

# **CONSTITUTION OF THE PLYMOUTH BRIDGE CLUB 2016**

## **1. NAME**

The Club shall be called Plymouth Bridge Club, situated at Moor View House, 1 Moor View Terrace, Plymouth, PL4 7EB

## **2. OBJECTS**

2.1 The objects of the Club shall be to provide facilities for its members for playing Duplicate Contract Bridge.

2.2 The Club will aim to provide opportunities for novice and less experienced players to learn and improve the play of Bridge in a friendly and supportive atmosphere.

## **3. HEADQUARTERS**

The headquarters of the Club shall be situated at Moor View House, 1 Moor View Terrace, Plymouth PL4 7EB.

## **4. AFFILIATIONS**

The Club will be affiliated to the Devon Bridge Association and to the English Bridge Union.

## **5. MEMBERSHIP**

5.1 All persons who are members of the Plymouth Bridge Club at the time of the adoption of this new Constitution shall be deemed to be members on such adoption. Any person wishing to become a member of the Club thereafter shall apply for membership by completing and forwarding to the Secretary such form as may be prescribed from time to time by the Committee.

5.2 All bridge players and those wishing to learn to play who are over the age of eighteen years shall be entitled to apply for full membership of the Club.

5.3 Players under the age of eighteen years shall be entitled to apply for Junior membership. Such members shall not be entitled to vote at general meetings of the Club and shall not be eligible for appointment as Trustees of the Club.

5.4 Any member who has given exceptional service to the Club may be recommended by the Committee for election as a Life Member at an Annual General Meeting.

5.5 All members are deemed to have accepted the provisions of this Constitution together with any policy document, rules or codes of conduct adopted by the Committee.

5.6 The Committee will keep a register of members which will include details of their names, addresses and contact details.

5.7 In considering applications for membership, the Committee shall have regard to the playing facilities available, and may from time to time decide that the Club shall be closed to new applications for membership for such period as it may decide.

5.8 A member shall cease to be a member of the Club when his/her written resignation is received by the Secretary. If expelled, under the provisions of clause 17 below, membership shall cease immediately.

5.9 A member whose subscription has not been paid shall cease to be a member on the expiration of the period of four months from the date on which the subscription was due for payment.

5.10 A former member of the Club who wishes to rejoin as a member shall submit a formal application for membership unless the Committee decides otherwise.

5.11 Members of the Club are automatically enrolled as members of the English Bridge Union and shall abide by its Bye Laws.

## **6. OFFICERS**

6.1 The Officers of the Club shall be the Chairman, Vice-Chairman, Secretary and Treasurer.

6.2 No member of the Club shall simultaneously hold more than one Office of the Club.

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

6.4 In the event of a vacancy arising during the year in the office of any Officer of the Club, the Committee shall choose a member to fill such vacancy until the next Annual General Meeting.

## **7. COMMITTEE**

7.1 The Committee of the Club shall consist of the Officers of the Club together with up to six other members of the Club, who shall be elected at the Annual General Meeting of the Club, and shall retire annually at the ensuing Annual General Meeting, but shall be eligible for re-election.

7.2 The Committee may from time to time co-opt further members of the Club to serve on the Committee until the next Annual General Meeting, 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 ten. Co-opted members shall be entitled to participate fully in the proceedings of the Committee.

7.3 The committee shall meet at least once every three months. Minutes will be taken and posted on the club noticeboard as well as the Club website.

7.4 A quorum at meetings of the Committee shall be five members of the Committee, including at least one of the Officers.

7.5 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. Members of sub-committees may include members of the Club who are not members of the Committee.

7.6 The Committee shall appoint annually the Chairman of the Conduct Sub-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 Any Committee members must withdraw from participation in discussion and decisions on matters where they have, or appear on reasonable grounds to a majority of the Committee present to have, a conflict of interest.

7.9 The Chairman of the Committee shall make a report to each Annual General Meeting of the Club concerning the affairs of the Club since the previous Annual General Meeting.

## **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 policy or rules as it thinks expedient for the efficient and harmonious running of the Club (but in the case of any conflict between such policy or rules and this Constitution, the Constitution shall prevail).

8.3 Any issue of policy or rules published by the Committee may be varied by a resolution of members at a General Meeting of the Club, 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.

## **9. TRUSTEES**

9.1 Not more than three persons shall be appointed Trustees of the Club. The property of the Club (other than cash which shall be under the control of the Treasurer) shall be vested in them to be dealt with by them as the Committee shall from time to time direct by resolution (of which an entry in the minute book shall be conclusive evidence). Where a resolution to wind up the Club is passed under Clause 19 below the Trustees shall transfer Club property in accordance with procedures and decisions there stated.

