

## **ENGLISH CHESS FEDERATION**

### **BYE LAW NO. 1 THE DIRECT MEMBERS BYE LAWS**

Made by the Council of English Chess Federation on 16<sup>th</sup> July 2005 and amended on 22<sup>nd</sup> October 2005, 8<sup>th</sup> August 2005, 24<sup>th</sup> June 2006, 21<sup>st</sup> October 2006, 16<sup>th</sup> October 2010, 15<sup>th</sup> October 2011 and 13<sup>th</sup> October 2012 in pursuance of Article 76 of the Articles of Association of English Chess Federation.

**WHEREAS** the Articles of Association of English Chess Federation in Article 1.1 define "the Direct Members Bye Laws" as "the Bye Laws regulating the categories, admission and conditions of membership of Direct Members and the procedure for electing Direct Members' Representatives." and define Direct Members' Representatives as "the Direct Members' Representatives elected to the Council pursuant to Article 12".

**AND WHEREAS** Article 4 (4) provides that a member shall cease to be a member "in any case, if any subscription or membership fee due to the Company remains outstanding for more than three months unless the Board otherwise determines."

**AND WHEREAS** Article 5 (14) defines "Direct Members as "currently being Honorary Life Vice-Presidents; Platinum Members; Gold Members; Gold Concessionary Members; Silver Members; Silver Concessionary Members; Bronze Members; Bronze Concessionary Members and also such persons who are Life Members and Honorary Life Members or such other categories of Direct Members as may from time to time be established under the Direct Members Bye Laws, provided that Direct Members are not required to be members of the Company"

**AND WHEREAS** Articles 10-14 provide as follows:

- "10. Direct Members shall be admitted to membership by the Board in accordance with the Direct Members Bye Laws.
11. Membership Fees for each category of Direct Members shall be as stipulated in the Direct Members Bye Laws and for the year 2013/14 and each subsequent year the Finance Council shall determine the same annually in accordance with Article 17(5) except for Life Members, Honorary Life Vice-Presidents and Honorary Life Members who shall pay no Membership Fee.
12. Direct Members shall elect a maximum of ten Direct Members' Representatives in categories to serve on the Council for a period from the end of the next following Annual General Meeting of Council to the end of the next Annual General Meeting of Council after that in accordance with the Direct Members Bye Laws. Such Direct Members' Representatives shall cease to be Direct Members' Representatives if they do not remain Direct Members in the category in which they have been elected throughout their period of office.
13. When vacancies arise for Direct Members' Representatives the Board shall have the power to appoint replacement Direct Members' Representatives to the vacant posts to serve until the end of the next Annual General Meeting of Council.

15. Subject to compliance with the Financial Bye Laws all reasonable expenses incurred in acting as a Direct Members' Representative shall be reimbursed on written request to the Director of Finance."

**AND WHEREAS** Article 17 provides that a Finance Council shall be held in July of each year at which certain business shall be transacted and that business includes in Article 17(5) "Determination of the Membership Fee for each category of Direct Member for the year commencing 1 September next, or such other date as Finance Council may determine."

**AND WHEREAS** Article 25 provides that "At any General Meeting a resolution put to the vote of the meeting shall be decided on a show of hands unless a poll is (before or on the declaration of the result of the show of hands) demanded: (1) by the chairman; or (2) by twenty members entitled to vote present in person or by proxy."

**AND WHEREAS** Article 29 provides that "The Poll pursuant to Article 25 shall be determined as follows: "In respect of the Direct Members' Representatives one vote each."

**AND WHEREAS** Article 76 gives power to the Council to make Bye Laws including in respect of the Direct Members Bye Laws

## **1. Definitions.**

In these Bye Laws the expressions defined in the Articles shall have the meanings therein ascribed to them and:

"Bronze Concessionary Members" means Bronze Concessionary Members who become Direct Members of the Company pursuant to Article 5(14) on or after 1<sup>st</sup> September 2012 who fulfil the following criteria namely who are aged under 18 years at the previous September 1st of the date of admission to membership or the annual renewal thereof.

"Bronze Members" means Bronze Members who become Direct Members of the Company pursuant to Article 5(14) on or after 1<sup>st</sup> September 2012.

"Direct Members" has the meaning defined in Article 5(14).

"Direct Membership Officer" means the officer appointed by the Board to administer the Direct Membership of the Company.

"Gold Concessionary Members" means Gold Concessionary Members who become Direct Members of the Company pursuant to Article 5(14) on or after 1<sup>st</sup> September 2012 who fulfil the following criteria namely who are aged under 18 years at the previous September 1st of the date of admission to membership or the annual renewal thereof.

