



BRITISH FENCING

BYE-LAWS OF THE BRITISH FENCING ASSOCIATION

(Amended 26.10.1996; 27.09.2003; 11.09.2004; 17.05.2009; 26.06.2010; 17.07.2011)

I. GENERAL

1. The definition of words and expressions contained in the Association's Articles of Association shall where the context so permits apply to these Bye-laws.

II. TERMS OF MEMBERSHIP AND AFFILIATION

1. The benefits for registered members and clubs and the fees payable are as set out and published by the Board.

2. The classes of membership and annual subscription are as set out and published by each Home Country.

3. The benefits of affiliation for all affiliated clubs are as follows:

(a) The right to appoint a Delegate to vote at general meetings in accordance with Article 22.

(b) The right to receive one notice per club of each general meeting.

(c) The right to receive one copy per club each year of the Annual Report, and one copy of each issue of The Sword published each year.

(d) The right to enter any competition which as a condition of entry requires that competing clubs are affiliated to the Association.

(e) The right for members of the club to enter any competition which as a condition of entry requires that the individuals competing are members of an Affiliated Club.

(f) The right to receive insurance for public liability on the terms of the Association's block public liability policy which shall be agreed by the Directors in their sole discretion from time to time.

4. On payment in full of the relevant annual affiliation fee to a person duly authorised to receive it, a club shall be entitled to the benefits available to Affiliated Clubs (if any).

5. Immediately on payment in full of the relevant annual subscription to a person duly authorised to receive it a person eligible to be a Member shall be entitled to the insurance benefits available to Members (if any).

III. COMPETITIONS

1. All open fencing competitions shall be held under the Association's Rules for Competitions.

2. Every Member, Affiliated Club and Associated Body agrees to be bound by the Association's Rules for Competition.

IV. HONOURS

1. The Honours committee is empowered:

(a) to award BFA Gold, Silver and Bronze medals to such persons as it thinks fit:

(b) to award BFA Certificates to such persons as it thinks fit; and

(c) to appoint such of the following Honorary Officers as it thinks fit:

(i) An Honorary President of the Association

(ii) An unlimited number of Associate Vice-Presidents of the Association.

(iii) An unlimited number of Vice-Presidents of the Association.

2. The following are the officers and members of the Honours Committee ex officio:

Chair - The President of the Association

Secretary - The Secretary of the Association

Other Members - The Immediate Past-President and the Vice-Presidents of the Association.

3. The decisions of the Honours Committee shall be reported to the Directors and to the annual general meeting for information only.

V. DISQUALIFICATIONS AND REINSTATEMENT

1. Any person who:

- (i) being a British subject, purports to compete as a national representative at any fencing competition without the express consent of the Association; or
- (ii) knowingly competes against anyone who is under sentence of disqualification or suspension; or
- (iii) is, in the opinion of the Board, guilty of conduct prejudicial to fencing and/or the Association; or
- (iv) without holding a British Fencing Licence does anything for which the holding of such a licence is obligatory may be disqualified, suspended or otherwise dealt with as the Directors think fit.

2. The Directors shall have power, in their absolute discretion, to reinstate any person, who shall have been disqualified, suspended, or otherwise dealt with, within the meaning of these Bye-laws.

VI. ELECTION OF BFA DIRECTORS

1. Procedure

(a) The ballot shall be held within the timetable stipulated in the Articles.

(b) (i) The Board shall, in respect of each year's ballot, select a date ("**the Qualifying Date**") as the date at which a Member must be a Qualifying Voting Member in order to be eligible to vote in the ballot.

(ii) The Qualifying Date shall be not more than three months and not less than twenty working days before the Closing Date to be established under Bye-law VIII.5.

(iii) The Nomination Date and the Job Description(s) shall be announced/published in 'The Sword' magazine published most recently before the Nomination Date, and/or on the BF website, and/or in such other way as the Board may decide.

(c) Ballot papers shall be sent to all Qualifying Voting Members.

(d) All ballot papers shall be dispatched by no later than five working days after the Qualifying Date to those entitled to receive them.

(e) The ballot shall be conducted by a system of single transferable vote approved by the Board. The Board may appoint the Electoral Reform Society or other suitable body to deal with all or any of the administrative aspects of the election, including (but not limited to) the dispatch of the voting papers, the reception of completed voting papers, the counting of the votes and computation of the results, and the announcement of the results, and the Board may agree a fee to be paid to such organisation for its work.

(f) Save in the case of a special election to elect a new President there shall be separate ballots for the election of the President, of the Honorary Treasurer, and of the Directors nominated to fill the vacancies occurring upon the retirement of Directors under Article 31.