Any Trustee shall be indemnified for reasonable expenses and liability reasonably incurred in his/her capacity as Trustee against risk and expense out of the Club property.

9.2 The first Trustees shall be elected by General Meeting of the Club after adoption of this Constitution and (subject as in hereafter provided) shall hold office for one, two or three years as shall be determined by lot by the Chairman presiding at that meeting. Trustees subsequently elected (subject as in hereafter provided) shall hold office for periods of three years expiring at the third Annual General Meeting after their election. A retiring Trustee shall be eligible for re-election.

9.3 If the Committee considers there is a need to remove a Trustee, they must call a Special General Meeting of all Club Membership with a clear proposal setting out their case for the removal of such Trustee. A vote of members present will then decide on their proposal together with the appointment of the new trustee. A majority of two thirds of those present is required.

9.4 Where by reason of death, resignation or removal of a Trustee or Trustees it shall appear necessary to the Committee that a new Trustee or Trustees be appointed the Committee shall by resolution nominate the person or persons to be appointed the new Trustee or Trustees who shall hold office for the unexpired period of office of the Trustee or Trustees who have died, resigned or been removed. For the purpose of giving effect to such nomination the Chairman is hereby nominated as the person to appoint new Trustees of the Club within the meaning of Section 36 of the Trustee Act 1925 and he shall by deed duly appoint the person or persons so nominated by the Committee as the new Trustee or Trustees of the Club and the provisions of the Trustee Act 1925 shall apply to any such appointment. Any statement of fact in any such deed of appointment shall in favour of a person dealing bona fide and for value with the Club or Committee be conclusive evidence of the fact so stated.

9.5 No officer of the Club shall be a Trustee, but committee members can be so elected. Trustees who are not committee members shall have the right to attend Committee meetings without the power to vote (in view of their responsibilities in law).

## **10 GENERAL MEETINGS**

10.1 An Annual General Meeting of the Club shall be held in each year no later than four months after the end of the financial year. A notice shall be posted on the Club notice board four weeks prior to the agreed date.

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

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

10.4 All General Meetings of the Club shall be held at the headquarters of the Club unless circumstances arise which render this impracticable.

10.5 The Chairman, if present, shall chair all General Meetings of the Club, and in his/her absence the Vice-Chairman or some other member of the Committee, approved by a majority of those present at the Meeting shall chair the meeting.

10.6 Notice of all General Meetings of the Club shall be given to all members of the Club no later than two weeks prior to the date fixed for the meeting.

10.7 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 date fixed for the meeting.

10.8 The chairman of the meeting may permit discussion of other business at a General Meeting if he/she thinks fit.

10.9 A quorum at General Meetings of the Club shall be twenty members present in person.

10.10 If fifteen minutes after the time fixed for a General Meeting of the Club no quorum shall be present, the meeting shall be adjourned to a new date (of which the like notice shall be given to members as was required to be given for the meeting which has been adjourned), and in the case of a General Meeting which has been adjourned due to the lack of a quorum (but not of a meeting adjourned for any other reason) such number of members as are actually present at the adjourned meeting shall constitute a quorum.

10.11 Voting at General Meetings of the Club shall normally be by show of hands but shall be by a secret ballot where the chairman of the meeting considers there are exceptional circumstances, and in the event of parity of voting the chairman of the meeting shall have a second or casting vote. In cases of contested elections for officers, trustees and committee members positions secret ballots are always held.

## **11. NOTICES**

11.1 Notices of any General Meeting of the Club, and of an Annual General Meeting at which in the opinion of the Committee any business of a special or unusual nature is likely to be discussed, shall be given to members by post or by e-mail to the last address of each member notified to the Secretary.

11.2 Notices of any matters which the Committee considers appropriate to bring to the attention of members shall be made by displaying a notice in a prominent position at the headquarters of the Club.

## **12. NOMINATIONS**

12.1 Nominations for the posts of Officers or Committee members shall be in writing, and shall be signed by a proposer and a seconder, both of whom shall be members of the Club, and also by the person nominated.

12.2 Nominations must reach the Secretary no later than two weeks prior to the date fixed for the Annual General Meeting.

### **13. SUBSCRIPTIONS and FEES**

13.1 Each member of the Club shall pay an annual subscription, the basic amount of which for the time being shall be decided at the Annual General Meeting of the Club. Subscriptions shall be due for payment by 1<sup>st</sup> April for the ensuing year ending 31<sup>st</sup> March

13.2 Members joining on or after 1<sup>st</sup> October shall pay half of the annual subscription.

13.3 Each member of the Club, and each guest and visitor, shall pay table money on each occasion when he/she plays at the Club, the basic amounts of which for the time being shall be decided at the Annual General Meeting of the Club.

13.4 The Committee may vary the basic amounts of subscriptions and table money for members, guests and visitors for specified events or in specified circumstances, and may waive subscriptions or table money in the event of hardship or for any other good cause.

