

# **THE BYLAWS OF THE CANBERRA BRIDGE CLUB INCORPORATED**

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## 1 INTRODUCTION

- 1.1 These bylaws 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 bylaw for a period of time.

Note: Constitution Part 1.9 requires that the bylaws be determined and published by the Committee in writing.

- 1.2 Members of the Canberra Bridge Club (the Association or Club) wishing to ascertain the current status of any bylaw are advised to check with the President or Secretary. Copies of the Club's Constitution and bylaws are available on the Club's website.

- 1.3 In these bylaws:

**ABF** means the Australian Bridge Federation Ltd.

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

**CBC** means the Canberra Bridge Club Incorporated.

**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.

**Laws** means the Laws of Duplicate Bridge as adopted by the World Bridge Federation as amended from time to time.

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

## 2 COMMITTEE PROCEDURES

### 2.1 The first meeting

- 2.1.1 The first meeting of a new Committee must be held not later than four weeks after the annual general meeting.

- 2.1.2 At this meeting, the Committee shall appoint chairpersons for the standing sub-committees listed in clause 4.1.2, including the Youth Coordinator.

Note: Some standing sub-committees are chaired by elected office-bearers of the Club.

- 2.1.3 At this meeting, the Committee shall also appoint the Public Officer. The Public Officer shall hold office until the meeting of the Committee following the next annual general meeting or until removed by the Committee, whichever is the sooner. Should the position of Public Officer become vacant, the Committee shall appoint a Public Officer within the time specified by the Act.

- 2.1.4 The Committee may also appoint, at this or any subsequent meeting, people to undertake the following roles:

- Chief Recorder
- Recorder(s) who may have been nominated by the Chief Recorder

and such other officers as it deems necessary.

## **2.2 Regular meetings**

2.2.1 The Committee may meet, as far as practicable, once during each calendar month.

Note: Constitution §52 requires the Committee to meet at least six times during its term.

2.2.2 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 correspondence sent by any office bearers
- general business
- date and place of next meeting

2.2.3 Any member of the Committee may request the Secretary to include an item on the agenda and the Secretary shall include the item so requested.

2.2.4 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.

## **2.3 Special meetings**

2.3.1 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: A special meeting is an additional meeting which was not scheduled at the time of the last meeting held. Forty-eight hours' notice of all Committee meetings is required by Constitution §53 unless the Committee unanimously agrees on another period.

2.3.2 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.

## **2.4 General**

2.4.1 The quorum, chair and voting arrangements must be as provided for in the Constitution.

2.4.2 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.

2.4.3 The ratified minutes of Committee meetings must be posted on the Club website for the information of Club members (Constitution §57).

2.4.4 Where notices are to be given to Committee members, such notices must be given by the Secretary by written notice, usually by email.

Note: 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.

### **3 COMMITTEE FUNCTIONS**

#### **3.1 President**

- 3.1.1 The President is the Club's principal representative at functions held by the Club and shall chair general meetings and Committee meetings (Constitution §40).

#### **3.2 Vice-President**

- 3.2.1 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 (Constitution §41).

#### **3.3 Secretary**

- 3.3.1 The Secretary must lodge the notice of changes in the Committee mentioned in the Act, section 62 (1).

- 3.3.2 The Secretary shall fulfill the requirements of the Constitution §42 and:

- prepare, in consultation with the President, an agenda for each meeting including the annual general meeting;
- dispatch notices of general meetings to members of the Club;
- dispatch notices of Committee meetings to members of the Committee;
- prepare minutes of each meeting, send a copy of the minutes to members of the Committee and post a copy of the ratified minutes on the Club website; and
- bring to the attention of the Committee items of correspondence.