"Gold Members" means Gold Members who become Direct Members of the Company pursuant to Article 5(14) on or after 1<sup>st</sup> September 2012.

"Honorary Life Members" means the Honorary Life Members of the British Chess Federation who become Direct Members of the Company or who are appointed by the Council.

“Honorary Life Vice-Presidents” means the Honorary Life Vice-Presidents of the British Chess Federation who become Direct Members of the Company or who are appointed by the Council.

“Life Members” means the Life Members of the British Chess Federation who become Direct Members of the company. This category is closed to new admissions.

“Platinum Members” means Platinum Members who become Direct Members of the Company pursuant to Article 5(14) on or after 1<sup>st</sup> September 2012.

“Silver Concessionary Members” means Silver Concessionary Members who become Direct Members of the Company pursuant to Article 5(14) on or after 1<sup>st</sup> September 2012 who fulfil the following criteria namely who are aged under 18 years at the previous September 1st of the date of admission to membership or the annual renewal thereof,

“Silver Members” means Silver Members who become Direct Members of the Company pursuant to Article 5(14) on or after 1<sup>st</sup> September 2012.

## **2. Membership Fees**

The Membership Fees are determined in accordance with Articles 11 and 17(5).

The current membership fees are as follows:

Honorary Life Vice Presidents and Honorary Life Members pay no fee and are entitled to the same rights as Platinum Members

Life Members pay no fee and are entitled to the same rights as Gold Members

Bronze Members pay a fee of £ 13 for 2012/13

Bronze Concessionary Members pay a fee of £ 9 for 2012/13

Silver Members pay a fee of £ 19 for 2012/13

Silver Concessionary Members pay a fee of £ 13 for 2012/13

Gold Members pay a fee of £ 28 for 2012/13

Gold Concessionary Members pay a fee of £ 22 for 2012/13

Platinum Members pay a fee of £ 60 for 2012/13

All Membership Fees shall cover the period from 1<sup>st</sup> September until 31<sup>st</sup> August in the following year (subject to the discretion of the Direct Membership Officer to extend the period of membership for a new member who has joined so as to play in the British Championship to cover that event and the period thereafter to 31<sup>st</sup> August in the following year) and any Direct Member whose existing membership expires after 31<sup>st</sup> August 2012 and whose category of membership is closed as from that date shall be entitled to a reduction in his or her new equivalent membership category from the date of such expiry until the following 31<sup>st</sup> August in accordance with guidance published by the Board on the ECF Website.

The Board is empowered to offer a discount of £1 in each category of membership for payment online

### 3. Membership Benefits

Benefit		Bronze	Silver	Gold	Platinum
Participation in graded competitions	Club events	✓	✓	✓	✓
	Leagues	✓	✓	✓	✓
	County events	✓	✓	✓	✓
	Congresses (excl. FIDE-rated)		✓	✓	✓
	FIDE-rated events			✓	✓
Eligibility for inclusion in the ECF Grand Prix			✓	✓	✓
Cost of annual FIDE rating registration fee (€1) included with membership				✓	✓
Cost of per-event FIDE rating fee (£1.50) for Swiss system events and leagues (i.e. excluding all-play-all events) included with membership				✓	✓
ECF Yearbook		<i>Available at a discounted price</i>			✓
15-month ECF Diary		<i>Available at a discounted price</i>			✓

In addition Bronze Concessionary Members, Silver Concessionary Members and Gold Concessionary Members will be offered a free Certificate of Merit Credit.

### 4. Admission to Membership

Direct Members shall be admitted by the Board to membership of the Company in the appropriate category on the recommendation of the Direct Membership Officer.

### 5. Election of Direct Members' Representatives

5.1 The Direct Members shall be grouped into the following categories for the purpose of electing the Direct Members' Representatives:

- (a) Honorary Life Vice Presidents, Honorary Life Members and Life Members;
- (b) Gold Members and Gold Concessionary Members.
- (c) Silver Members and Silver Concessionary Members..
- (d) Bronze Members and Bronze Concessionary Members
- (e) Platinum Members.

5.2 Each of the five categories in 5.1 shall be entitled to elect two representatives.

5.3 Nominations for the Direct Members' Representatives shall be sought among the five categories in 5.1. If there are more than two nominations in any category a first two past the post postal election shall be held in that category in accordance with instructions issued by the Board from time to time.

6 The Company is hereby empowered to enter into Agreements with a Constituent Unit or a County Association or a Chess League in the form set out in the Schedule

**The Schedule**

Framework Agreement for Scheme entered into by the Company with a Constituent Unit or a County Association or a Chess League (“the MO”)

THIS AGREEMENT is made the \_\_\_\_\_ day of \_\_\_\_\_ 2012

BETWEEN

(1) ENGLISH CHESS FEDERATION whose registered office is at The Watch Oak, Chain Lane, Battle, East Sussex TN33 0YD (“ECF”)

(2) ..... (“MO”)

Acting by its ..... (Officer) Mr/Mrs/Ms .....

