of those voting at an Annual General Meeting or an Extraordinary General Meeting convened for the purpose. All such alterations shall be effective immediately when approved by the requisite majority and by the EBU.

**THE SCHEDULE**

1. This Schedule is referred to under Section 14 of the Constitution 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 section 14 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 section 14 of the Constitution must do so in writing to the Secretary or the Chairman 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 Section 7(f) 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 its 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 Section 7(f) 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 its 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 caution is not accepted by the offending member, or the Conduct Committee does not feel 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 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(s) in writing within twenty-one days of the hearing. Any Sanction imposed by the Disciplinary Committee shall take effect as soon as time for appeal has elapsed except that if the Defendant has filed Notice of Appeal within the time allowed the Sanction shall not take effect until such Appeal has been determined.

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.

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.