#### **3.4 Treasurer**

- 3.4.1 The Treasurer shall fulfill the requirements of the Constitution §43 including lodging with the registrar-general (upon request) the documents mentioned in the Act, section 79 (Registrar-general's power to require statements and reports) <sup>1</sup>; and:

- present a financial report at every regular meeting of the Committee;
- ensure 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;
- prepare the Club's financial records for annual audit;
- maintain an asset register, giving details of the Club's major assets;
- present to the Committee each year a budget for future income and expenditure; and
- manage the Club's term deposits.

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<sup>1</sup> Incorporated associations are no longer required to lodge an annual return with Access Canberra. Incorporated associations must still complete an annual statement and keep the following records for at least 7 financial years to be produced on request by the Registrar-General:

- Statements of the association's accounts
- Copies of a reviewer's report
- Copies of an auditor's report
- Compliance statements
- Prescribed document

<https://www.accesscanberra.act.gov.au/business-and-work/associations-co-ops-and-charities/incorporated-associations> Accessed February 2025

### **3.5 Tournament Secretary**

3.5.1 The Tournament Secretary shall fulfill the requirements of the Constitution §44 and is responsible, subject to the directions of the Committee, for organising and scheduling tournaments on behalf of the Club.

3.5.2 The Tournament Secretary is responsible for:

- Reviewing and making recommendations for changes to the Regulations as defined in clause 5.4;
- Preparing and posting Supplementary Regulations for each event held by the Club;
- Where appropriate, reporting to the Committee on irregularities occurring during any event;
- Liaising with BFACT regarding the scheduling of tournaments, as required; and
- Preparing the annual calendar of Club events, to be made available to Club members by mid-December each year.

### **3.6 Youth Coordinator**

3.6.1 The Youth Coordinator, subject to the directions of the Committee, coordinates all youth bridge activities and promotions for the Club and liaises with BFACT on these issues.

### **3.7 Public Officer**

3.7.1 The Public Officer must be at least 18 years of age and be a resident of the Australian Capital Territory. 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 notices with the Registrar-general of Incorporated Associations.

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

- (a) Not later than one month after their appointment, lodge a notice of the appointment (s 59 (1))
- (b) Not later than one month after a change of their address, lodge a notice of that change (s 59 (2)).
- (c) Receive written notices of resignation from committee members and forward them to the Secretary for action (s 64A).

### **3.8 Recorder(s)**

3.8.1 The Constitution Division 1.3.2 outlines the Association's disciplinary arrangements. In addition, as a bridge club, the Committee appoints Recorders who may provide a structured but less formal way of dealing with issues between individuals.

3.8.2 The Chief Recorder and Recorders shall be people 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. This may include a potential breach of clause 4 or 5 of the Member Code of Conduct.

3.8.3 The role of a Recorder is to receive and (in the first instance) assess incidents, complaints, grievances or reports (Reports) regarding potential breaches of clause 4 or 5 of the Member Code of Conduct which are **not** strictly within the normal province of the Director and to maintain a register of Reports (including minor matters).

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

Note: A Director may submit a report regarding observed behaviour by a member which the Director believes may be a breach of the Member Code of Conduct and/or the Laws of Duplicate Bridge.

Note: Incidents which may lead to a report being made to a Recorder include disputes, unsolicited advice and other potential breaches of the Member Code of Conduct.

#### 3.8.4 A Recorder shall:

- Receive oral or written Reports from individual bridge players, Directors or an organisation as to concerns relating to a member's behaviour.

Note: The Recorder shall recognise that a recorder issue is a sensitive matter that must never become common knowledge; accordingly, he or she must consult with as few persons as appropriate. The Recorder may, however, consult with another Recorder and/or the Chief Recorder.

- Document oral Reports.
- If appropriate, consult the Director of the relevant session and the member who is the subject of the Report.
- Acknowledge all Reports.
- Assess and classify the level of seriousness of Reports.
- Refer Reports assessed as serious or very serious to the Chief Recorder.
- Provide timely assessments of all Reports to the Chief Recorder (including minor matters).