Of (address) .....

.....

WHEREAS

(1) The Direct Members Bye Laws of ECF authorise ECF to enter into Membership Agreements with Constituent Units, Counties and Leagues.

(2) The purpose of such Membership Agreements is to make ECF Membership available to members of MO in consideration of MO using its best endeavours to ensure all its members, members of clubs in membership to it and all participants in its competitions become ECF Direct Members.

(3) ECF and MO have agreed to enter into this Agreement on the terms hereinafter stipulated.

NOW IT IS HEREBY AGREED as follows:

1. In this Agreement the expressions defined in the Articles of Association, the Direct Member Bye Laws and the Game Fee Bye Laws shall have the meanings therein ascribed to them.

2. This Agreement shall commence on the date hereof and shall continue until terminated by either party by written notice to the other party given on or before 1st March in any year and if such notice is given this Agreement shall continue in effect until 31st August following the giving of the notice.

3. MO shall use its best endeavours to ensure that all its members, members of clubs in membership to it and all participants in its competitions shall become ECF Direct Members.

4. ECF will waive Game Fee for games played by ECF Direct Members in accordance with their respective level of membership as set out in the table in the Schedule hereto.
5. The benefits and current membership fees for the categories of Direct Membership of ECF are as set out in the Schedule hereto as at 1<sup>st</sup> September 2012 and thereafter as stipulated in accordance with the Direct Member Bye Laws from time to time.
6. MO as agent for ECF shall collect and account for the membership fees for ECF Direct Members by 31st October in every year at the rates current at the time of payment and shall submit to ECF by such date details of such members in an electronic format compatible with ECF office systems as stipulated from time to time by ECF. MO shall be entitled to deduct a £1 discount on each membership for prompt payments made by such date for the year commencing on the preceding 1st September. Details of new members after 31st October shall be forwarded to ECF on a weekly basis so that the relevant information can be forwarded to Congress Organisers. Membership fees for such new members shall be accounted for at the end of each following quarter but shall not be eligible for discount.
7. MO may delegate to clubs affiliated to it the right to collect and account for the membership fees for ECF Direct Members in respect of that club's members by 31st October in every year at the rates current at the time of payment and to submit to ECF by such date details of such members in an electronic format compatible with ECF office systems as stipulated from time to time by ECF. The clubs shall be entitled to deduct a £1 discount on each membership for prompt payments made by such date for the year commencing on the preceding 1st September. Details of new club members after 31st October shall be forwarded to ECF on a weekly basis so that the relevant information can be forwarded to Congress Organisers. Membership fees for such new members shall be accounted for at the end of each following quarter but shall not be eligible for discount.
8. ECF will allocate the membership numbers and advise the Direct Members of them where it has the requisite information to do so and in the absence thereof shall notify the MO.
9. MO shall maintain proper accounting records which identify the monies collected by MO and where applicable by its clubs as agent for ECF which shall be open to inspection by ECF on reasonable notice.
10. MO shall register any graded events which it proposes to organise in accordance with the Game Fee Bye Laws
11. MO shall submit the results of any registered graded events in an electronic format and by deadlines both as stipulated from time to time by the Director responsible for Grading.
12. MO shall account for Game Fee for non members within 30 days of receipt of an invoice from ECF following the submission of the results of its registered graded results.
13. The calculation of votes for MO at General Meetings of ECF pursuant to Article 31 of the Articles of Association shall include the relevant payments for Game Fee received from MO and its clubs pursuant to clause 7 hereof as well as any payments assigned to MO by clubs or other non-member organisations.

14. ECF shall keep the information referred to in clauses 6 and 7 in secure conditions in accordance with its obligations under its Data Protection Registration and shall only use such information for the purpose of communicating with and providing services to its Members and for such other purposes to which such Members shall expressly consent.

15. MO shall act as agent for ECF in collecting and forwarding to ECF the information referred to in clauses 6 and 7 and shall keep the same or procure that the same is kept in secure conditions and shall not use the same for any purpose whatsoever except for publication of limited information identifying the names and ECF membership numbers of members of the MO.

16. Notices served hereunder shall in the case of ECF be delivered to its registered office addressed to the Chief Executive and in the case of MO shall be addressed to the address set out above or any other address notified to ECF for such purpose.

#### The Schedule

The benefits and current membership fees for the categories of Direct Membership of ECF as at the date of entry into the Agreement