

ENGLISH CHESS FEDERATION

BYE LAW NO. 2

THE GAME FEE BYE LAWS

Made by the Council of English Chess Federation on 22nd April 2017 in pursuance of Article 86 of the Articles of Association of English Chess Federation, and entirely superseding those made on 16th July 2005 and subsequently amended.

WHEREAS the Articles of Association of English Chess Federation in Article 1.1 define the “Game Fee Bye Laws” as “ the Bye Laws which regulate the administration of graded games, the liability for and collection of Game Fee (including discounts for prompt payment), the waiver of Game Fee and the assignment of Game Fee payments by clubs and other non-member organisations to Full Members for the purpose of the calculation of multiple votes pursuant to Article 30.” and define “Game Fee” as “ the Game Fee established respectively for result established pursuant to Article 18 where each graded game will comprise two results and Game Fee shall be payable for each result (all of which terms are defined in the Game Fee Bye Laws).”

AND WHEREAS Article 5(3) and 5(4) give power to the Board to admit Chess Leagues and Chess Congresses to membership of the English Chess Federation.

AND WHEREAS Article 8(1) provides that “The Membership Fee to be paid by each Constituent Unit, County Association, Chess League, Chess Congress and Other Organisation shall be based upon the greater of

- (a) the Game Fees payable or deemed to be payable (where the liability for Game Fee has been waived) in respect of the number of graded results from events organised by that body in accordance with the Game Fee Bye Laws or
- (b) a minimum Membership Fee of £50 per annum or at such rate determined from time to time by the Finance Council.”

AND WHEREAS Article 8(2) provides that “Membership Fees shall be payable in accordance with the Game Fee Bye Laws or as determined from time to time by the Finance Council where there are no relevant graded results and in the latter case shall be payable on 30th November in each year unless otherwise agreed by the Director of Finance.”

AND WHEREAS Article 9 provides that “For the year 2006/07 and each subsequent year the Finance Council shall determine annually the Game Fee.

AND WHEREAS Article 18 provides that a Finance Council shall be held in April of each year at which certain business shall be transacted and that business includes in Article 18(2) “Determination of the Game Fee(s) for the year commencing 1 September next, or such other date as Finance Council may determine and the provisions of Articles 26 and 30 shall apply to the vote for the same.”

AND WHEREAS Article 26 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 30 provides that “The Poll pursuant to Article 26 shall be determined as follows:

- (1) In respect of Full Members in the divisions of members within Articles 5.1 to 5.5 whose Membership Fee is calculated in accordance with the Game Fee Bye Laws by the casting of multiple votes as follows:

for payment or deemed payment for 1-1,000 Standard graded results: 1 vote

for payment or deemed payment for 1,001-2,000 Standard graded results: 2 votes

for payment or deemed payment for 2,001-3,000 Standard graded results: 3 votes

for payment or deemed payment for 3,001-4,000 Standard graded results: 4 votes

and so forth in multiples of 1,000 Standard graded results. Rapidplay graded results will be calculated at one half the rate for Standard graded results for the purpose of multiple voting entitlements

AND WHEREAS Article 31 provides that “The calculation of votes under Article 30(1) for each Full Member shall be based upon the relevant payments received (including Game Fee payments assigned by clubs or other non-member organisations) and deemed payments (where liability for Game Fee has been waived) in respect of that Full Member in the reference period of 12 months prior to the closing of the Agenda for the Council Meeting in question (which may be extended to 15 months where the dates of annual events have been varied but not so as to produce a calculation greater than the annual equivalent). A relevant payment shall be monies received, before the deduction of any discount, and shall not include payments for events pre-dating the reference period, nor payments which are apparent duplicates of events held on a cyclical basis.”

AND WHEREAS Article 32 provides that

(1) If a poll is demanded to determine the Game Fee pursuant to Article 18 persons voting shall cast their votes for the Game Fee for Standard graded games which they favour. The Game Fee of that vote which is the median vote of all votes cast shall be the duly determined Game Fee for Standard graded games. The chairman of the meeting shall exercise a casting vote if the median lies between two Game Fee figures.

(2) The provisions of this Article shall also apply to resolutions deciding the Game Fee for Rapidplay graded games; for graded games submitted by clubs and for graded games played between junior players under the age of 18 years in solely junior events

(3) Unless the Finance Council specifically resolves otherwise, the Game Fee for Rapidplay graded games shall be one half of that for Standard graded games (in case of fractions of a penny rounded to the next higher whole penny).

AND WHEREAS Article 86 gives power to the Council to make Bye Laws including in respect of the Game Fee Bye Laws.

1. Definitions.

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

“the designated officer means the officer appointed by the Board to administer the Game Fee Bye Laws

“the Federation” means English Chess Federation.

“Rapidplay grading results” means results from games where either all the moves must be made in a total fixed time from at least 15 minutes to less than 60 minutes or the time allotted + 60 times any increment is from at least 15 minutes to less than 60 minutes.

“Standard grading results” means results from games where each player has more time than the maximum defined above for Rapidplay.

