

BY-LAWS OF THE CANBERRA BRIDGE CLUB INCORPORATED

v0.6.7 – June 2016

0. INTRODUCTION

- 0.1 These by-laws are made by resolution of the Committee under the provisions of the Constitution. They may be subject to variation at any time by a resolution of the Committee. In particular, the Committee may suspend a by-law for a period of time.

Note: These notes provide guidance, examples, and cross-references to the Constitution and the Act. They do not form part of the by-laws.

- 0.2 Members of the Club wishing to ascertain the current status of any by-law are advised to check with the President or Secretary. Copies of the Club's Constitution and by-laws are available on the Club's website.

Note: Constitution §2(1) requires that the by-laws be determined and published by the Committee in writing.

- 0.3 In these by-laws:

ABF means the Australian Bridge Federation Incorporate;

Act means the *Associations Incorporation Act 1991 (ACT)*

Club means the Canberra Bridge Club Incorporated

Constitution means the constitution of the Club, as amended from time to time

BFACT means the Bridge Federation of the Australian Capital Territory Incorporated

Committee means the body of members constituted under §12 of the Constitution

Laws means the Laws of Duplicate Contract Bridge as adopted by the World Bridge Federation from time to time

Regulations means the regulations established in §4.4.3

and other terms not defined shall be interpreted in accordance with the Constitution.

1. THE COMMITTEE

1.1 The first meeting

- 1.1.1 The first meeting of a new Committee shall be held not later than two weeks after the annual general meeting.

- 1.1.2 At this meeting, the Committee shall appoint chairpersons for the standing sub-committees listed in §3.1.1.

Note: Some standing sub-committees are chaired by elected office-bearers of the Club (see §3).

- 1.1.3 At this meeting, the Committee shall also appoint the following:

- Public Officer
- Recorder

- 1.1.4 The Committee may also appoint, at this or any subsequent meeting:

- Appeals Officer
- Bulletin Editor
- Library Officer
- Youth Coordinator

and such other officers as it deems necessary.

1.2 Regular meetings

- 1.2.1 The Committee shall meet, as far as practicable, once during each calendar month.
Note: Constitution §18(1) requires the Committee to meet at least six times in each calendar year.
- 1.2.2 At each regular meeting the agenda shall include the following items for consideration, in an order determined by the President:
- attendance and apologies
 - minutes and business arising
 - Manager's report
 - reports from all appointed sub-committees
 - correspondence received and sent by any office bearers
 - general business
 - date and place of next meeting
- 1.2.3 Any member of the Committee may request the Secretary to include an item on the agenda and the Secretary shall include the item as requested.
- 1.2.4 The Committee shall not, at any meeting, rescind a resolution of an earlier meeting of the Committee unless the agenda of that meeting includes a specific item requesting reconsideration of that resolution.

1.3 Special meetings

- 1.3.1 Requests for a special meeting of the Committee shall be directed, in writing or by email, to the President, who shall convene a special meeting upon the request of any five members of the Committee.
Note: The requirement for five members is set by Constitution §18(2). Seventy-two hours' notice is required by Constitution §18(3).
- 1.3.2 A special meeting of the Committee shall consider only such matters as are necessary to decide the items of business for which the meeting was called.

1.4 General

- 1.4.1 The quorum, chair, and method of decision shall be as provided for in the Constitution. Votes shall be on the voices or by show of hands, unless at least three members request a secret ballot.
Note: Constitution §18(4) sets the quorum at any six members of the Committee. Constitution §18(5) requires that the President preside; or, in his absence, his nominee; or, failing a nominee, a person chosen by the meeting. Constitution §20(1) requires that decisions be taken by a majority vote.
- 1.4.2 Discussion within the Committee is confidential to the members of the Committee. Committee members shall refrain from discussing others' views expressed during a meeting with non-Committee members who were not present.
- 1.4.3 The minutes of Committee meetings shall be posted on a Club notice board and on the Club website for the information of Club members.
- 1.4.4 Where notices are to be given to Committee members, such notices may be given by email.
Note: Constitution §18(3) allows notice of meetings to be given to Committee members orally or in writing. Section 247 of the *Legislation Act 2001 (ACT)* allows service of documents on an individual by a) giving it to them, b) post, c) fax, d) email, or e) leaving it at a home or business address of the individual with an appropriate person.

2. OFFICE-BEARERS

2.1 President

2.1.1 The President is the Club's principal representative and shall normally preside at general meetings and Committee meetings (Constitution §26 and §18(5)), and at functions held by the Club.