In the case of a Report assessed as a minor matter, the Recorder shall:

- Seek to facilitate resolution of the complaint or grievance.
- Where a facilitated resolution of the complaint or grievance is not possible refer the Report to the Chief Recorder (who may refer the Report to the Governance and Ethics sub-committee).
- Advise and inform the parties (as appropriate) that:
  - there is no need for further action, explaining the laws and practices of Bridge as necessary.
  - whilst the incident does not merit further action, repeated instances of such conduct may be regarded as serious misconduct.

Note: A Report may be assessed as minor, serious or very serious. A minor matter is most likely to be a potential breach of bridge etiquette. Repeated minor breaches of the Code of Conduct may be assessed as serious.

#### 3.8.5 The Chief Recorder shall:

- Receive reports from Recorders about complaints that they have received.
- Acknowledge receipt of such reports.
- Assess Reports received from Recorders (or to review and endorse the Recorder's assessment).
- In cases of potentially serious or very serious matters, obtain an account of the incident from the perspective of the subject of a Report and document the account.
- Refer Reports of potentially serious or very serious matters either to the:
  - Governance and Ethics sub-committee; or



- Committee; or
- ABF Legal Counsel. If the Chief Recorder bypasses the CBC Committee, he or she must inform the President and Chair of the Governance and Ethics sub-committee of this action.

Note: Reports which are assessed as minor may be referred to the Governance and Ethics sub-committee by the Chief Recorder.

- Inform affected players of the outcome of a potentially serious or very serious matter, including when closed or when the Report has been referred to another body.
- Maintain a Register of all incidents, complaints, grievances or Reports received. This includes Reports on every matter reported, however trivial, and includes:
  - the subject of the Report's account about the matter; and
  - action(s) taken.

If there is no repetition of "one-off" trivial and/or minor complaints, they shall be struck off the Register after a lapse of 24 months. On the other hand, repetition of complaints originally assessed as "trivial" or "minor" may escalate into the serious category.

The Chief Recorder may also act as a Recorder.

### **3.9 Manager**

- 3.9.1 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 in accordance with the Club's policies including the Expenditure Policy.
- 3.9.2 While not a member of the Committee, the Manager may be invited to attend all regular meetings and present a report.
- 3.9.3 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.

## **4 SUB-COMMITTEES**

### **4.1 General**

- 4.1.1 In general, sub-committees provide advice to the Committee and have no or limited authority. The Committee may delegate a function of the Committee under the Association's rules to a sub-committee, but there are some functions which cannot be delegated (Constitution §39).
- 4.1.2 There shall be the following standing sub-committees, to which at least one member must be appointed (clause 2.1.2):
  - Finance
  - Contract and Employment
  - House
  - Promotion and Social
  - Education
  - Tournament
  - Governance and Ethics

- Youth

4.1.3 The Committee appoints the members of all sub-committees. In addition, the President is an ex officio full member of all sub-committees and may attend all sub-committee meetings.

4.1.4 Sub-committees may, unless otherwise resolved by the Committee, include members of the Club.

## **4.2 Finance**

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

4.2.2 The Treasurer shall chair this sub-committee.

4.2.3 The sub-committee shall:

- assist the Treasurer in discharging their duties imposed by the Act, the Constitution, these bylaws and the CBC expenditure policy;
- make recommendations to the Committee with regard to policies and systems required for the efficient and effective financial management of the Club;
- oversee the administration of the Dudley Donation and the Barry Turner Fund and make recommendations to the Committee with regard to the use of these funds in accordance with Club policies and guidelines; and
- 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.

4.2.4 The sub-committee shall also make annual recommendations to the Committee about the appointment of a person or persons with appropriate expertise to provide advice regarding the investment of the Barry Turner Fund and the appropriate investment strategy for the Barry Turner Fund.