2. Scope of the Game Fee Bye Laws

The Game Fee Bye Laws shall regulate:

2.1 the criteria for the admission to membership of Chess Leagues and Chess Congresses, and

2.2 the administrative procedures relating to Game Fee.

3. Membership of Chess Leagues and Chess Congresses

3.1 The Board may delegate the power to admit Chess Leagues and Chess Congresses located in England and in British Overseas Territories and Crown Dependencies to membership of the Federation to the designated officer, provided always that no vote at Council shall be thereby acquired until the Board has ratified such membership.

3.2 In approving such membership the Board and the designated officer shall satisfy themselves that the applicants are autonomous organisations or events and are not component parts of a larger chess body. Applications from a series of chess congresses organised by the same body shall be treated as an application from one Chess Congress.

4. Membership Fees

4.1 Eligibility for Standard play and Rapidplay grading shall be determined from time to time by the Director responsible for Grading, who shall have due regard to the FIDE Laws of Chess then current.

4.2 A game of chess played will comprise two results for grading purposes and Game Fee shall be payable for each result. Payment shall be refunded on request in respect of grading results paid for but not played, e.g. involving a default.

4.3 Each organisation paying a Membership Fee or submitting games for ECF grading or FIDE rating shall register any graded/rated events which it proposes to organise. Registration will be effected by submitting such details to the designated officer by such date as the Board may from time to time prescribe. Events that are not registered within the deadline set will only be graded and/or rated with the permission of the Board.

4.4.1 Game Fee payable by a Member Organisation that has entered into a Framework Agreement with the ECF under the Membership Bye Laws in respect of the results of non-members, shall be payable within 30 days of the receipt of an invoice from the ECF following the submission of the results of its registered graded events.

4.4.2 Game Fee payable by any other organisation shall be payable within 30 days of the conclusion of each event in respect of which it is incurred.

4.4.3 The dates may by prior arrangement be varied in specific cases by the designated officer who shall keep a record of all such variations.

4.5.1 The Game Fee payable by an organisation in respect of every player in a congress which is submitted to FIDE for rating who is not a Direct Member and for each Bronze or Silver Member and each Bronze or Silver Concessionary Member shall be £10 per player, or such other figure as agreed annually by Finance Council, the Game Fee for Gold Members, Gold Concessionary Members and Platinum Members being waived. Such payment shall be treated as an upgrade of each Silver Member's and Silver Concessionary Member's membership to Gold Member and Gold Concessionary Member respectively.

4.5.2 The Game Fee payable by an organisation in respect of every player in a congress which is not submitted to FIDE for rating who is not a Direct Member and for each Bronze Member and Bronze Concessionary Member shall be £7 per player, or such other figure as agreed annually by Finance Council, the Game Fee for Silver Members, Silver Concessionary Members, Gold Members, Gold Concessionary Members and Platinum Members being waived. Such payment shall be treated as an upgrade of each Bronze Member's and Bronze Concessionary Member's membership to Silver Member and Silver Concessionary Member respectively.

4.5.3 The Game Fee payable by an organisation in respect of every player in a league or internal club competition who is not a Direct Member shall be the appropriate adult or junior bronze membership fee for

each such player who has played four or more standard play games in the relevant league or

competition during the season to which the submission applies, and will be waived for each player who has played fewer than four standard play games during that period. For the purposes of this clause two rapidplay games shall be counted as equivalent to a single standard play game.

4.6 The payment of Game Fee is hereby waived in respect of games played by Direct Members in competitions organised by the Federation (including the British Championships, the National Club Championships and the National Stages of the Counties Championship) and competitions registered pursuant to 4.3 hereof

4.7 The Board shall have power to waive or reduce the membership requirements or payment of Game Fee in respect of specified categories of chess competition and/or specified categories of person and if it does so shall so advise the designated officer who shall maintain a list of such waivers on the ECF website.

4.8 The Board shall have the power to offer discounts for prompt payment of Game Fees.

4.9 A club or other non-member organisation liable for Game Fee may elect to assign the payment it makes or deemed payment for which it is liable to any Full Member organisation of the Federation and for the purposes of this Bye Law such assigned payments shall be treated as if they had been made by such Full Member organisation. In the absence of an explicit election the payment or deemed payment shall be treated as having been made by the Full Member Organisation which submits the relevant games for grading purposes.

4.10 Deemed Game Fee payments in respect of Full Member Organisations shall be calculated on the basis of the games played in the respective competitions organised by or played under the jurisdiction of such Organisations as submitted for grading purposes.

5. The Federation's Obligations

The Federation will use all its best endeavours to grade the results of games submitted under the Game Fee Bye Laws by Full Member organisations of the Federation and in respect of any club or other non-member organisation where a liability to pay Game Fee has been entered into provided the results for the same are submitted by deadlines stipulated from time to time by the Director responsible for Grading. No liability is accepted by the Federation for errors or omissions in the Grading Lists published from time to time but corrections will be published in accordance with criteria determined from time to time by the Director responsible for Grading.