2.2 Vice-President

2.2.1 In the absence of the President, the Vice-President may represent and act on behalf of the President at meetings and functions of the Club and at Committee meetings.

2.3 Treasurer

2.3.1 The Treasurer is responsible, subject to the directions of the Committee, for the finances of the Club.

2.3.2 The Treasurer shall:

- present a financial report at every regular meeting of the Committee
- ensure that the Committee regularly reviews the insurance policies of the Club
- maintain appropriate financial registers and records and ensure that appropriate procedures are in place for the day-to-day financial operations of the Club
- maintain an asset register, giving details of the Club's major assets
- prepare the Club's financial records for annual audit
- present to the Committee each year a budget for future income and expenditure
- ensure that any legislative requirements relating to the Club's finances or accounting practices are met

2.4 Secretary

2.4.1 The Secretary shall:

- prepare, in consultation with the president, an agenda for each meeting including the annual general meeting
- dispatch notices of special meetings to members of the Committee
- prepare an adequate record of the proceedings of each meeting, send a copy of that record to members of the Committee and post a copy of the record onto a Club notice board and on the Club website
- bring to the attention of the Committee items of correspondence

2.5 Tournament Secretary

2.5.1 The Tournament Secretary is responsible, subject to the directions of the Committee, for organising and scheduling tournaments on behalf of the Club.

2.5.2 The Tournament Secretary shall be responsible for:

- Reviewing and making recommendations for changes to the Regulations
- Preparing and posting supplementary regulations for each event held by the Club
- Where appropriate, reporting to the Committee on irregularities occurring in the course of any event
- Liaising with BFACT regarding the scheduling of tournaments, as required
- Preparing the annual calendar of Club events, to be made available to Club members by mid-December each year

2.6 Public Officer

2.6.1 The Public Officer must at least 18 years of age and be a resident of the Australian Capital Territory.

Note: These requirements are imposed by s. 57 of the Act.

2.6.2 The Public Officer shall fulfil the duties prescribed by the Act and shall ensure compliance with requirements of the Act relating to the lodgement of documents with the Registrar of Incorporated Associations.

Note: In the following, references are to the Act. The Public Officer must:

- Not later than one month after appointment, lodge a notice of the appointment (s. 59(1))
 - Not later than one month after a change of address, lodge a notice of that change (s. 59(2))
- Under the Act, the Club must lodge the following documents with the Registrar:
- Notice of changes in the composition of the Committee or a change of address of a member of the Committee (s. 62(1))
 - Details of alterations to the Club's objects, within one month of the alterations (s. 30(2))
 - Details of alterations to the Constitution, within one month of the alterations, and a declaration by at least two members of the Committee stating that a special resolution of the Club was passed accordingly (s. 33(2))
 - If required by the Registrar, a consolidated copy of the Constitution as amended (s. 33(4))
 - An annual return incorporating documents as provided for under s. 79 of the Act

2.7 Recorder

2.7.1 The role of the Recorder is to receive and investigate grievances presented by bridge players on matters that are not strictly within the normal province of the Director. If the Recorder considers the grievance is serious enough they shall bring it to the attention of the Committee.

2.7.2 The Recorder shall be a person of high standing within the Club with whom members of the Club will be comfortable in discussing actions that have upset them at the bridge table or within the Club rooms.

2.8 Other officers

2.8.1 The Appeals Officer is responsible for receiving reports of any appeals held during Club events, and where appropriate, publishing a summary of those appeals. The Appeals Officer is also responsible for maintaining and making recommendations on the Appeals Regulations established in §3.1.1.

2.8.2 The Bulletin Editor is responsible for the compilation and production of the Club bulletin.

2.8.3 The Library Officer is responsible for the maintenance of the Club library, and for making recommendations to the Committee on possible improvements.

2.8.4 The Youth Coordinator is responsible for coordinating all youth bridge activities and promotions for the Club and liaising with BFACT on these issues.

2.9 Manager

- 2.9.1 The Manager is responsible for the day-to-day operation of the Club. This includes correspondence, record keeping, acting on decisions of the Committee and general financial transactions.
- 2.9.2 While not a member of the Committee, the Manager shall be invited to attend all regular meetings and present a report.
- 2.9.3 The Manager shall manage the ongoing operations of the Club under the direction of the Committee. Specific duties are to be agreed as part of the Manager's contract.