2. Nominations

All candidates for election must have been validly nominated.

The conditions for making valid nominations are:

(a) Nominations must be made by either:-

- (i) not less than 15 paid-up Members who are eligible to vote at general meetings; or
- (ii) the Board;

(b) No person or body shall nominate more than one candidate per vacancy, and Home Country Presidents and Treasurers shall not be eligible for nomination.

(c) Any Member over the age of 18 and, subject to there being at least one vacancy for a person who is exempt from being a Member, any person over the age of 18 not eligible to be a member may be nominated (see 3), except that:-

(i) only Members may be nominated for election as President or Honorary Treasurer; and

(ii) the nomination of any person eligible to be a Member will be valid only if such person is a fully paid-up Member on the date of the nomination.

(d) Each nomination must be made on an official Nomination Form and must incorporate an official Details of Candidate Form. In the case of a nomination made by the Board, the Nomination Form shall require only the signature of the President, or failing him another Director (not being the nominee) appointed by the Board for the purpose, in place of the signatures of 15 members.”

(e) (i) The Nomination Forms including the Details of Candidate Form shall be in a form approved by the Board. The Nomination Form, including the Details of Candidate Form, must be duly completed in accordance with the instructions contained in those forms and in the instructions for nomination of directors mentioned in paragraph (e)(ii) below.

(ii) A Nomination Form including a Details of Candidate Form shall be sent promptly to any Member who, by not later than five working days before the Nomination Date fixed under paragraph (f) below, has requested one in writing from the BF Head Office and shall be accompanied by instructions for the nomination of Directors in a form approved by the Board or by the EO.

(f) (i) The Board shall fix the date ("**the Nomination Date**") by which completed Nomination Forms must be received by the BF Head Office.

(ii) The Nomination Date and the Job Description shall be announced/published in "The Sword" magazine published most recently before the Nomination Date, and/or on the BF website, and/or in such other way as the Board may decide.

(iii) There must be a period of at least one month between the date on which the Nomination Date is published or announced and the Nomination Date. The Nomination Date shall be not less than [10] working days before the Qualifying Date

(g) Each duly completed, signed, Nomination Form including the Details of Candidate Form must be received by the BF Head Office on or before the Nomination Date.

4. Declaration of results of a ballot

(a) The names of the persons in each ballot (being such number as is necessary to fill the available vacancies or to fill as many of the vacancies as there are candidates) who shall individually have polled the most votes shall be declared elected at the next following annual general meeting and they shall be deemed elected on and from the conclusion of such meeting, save that a new President elected by way of special election under Article 29 shall be deemed elected on and from the fifth working day after written notification of the result of the ballot has been sent to all the candidates under paragraph (b) of this Bye-law.

(b) Written notification of the result of the ballot shall be sent to all candidates within five working days of the result of the ballot being known to the BF Head Office.

5. Ballot Paper

(a) The ballot paper dispatched to Members must include or be accompanied by:

(i) in respect of each valid nomination, the information contained in the Details of Candidate Form (except for the candidate's signed confirmation at the end of the form);

(ii) a statement of the conditions to be met if the ballot paper is to be counted as valid; and

(iii) a statement of the date fixed for the return of completed ballot papers ("**the Closing Date**").

(b) The Closing Date must be not less than twenty working days after the last date for the dispatch of the ballot papers “ (See Bye-law VIII.1(d)).

(c) Each Member entitled to vote in the election is entitled to return one ballot paper only.

6. Ballot Paper Validity

A completed ballot paper will be counted as valid only if:

(a) the voter indicates his first choice by writing "1" legibly against one candidate in the "Order of Choice" column. (The vote remains valid even if no further numbers are placed in the "Order of

Choice" column against the name of a candidate. The election chances of the first or of any subsequent preference will never be lessened by expressing further preferences).

(b) should an order of preference for further candidates be made, this is shown by writing "2" legibly against the name of the second-choice candidate in the "Order of Choice" column, writing "3" legibly against the candidate who is third choice, and so on as far as the voter chooses;

(c) the same number does not appear in more than one space;

(d) it is received, on or before the Closing Date, by the person or body named in the ballot paper, or in the papers accompanying the ballot paper, as the person or body to whom ballot papers are to be returned; and

(e) it is an original ballot paper provided by the BFA and not a copy; and, if it is a duplicate paper, it is accompanied by the formal declaration form which will be supplied with each duplicate paper, duly completed;

7. Special Elections for President

The above provisions shall apply (*mutatis mutandis*) to a special election to elect a new President in accordance with Article 29 (c)(2).