## **4.3 Contract and Employment**

4.3.1 This sub-committee shall consist of the President as chairperson and the Treasurer, and other members as determined by the Committee. It is responsible for the appointment of contractors, employees and volunteer position holders and the supervision of the Manager(s).

4.3.2 The sub-committee shall:

- ensure position descriptions are reviewed regularly;
- make recommendations to the Committee regarding the appointment of contractors, employees and volunteer position holders;
- evaluate the performance of contractors, employees and volunteer position holders; and
- develop policies and procedures to facilitate compliance with Workplace Safety and Employment law and appropriate use of intellectual property.

## **4.4 House**

4.4.1 This sub-committee is responsible for the oversight of the maintenance and improvement of Club premises. This sub-committee shall work closely with the Manager.

- 4.4.2 The sub-committee may request approval for unplanned/urgent expenditure in accordance with the Expenditure Policy.
- 4.4.3 The sub-committee shall provide advice and recommendations to the Committee about the need for maintenance and improvement expenditure which has not been authorised by the Committee.

#### **4.5 Promotion and Social**

4.5.1 This sub-committee is responsible for:

- promoting new membership, for maintaining existing membership and for promoting the Club externally;
- seeking opportunities to add additional value to the membership offer; and
- organising of social events conducted under the auspices of the Club including those associated with tournament and congress events.

4.5.2 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;
- implementing strategies to ensure that members are aware of pathways available to improve their skills; and
- make recommendations to the Committee regarding sponsorship and member benefits.

4.5.3 The sub-committee has the authority to expend funds on behalf of the Club in accordance with the approved annual budget for income and expenditure for the program of social events and for marketing/promotion activities.

#### **4.6 Education**

4.6.1 This sub-committee is responsible for reviewing the education and support programs and making recommendations to the Committee regarding the need for changes to the program to support new and developing players.

4.6.2 This sub-committee shall make recommendations to the Committee regarding:

- existing education programs, including mentoring programs, to provide pathways for members to improve their skills;
- possible changes to the Club's education programs; and
- the use of bridge-related technologies to support members and/or improve the efficiency of Club operations.

#### **4.7 Tournament**

4.7.1 The Tournament Secretary shall chair this sub-committee.

4.7.2 This sub-committee shall be responsible for making recommendations to the Committee regarding the Regulations established in clause 5.4.3, for advising the Tournament Secretary on Supplementary Regulations for Club events, and for otherwise assisting the Tournament Secretary in discharging the duties listed in clause 3.5.

4.7.3 Where necessary, this sub-committee shall discharge the functions of the Committee as the Tournament Organiser envisioned by the Laws.

Note: The Tournament sub-committee is a Club sub-committee and not to be confused with the Tournament sub-committee referred to in the ABF Rules and Regulations.

#### **4.8 Governance and Ethics**

4.8.1 This sub-committee is responsible for the review of the Clubs Constitution, bylaws and Codes.

4.8.2 This sub-committee is responsible for the development and review of the Club's policies and guidelines.

4.8.3 This sub-committee is responsible for leading the development and implementation of strategic direction and risk management.

4.8.4 This sub-committee shall make recommendations to the Committee regarding changes to the Club's governing documents including but not limited to:

- The CBC Constitution
- CBC bylaws
- Code of Conduct (committee)
- Code of Conduct (members)
- Policies

4.8.5 This sub-committee is responsible for receiving Reports referred by the Chief Recorder and conducting a Disciplinary Enquiry on the matter. These Reports will have been assessed by the Chief Recorder as a matter which cannot be resolved easily.

Note: Reports referred by the Chief Recorder to the Governance and Ethics sub-committee are likely to have been assessed as serious or very serious but may include minor matters which have been unable to be easily resolved.

4.8.6 This sub-committee may:

- receive and investigate complaints, grievances or Reports presented by bridge players, Directors or organisations regarding potentially serious or very serious misconduct, or unethical behaviour as defined in clause 6; and
- conduct Disciplinary Enquiries and make findings and recommendations in accordance with clause 6.2.