3. SUB-COMMITTEES

3.1 General

3.1.1 There shall be the following standing sub-committees, to which at least one member must be appointed (see §1.1.2):

- Congress and social
- Contract and employment
- Finance
- House
- Membership and promotion
- Tournament

3.1.2 The Committee has the power to create *ad hoc* sub-committees as required.

Note: The Committee's power to delegate its functions and powers is wide but not unlimited; see Constitution §19. In particular, its power to delegate is not itself delegable (Constitution §19(1)(a)).

3.1.3 The President is an *ex officio* member of all sub-committees of the Club.

3.1.4 Sub-committees may, unless otherwise resolved by the Committee, co-opt other members of the Club.

3.2 Congress and social

3.2.1 This sub-committee is responsible for the organisation of congress and social events conducted under the auspices of the Club.

3.3 Contract and employment

3.3.1 The sub-committee shall consist of the President, the Treasurer, and at least one other member of the Committee.

3.3.2 This sub-committee is responsible for the appointment of contractors and employees and the supervision of the Manager.

3.4 Finance

3.4.1 The Treasurer shall chair this sub-committee.

3.4.2 The sub-committee shall assist the Treasurer in discharging the duties imposed by the Act, the Constitution, and these by-laws.

3.5 House

3.5.1 This sub-committee is responsible for the maintenance and improvement of Club premises. In this role the sub-committee shall work closely with the Manager.

3.5.2 The sub-committee shall report to the Committee all recommendations involving major expenditure.

3.5.3 The sub-committee shall advise the Committee on policy, terms and conditions on which the building may be hired out, including the scale of charges for each category of hire.

3.6 Membership and promotion

- 3.6.1 This sub-committee is responsible for promoting new membership, for maintaining existing membership and for promoting the Club externally.
- 3.6.2 This sub-committee shall:
- ensure that participants in teaching programs conducted at the Club are contacted and encouraged to continue to participate in Club events;
 - make recommendations to the Committee regarding the attraction and retention of members; and
 - make recommendations and implement programs to ensure that members are aware of pathways available to improve their skills

3.7 Tournament

- 3.7.1 The Tournament Secretary shall chair this sub-committee.
- 3.7.2 This sub-committee shall be responsible for making recommendations to the Committee regarding the Regulations established in §4.4.3, for making supplementary regulations for Club events, and for otherwise assisting the Tournament Secretary in discharging the duties listed in §2.5.
- 3.7.3 Where necessary, this sub-committee shall discharge the functions of the Committee as the Tournament Organiser envisioned by the Laws.

4. EVENTS, REGULATIONS AND FEES

4.1 General

4.1.1 All eligible events conducted by the Club shall be awarded master points in accordance with the masterpoint schemes approved by the ABF.

4.1.2 The Club shall conduct “Club events”, to be determined by the Committee each year, and by agreement with BFACT, a number of “State events” shall be held at the Club.

Note: An “event” includes both regular sessions of bridge and “tournaments” held over one or more sessions.

4.1.3 State events will be conducted in accordance with the format and conditions of entry determined by BFACT.

Note: The Tournament Secretary is responsible for liaising with BFACT, through its Tournament Secretary or otherwise, regarding the scheduling of these events and incorporation into the Club’s calendar. BFACT remains responsible for the operation of these events.

4.2 Entrants

4.2.1 Entrants in Club events are not required to be Club members, unless otherwise determined by the Committee.

4.2.2 All entrants in Club events are bound by any applicable provisions of the Constitution and these by-laws.

4.2.3 Subject to the rights of its members under the Constitution of the Club, the Club may reject the entry of any player or pair to a Club event or to any session or stage thereof.

4.3 Table money and entry fees

4.3.1 Table money in all Club events shall be at a rate determined and promulgated by the Committee.

4.3.2 Table money in State events held at the Club may include an additional entry fee set by BFACT.

4.4 Regulations

4.4.1 All events conducted by the Club, whether alone or in cooperation with other bodies, shall be conducted in accordance with the Laws. Official interpretations of the Laws as issued or adopted by the ABF shall apply. The Committee may designate exceptions for certain novelty events.

4.4.2 All competitors in Club tournaments are deemed to have full knowledge of, and to have accepted, any applicable regulations (including supplementary regulations) as a condition of their entry.