13.5 The Annual General Meeting may authorise the Committee to increase the basic amounts of subscriptions and table money prior to the next following Annual General Meeting.

13.6 The Committee may determine from time to time the amount of fees to be charged for use of the premises or equipment of the Club.

### **14. ACCOUNTS**

14.1 The Committee shall arrange for accounts to be prepared in respect of the financial affairs of the Club for each year ending on 31<sup>st</sup> December and for the accounts to be independently examined.

14.2 The accounts for each year shall be presented to the Annual General Meeting of the Club for approval.

14.3 An independent examiner shall be appointed by the committee.

14.4 Meetings between the Treasurer and the Trustees may be called at the request of either to ensure full protection of the Club's Assets for which Trustees have overriding responsibility.

### **15. BORROWING POWERS**

15.1 If at any time the Club in General Meeting shall pass a resolution authorising the Committee to borrow money, the Committee shall thereupon be empowered to borrow for the purposes of the Club such amount of money either at one time or from time to time and at such rate of interest and in such form and manner and upon such security as shall be specified in such resolution and thereupon the Trustees shall at the direction of the Committee make all such dispositions of the Club property or any part thereof and enter into such agreements in relation thereto as the Committee may deem proper for giving security for such loans and interest. All members of the Club whether voting on such a resolution or not, and all persons becoming Members of the Club after the passing of such resolution, shall be deemed to have assented to the same as if they had voted in favour of such a resolution.

### **16. GUESTS and VISITORS**

16.1 Any member may invite a guest to play at the Club at any time, but in the event of the playing facilities being inadequate to accommodate all those who wish to play, priority shall be given to members.

16.2 Visitors may be permitted to play at the Club at any time, but in the event of the playing facilities being inadequate to accommodate all those who wish to play, priority shall be given to members and the guests of members.

16.3 The Committee may from time to time place a limit on the number of occasions on which a non member (whether a guest or a visitor) may play at the Club without being required to apply for membership. No member shall at any time introduce a guest who has been rejected as a member of the Club or if requested not to do so by a decision of the Committee.

16.4 If such a limit is for the time being in force, a non member who has applied for membership shall (subject to available playing facilities) be permitted to play at the Club until his application for membership has been considered by the Committee, even if the limit imposed by the Committee is thereby exceeded.

## **17. MEMBERS' BEHAVIOUR**

17.1 Each member of the Club shall be required 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.

17.2 The Club shall have the powers and procedures appropriate for the enforcement of the requirement in clause 17.1. They are set out in the Schedule to the Constitution, and shall stand as part of the Constitution and be subject to the same provisions as the Constitution for amendment.

## **18. ALTERATIONS TO THE CONSTITUTION**

18.1 No alterations shall be made to this Constitution except at a General Meeting of the Club

18.2 A resolution to alter this Constitution shall require at least two thirds of the votes to be in favour.

## **19. WINDING-UP**

19.1 A resolution to wind up the Club shall require at least two-thirds of the votes cast on the resolution to be in favour, and 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 at which the resolution is put.

19.2 If a resolution that the Club shall be wound up is 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 club (in which case any surplus assets and funds may be transferred to such other club), any surplus assets and funds shall be transferred as agreed at a General Meeting.

# Schedule of Disciplinary Procedures

## 1. Requirements of the Schedule

This Schedule is referred to under clause 17 of the Constitution of the Plymouth Bridge Club (hereafter referred to as the Club) 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 Club shall act through its Conduct and Disciplinary Committees for the enforcement of standards prescribed in clause 17 of the Constitution. The Club 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 Club under the terms of clause 17 of the Constitution, must do so in writing to the Secretary or the Chairman of the Club. 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.

## 3. Conduct Committee

The Committee of the Club shall appoint its Conduct Committee through its powers to appoint sub committees under clause 7.5 of the Constitution. The Conduct Committee shall be responsible for investigating complaints against the Club's members and to determine whether a disciplinary offence should be referred to the Club's Disciplinary Committee.

The Conduct Committee shall consist of no fewer than three members of the Club 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 Committee of the Club shall appoint the Disciplinary Committee through its powers to appoint sub committees under clause 7.5 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 Club 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 Club cannot be a member of both the Conduct and Disciplinary Committees.

## **6. The Complaints Process**

### **6.1. Notice of Meetings**

Subject to the provisions of clause 2 hereof 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 Club 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 the privileges of membership of the Club for such period as it shall determine.



(c) Expel the offending member(s) from the Club.

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 Club's 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 Club Disciplinary Committee has the right to appeal to the County Disciplinary Committee. 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 to the Defendant.

#### **6.6. Referral to the EBU Laws & Ethics Committee**

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

March 2016