#### **4.9 Youth**

4.9.1 The Club Youth Coordinator shall chair this sub-committee.

4.9.2 Subject to the directions of the Committee, this sub-committee:

- coordinates all youth bridge activities and promotions for the Club; and
- liaises with BFACT on issues relating to youth bridge.

4.9.3 Following consultation with other appropriate sub-committees, the sub-committee is responsible for planning, and coordination of activities to support members and potential members who are under twenty-six years of age.

4.9.4 Following liaison, the sub-committee shall make recommendations to the Committee regarding:

- the annual program of recruitment activities (to be conducted under the auspices of the Club) designed to increase the number of young bridge players.
- an annual program of fund-raising activities to support young people to develop their bridge skills and/or travel to national or international events.
- social events for young people.
- the use of funds raised to support members aged under 26 years of age.

4.9.5 This sub-committee has the authority to expend funds on behalf of the Club in accordance with the approved annual budget for income and expenditure for youth recruitment and social activities.

## **5 EVENTS, REGULATIONS AND FEES**

### **5.1 General**

5.1.1 All eligible events conducted by the Club shall be awarded masterpoints in accordance with the masterpoint schemes approved by the ABF.

5.1.2 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.

5.1.3 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.

### **5.2 Entrants**

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

5.2.2 All entrants in Club events are bound by any applicable provisions of the Constitution and these bylaws.

5.2.3 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.

### **5.3 Playing Fees - Table Money and Entry Fees**

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

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

### **5.4 Regulations**

5.4.1 All events conducted by the Club, whether alone or in cooperation with other bodies, shall be conducted in accordance with the Laws. Where applicable, ABF Regulations shall

apply as well as ABF interpretations of the Laws. The Committee may designate exceptions for certain novelty events.

5.4.2 All competitors in Club tournaments are deemed to have full knowledge of, and to have accepted, all applicable regulations (including Supplementary Regulations) as a condition of their entry.

5.4.3 The Committee shall make, by resolution, bridge regulations including:

- regulations for the classification of systems in events conducted by the Club (“Systems Regulations”).
- regulations for the standard operation of tournaments conducted by the Club (“Tournament Regulations”).
- regulations for the operation of each tournament conducted by the Club (“Supplementary Regulations”). The Supplementary Regulations may override the Tournament Regulations.
- regulations for the conduct of appeals under §93 of the Laws of Duplicate Bridge (as amended by the ABF).

collectively, “the Regulations”.

5.4.4 Where the Regulations conflict with the Laws, the Laws shall prevail.

5.4.5 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. During the event, the Tournament Director may take whatever action is deemed necessary to keep the session in motion.

5.4.6 The Chair of the Tournament sub-committee shall ensure that current copies of the applicable Regulations are available to players.

## **5.5 Competitive Integrity**

5.5.1 Each competitor in a Club event must act in a manner consistent with the competitive integrity of the event.

5.5.2 The Committee may consider alleged breaches of competitive integrity as a disciplinary matter under clause 6. 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 bylaw from adopting any particular strategy in order to attempt to improve their score against their current opponents.

## **5.6 Pre-dealt Boards**

- 5.6.1 The security of pre-dealt boards for all tournaments is the responsibility of the designated Tournament Director.
- 5.6.2 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.

## **5.7 Selection events**

- 5.7.1 Where the Club is represented in an event, the players qualifying for those places must be registered members of the Club.
- 5.7.2 Selection as a Club representative depends upon subsequent ratification by the Committee, notwithstanding the results of the qualifying tournament.