- 4.4.3 The Committee shall make, by resolution:
- regulations for the classification of systems in events conducted by the Club (“System Regulations”)
 - regulations for the operation of tournaments conducted by the Club (“Tournament Regulations”)
 - regulations for the conduct of appeals under §93 of the Laws (“Appeal Regulations”)
- collectively, “the Regulations”.
- 4.4.4 Where the Regulations are in conflict with the Laws, the Laws shall prevail.
- 4.4.5 The Tournament Sub-Committee shall make supplementary regulations (“Supplementary Regulations”) for each tournament conducted by the Club. The Supplementary Regulations may override the Tournament Regulations.
- 4.4.6 Where necessary, the Tournament Sub-Committee or its delegate shall be responsible for, in emergency or unforeseen circumstances, the addition to or modification of the Supplementary Regulations to ensure the efficient and fair conduct of Club events.
- 4.4.7 Any question about the jurisdiction of the Tournament Sub-Committee shall be determined by the Committee, whose decision shall be final.
- 4.4.8 The Chair of the Tournament Sub-Committee shall ensure that current copies of the Regulations are posted on the Club’s website and in the Clubrooms. The Supplementary Regulations for each tournament will likewise be posted on the Club’s website and in the Clubrooms prior to the beginning of the first session.

4.5 Competitive integrity

- 4.5.1 Each competitor in a Club event must act in a manner consistent with the competitive integrity of the event. The Committee may consider alleged breaches of this regulation as a disciplinary matter under §5. In deliberating on such a matter, the Committee shall not find a breach unless it is satisfied that the member deliberately acted in such a way as to damage the integrity of the event.

Note: The following are given as examples:

- a) A competitor may not aim for a worse score in order to achieve a more favourable draw in a later round or stage of an event
- b) A competitor may not aim for a worse score in order to improve another contestant’s results or chances of qualification
- c) A competitor is not prevented by this by-law from adopting any particular strategy in order to attempt to improve their score against their current opponents.

4.6 Pre-dealt boards

- 4.6.1 The security of pre-dealt boards for all tournaments is the responsibility of the designated Tournament Director.
- 4.6.2 The Tournament Director shall supervise printouts of each set of hands. Records of all sets of pre-dealt boards shall be kept in a central location.

4.7 Selection events

- 4.7.1 Where the Club is represented in an event, the players qualifying for those places must be registered members of the Club and must have been regularly participating in events held by the Club for a period of no fewer than 3 calendar months prior to the first stage of the tournament from which the player qualified. In the case of any dispute, the Committee has responsibility for arbitration. Exceptions may be made on application to, and at the discretion of, the Committee.
- 4.7.2 Unless otherwise specified in the supplementary regulations of a tournament, continuation beyond the first qualifying stage constitutes a declaration of availability to represent the Club in the representative event.
- 4.7.3 Selection as a Club representative depends upon subsequent ratification by the Committee, notwithstanding the results of the qualifying tournament.

5. CONDUCT OF MEMBERS

5.1 Scope

- 5.1.1 The power to discipline members for misconduct derives from the provisions of Constitution §9-10, and is also subject to the requirements of the Act.

Note: The Act includes a requirement that the principles of natural justice be followed in resolving disputes between the Club and its members, and between its members.

- 5.1.2 Offences against the Laws come under the jurisdiction of the Director of the session or event. The Committee may consider further disciplinary action in cases where a member is alleged to have acted unethically, or where the failure to comply with the Laws forms a pattern of inappropriate conduct.
- 5.1.3 In considering actions “prejudicial to the interests of the club” (Constitution §9(1)(b)), the Committee may consider any case of misconduct by a member at any bridge event, including those not conducted by or at the Club, and any criminal or civil offence whether or not committed against a member.

5.2 Disciplinary enquiry

- 5.2.1 The Committee must not take disciplinary action against a member without first ensuring that it is satisfied that the member has committed misconduct. The Committee will normally (but does not need to) hold an enquiry into the relevant matters, either on its own motion or upon receipt of a written complaint, in order to so satisfy itself. The Committee may delegate the conduct of such an enquiry to a Disciplinary Sub-Committee.

Note: A complaint may be received from anyone, including the ABF, BFACT, another club, or an individual.

- 5.2.2 If an enquiry is held, the member shall be given notice of the enquiry and the details of the alleged misconduct. The enquiry must provide the member a reasonable opportunity to make written or oral representations, including sufficient time to prepare such representations.
- 5.2.3 The member is entitled to be represented by legal counsel or by an advocate.
- 5.2.4 Only members of the Club are to be present at any hearing of the enquiry, other than the member’s legal counsel or advocate.

5.3 Disciplinary action

- 5.3.1 If the Committee is satisfied that a member has committed misconduct, the Committee may pass a resolution imposing a penalty on the member in accordance with Constitution §9(1).

Note: The standard of proof is “the balance of probabilities”. The strength of the evidence needed to reasonably satisfy the Committee of misconduct, however, will vary depending on the allegations.

Guidance has been given, for example, in *Briginshaw v. Briginshaw (1938) 60 CLR 336*, where Dixon J said:

The seriousness of an allegation made, the inherent unlikelihood of an occurrence of a given description, or the gravity of the consequences flowing from a particular finding are considerations which must affect the answer to the question whether the issue has been proved to the reasonable satisfaction of the tribunal.

- 5.3.2 The Committee, in imposing a penalty, may:
- require that the member make a written apology to another member or to the Club
 - reprimand or warn the member
 - suspend the member from participation in bridge of a certain type or class, such as championship events, for a specified period of time
 - suspend the member from participation in all bridge at the Club for a specified period of time
 - impose a fine on the member
 - require the member to reimburse the Club or another member for any loss due to damage to or theft of property
 - suspend the member from the Club for a specified period of time
 - expel the member from the Club

or a combination of the above.

Note: Constitution §9(1) allows the Committee to impose a penalty “authorised under the by-laws”.

- 5.3.3 The penalty imposed shall be proportionate to the seriousness of the offence, and may take into account the past conduct of the member, including any previous sanctions imposed by the Club, another club, the ABF or BFACT.

- 5.3.4 The Committee shall then proceed in accordance with the requirements of the Constitution.

Note: Constitution §9 requires, among other things, a written notice to the member of the resolution and its basis, and a further opportunity for the member to be heard at a Committee meeting. If the Committee then confirms its resolution, the Constitution allows an appeal to the Club in general meeting (Constitution §10). The Committee’s resolution does not take effect until the completion of the appeals process or the expiry of the time for appeal.

5.4 Register

- 5.4.1 The Secretary shall maintain a register of all disciplinary matters dealt with by the Committee. The register will include a record of all written complaints received by the Committee and a statement about the action taken.
- 5.4.2 The register shall be confidential and relevant material shall be made available only to:
- members of the Committee;
 - members of a Disciplinary Sub-Committee conducting an enquiry under §5.2; or
 - an authorised BFACT or ABF representative for the purpose of any disciplinary proceeding conducted by their respective bodies.
- 5.4.3 The Committee will advise BFACT of all disciplinary penalties imposed on a member of the Club under the disciplinary powers of the Committee. The Committee will also advise the ABF if it considers that the member concerned is likely to compete in an ABF event during the period of any suspension from play imposed by the Committee.

- 5.4.4 If any member of the Club who has been penalised by the Committee under its disciplinary powers comes under the jurisdiction of any other bridge club, the Committee may advise that club of all relevant matters relating to the member's penalty.
- 5.4.5 The Committee may waive, suspend or reduce any disciplinary penalty imposed on a member by the Committee, including those where the Club in general meeting has confirmed the Committee's resolution upon appeal under Constitution §10.
- 5.4.6 The Club may not reduce the impact of any disciplinary penalty imposed on a member of the Club by the ABF or BFACT. The Club may review any such penalty and extend its application. The Club may also review any disciplinary penalty imposed by any other bridge club, in or out of Australia, and extend its application.

6. DRESS CODE

- 6.1 The dress code required by the Canberra Bridge Club is essentially a matter of common sense. Members and staff shall be conscious that they should not dress in any way that might reasonably give offence to another member. Except for more formal occasions, e.g. Christmas parties, Melbourne Cup day, Seniors day, daytime dress may be more casual than night-time wear. Likewise, summertime dress may be more casual than wintertime wear. Notwithstanding, dress should be neat, tidy and clean at all times.
- 6.2 Dress restrictions at the Canberra Bridge Club include but are not limited to:
No brief shorts
No bare shoulders (males only); i.e., for instance, no singlets, no tank tops
No sportswear, i.e. no swimwear, no lycra cycle wear, no body suits, no sports shorts
No bare feet, no rubber thongs, no dirty shoes or boots, no soiled sneakers.
- 6.3 The President of the Canberra Bridge Club is the sole judge of inappropriate dress. An alleged violation of the dress code may be drawn to his attention by any member of the club or any member of staff, or he may act on his own initiative. A first-time violation of the code is not regarded as a serious matter and should be dealt with in an informal conversation between the club President and the member concerned. Repeated violations of the code may be regarded as misconduct and shall be dealt with as provided for by these By-Laws, clause 5.