## **6 CONDUCT OF MEMBERS**

### **6.1 Scope**

- 6.1.1 Members are required to act with competitive integrity and behave in a manner consistent with the Club's Codes of Conduct:
- The Member Code of Conduct, which defines standards and desirable behaviour for Club members.
  - The Code of Conduct Committee, which outlines the requirements for Committee members and appointees.
- 6.1.2 Visitors to the Club are expected to comply with the Association's Member Code of Conduct, including dress requirements.
- 6.1.3 A member's behaviour or actions may be considered misconduct or unethical conduct in certain cases. Misconduct includes violations of the Dress Code as described by clause 6 of the Member Code of Conduct.
- 6.1.4 Failure to comply with clause 5.5.1 and/or clause 6.1.1 may constitute grounds for a Disciplinary Enquiry.
- 6.1.5 The power to discipline members derives from the provisions of Constitution Division 1.3.2 and is also subject to the requirements of the Act.

Note: The grounds for disciplinary action are listed in Constitution §24 (a) and (b) namely "(a) the member has failed to comply with the Act and the Association's Constitution, Codes of Conduct and bylaws, or (b) the member has acted in a way that is likely to be harmful to the Association".

- 6.1.6 The Committee must not take disciplinary action against a member without first ensuring it is satisfied there are sufficient grounds as listed in Constitution §24 (a) and (b).

### **6.2 Disciplinary Enquiry**

- 6.2.1 A Disciplinary Enquiry is an initial step to investigate potential grounds for disciplinary action against a member as outlined in Constitution §24, and is undertaken to provide advice to the Committee about disciplinary matters as outlined in Constitution §25. A Disciplinary Enquiry may also be initiated in a matter related to a non-member, although the Committee's options are more limited in such a case.

6.2.2 A Disciplinary Enquiry is a process conducted by the Governance and Ethics sub-committee which:

- follows an assessment by the Chief Recorder that a person acted or might have acted inappropriately or unethically (i.e., a potentially serious or very serious action) and there appears some chance that a concern is justified; or
- is initiated by a complaint from an outside source relating to a breach of the Member of Conduct; or
- is initiated by a complaint regarding a potential breach of the Committee Code of Conduct.

6.2.3 It is not a requirement that a Disciplinary Enquiry process includes the opportunity to be heard, although written or oral submissions may be considered.

6.2.4 For minor matters, the Disciplinary Enquiry process may attempt to negotiate an outcome acceptable to all parties. Outcomes may include a written apology or formal warning. Any negotiated outcome must be reported to and endorsed by the Committee.

6.2.5 The Disciplinary Enquiry shall make findings and recommendations to the Committee including:

- (a) The matter has been resolved and agreed by all parties to conclude the investigation.
- (b) No further action:
  - There is insufficient information to make a finding; or
  - The complaint is considered to be minor and there are insufficient grounds for a disciplinary penalty; or
  - The complaint is withdrawn; or
  - The complaint is vexatious.
- (c) Disciplinary action against a member.
- (d) Escalation of the matter, including to other bridge organisations or civil or criminal authorities.

6.2.6 Following a recommendation by the Governance and Ethics sub-committee that there are grounds for disciplinary action, the Committee may propose to initiate a Disciplinary Procedure and appoint a decision maker for this purpose.

### **6.3 Disciplinary Action and Disciplinary Procedures**

Disciplinary action may be taken and depends on the severity of the breach of the Act or the Association's Constitution, Codes of Conduct and bylaws. Options for disciplinary action are described in Constitution §22.

6.3.1 If the Committee is satisfied that grounds for disciplinary action exist, the Committee may pass a resolution to impose a penalty in accordance with Constitution §22 or clause 6.3.3.

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.



6.3.2 The disciplinary action imposed shall be proportionate to the seriousness of the offence(s) 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.

6.3.3 The Committee, in imposing a disciplinary action, may:

- (a) demote the member to a level of membership with fewer rights and privileges;
- (b) suspend the member's entitlement to exercise some or all of the member's rights and privileges as a member for a specified period of time;
- (c) suspend the member's membership for a specified period of time;
- (d) cancel the member's membership and disqualifying the member from applying for membership for a specified period of time;
- (e) require the member make a written apology to another member or to the Club;
- (f) reprimand or warn the member;
- (g) suspend the member from participation in bridge of a certain type or class, such as championship events, for a specified period of time;
- (h) suspend the member from participation in all bridge at the Club for a specified period of time;
- (i) impose a fine on the member;
- (j) require the member to reimburse the Club or another member for any loss due to damage to or theft of property; or
- (k) a combination of the above.

Note: A member may appeal a disciplinary action penalty listed in clause 6.3.3 in accordance with Constitution Division 1.3.3.

6.3.4 Once a resolution to take a disciplinary action is passed, the Committee must initiate a Disciplinary Procedure and appoint a decision-maker to make a final decision about the proposed disciplinary action (Constitution §25).

6.3.5 When the member makes an oral submission to the decision-maker (Constitution §28), the member is entitled to be supported by a support person at the meeting.

6.3.6 The Disciplinary Procedure process and potential disciplinary actions are described in Division 1.3.2 of the Constitution.

6.3.7 Following completion of the Disciplinary Procedure by the decision-maker (Constitution §26 to §31) and any appeal (Constitution Division 1.3.3), the Committee will advise BFACT of all suspensions or membership cancellations imposed on a member of the Club. 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.

6.3.8 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.

6.3.9 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.

## **6.4 Register**

6.4.1 The Chief Recorder shall maintain a register of all disciplinary matters dealt with by the Committee. The register will include a record of all written Reports received and a statement about the action taken.

6.4.2 The register shall be confidential, and relevant material shall be made available only to:

- members of a Governance and Ethics sub-committee conducting a Disciplinary Enquiry under clause 6; or
- a decision-maker appointed under the Constitution §26; or
- an authorised BFACT or ABF representative for the purpose of any disciplinary proceeding conducted by their respective bodies.

6.4.3 Deidentified member data from the Register may be made available to the Committee for analysis, upon request by the Committee.

## **7 MEMBERSHIP APPLICATIONS**

### **7.1 Receipt of Applications**

7.1.1 A Membership Application must be received in writing (including email) in the form described in Constitution Part 8, Form 1.

Note: Although Constitution §4 does not specify date of birth as part of an application to be a member, date of birth is requested for validation of entries to bridge tournaments and calculation of membership subscriptions.

7.1.2 The Committee may reject an application if it is aware that the applicant is or has been suspended from another bridge club.

Note: The power to reject an application for membership derives from the provisions of Constitution §5.

### **7.2 Classes of Membership**

7.2.1 The Association shall have the following classes of membership (Constitution §8):

#### **i. Ordinary member**

Note: An ordinary member may be an applicant who is a member of another ABF Club. For administrative purposes, this membership may be designated as Full (Away), Concession (Away) or Distance (Away).

#### **ii. Honorary life member**

#### **iii. Life member**

#### **iv. Temporary member**

Note: A temporary member may be:

- An applicant who is accepted as a non-playing member of the CBC.
- An applicant who is accepted for a time-limited period.

7.2.2 The annual membership fee is payable on or before the 31 December each year (Constitution §7(6)). Members who do not pay the annual membership fee by the due

date are considered lapsed members and as such not entitled to receive member benefits. Lapsed members (non-financial members) may not vote at general meetings.

7.2.3 A grace period of one month until 31 January is given with respect to table money and tournament fees. From 1 February each year lapsed members will be charged session entry fees at visitor rates.

7.2.4 A lapsed member may rejoin the Club and will be required to pay a joining fee if the period of lapsed membership is greater than 6 months. That is, no joining fee is required if the member rejoins the Club by 30 June in the year following the most recent 31 December due date for annual subscriptions.

## **8 DISPUTES**

8.1 Constitution Division 1.3.1 sets out the dispute resolution procedure for dealing with a dispute between:

- (a) a member and another member; or
- (b) a member and the Committee.