VII. THE ELECTORAL OFFICER

1. Prior to each ballot for the election of Directors (and any special election to elect a President) an Electoral Officer, who shall be a Member, shall be appointed by the BFA Board.

2. The Electoral Officer shall not be a candidate for election nor take or have taken any part in making a nomination in the relevant election. The Electoral Officer shall not be entitled to vote in the Election.

3. Except as provided below, the Electoral Officer will be responsible for:

(a) ensuring that all stages of the election are conducted in accordance with the Articles, these Bye-laws, and the administrative procedures referred to in sub-paragraph 4 below;

(b) approving the final text of the ballot paper and the information accompanying the ballot paper, and of any other documents prepared in connection with the election;

(c) deciding any question affecting the validity of completed Nomination Forms and excluding or editing in accordance with the administrative procedures all those which in her/his opinion are not valid;

(d) deciding any question affecting the validity of completed ballot papers and excluding these which in her/his opinion are not valid;

(e) deciding any other questions in connection with the election;

(f) conducting the count of;

(g) deciding the result of the election;

(h) advising the CEO of the result of the election not more than seven days after the closing date for the receipt of the ballot papers and

(i) taking such steps as she/he considers expedient to ensure the secrecy of the ballot.

Provided that the Electoral Officer shall not be responsible for any aspect of the election which has been delegated under these Bye-laws to the Electoral Reform Society or other body.

4. The Electoral Officer may make and from time to time amend administrative procedures for the election, consistent with these Bye-laws, to govern the detailed arrangements for the carrying out of the election, or any aspect(s) of those arrangements, and those procedures shall be published on the BF website.

5. The Electoral Officer shall have the power to appoint such other persons as he thinks fit to assist him in carrying out his duties, but such other persons shall not be candidates for election nor take part or have taken part in making any nomination in the relevant election.

6. Neither the Electoral Officer nor any person appointed to assist him shall disclose to any person in whose favour any voter or voters shall have cast his or their votes except by order of the BFA Board.

7. The Electoral Officer has authority to interpret but not to alter these Bye-laws.

8. Save in the case of manifest error all decisions made by the Electoral Officer within the authority given to him shall be final and binding.

VIII. BFA OMBUDSMAN

1. The Ombudsman shall be appointed by agreement between Home Country Fencing Organisations, and failing unanimity by a majority of such bodies.
2. The Ombudsman shall serve for a term of three years, and is eligible for reappointment. He/she may not be a member of the Board.
3. The role of the Ombudsman is:
 - (a) to investigate complaints and grievances which the Ombudsman has reason to believe from evidence submitted indicate maladministration within the BFA;
 - (b) selection matters, except cases concerned with the manner in which a particular selection matter has been handled; or
 - (c) to report to the BFA President circumstances which the Ombudsman considers indicate maladministration;
 - (d) if so required, by the Board, to attend meetings of the Board when the Board consider any case which has been reported to the BFA President, to clarify the circumstances of the case, but without taking any part in deciding how the case shall be dealt with;
 - (e) to report annually to the BFA membership, in such detail as the Ombudsman thinks fit, on his activities during the previous year, and specifying the steps taken within the BFA to correct or to prevent maladministration.
4. The only persons who may refer a complaint or grievance to the Ombudsman are Members, Affiliated Clubs and Associated Bodies.
5. The Ombudsman will consider only those complaints or grievances which involve acts or omissions of administration which directly or indirectly affect the person making the reference.
6. The Ombudsman will not consider any case unless he is satisfied that there have been conscientious attempts to resolve the complaint or grievance through appropriate persons and channels.
7. The Ombudsman, on deciding to investigate a complaint or grievance, shall immediately notify the appropriate Director, the BFA President, the parties originating the complaint or grievance and the parties against whom the complaint or grievance is directed.
8. The Ombudsman has the right:
 - (a) to ask to a personal meeting any Director, BFA member or representative of an Affiliated Club or Associated Body whom he considers could help with an investigation;
 - (b) to require any Director to answer relevant and reasonable questions in connection with any case referred for investigation, but no right to require answers from any other person;
 - (c) to attend Board meetings for the purpose of fulfilling his function; and
 - (d) of access for the purpose of fulfilling his function to all relevant minutes of the BFA Board and its committees and to all relevant accounts and documents.
9. The Ombudsman shall not be concerned with:
 - (a) disciplinary matters, except cases concerned with the manner in which a particular disciplinary matter has been handled; or
 - (b) cases concerned with the wording, effects or implications of any BFA Article or Bye-law, or any Resolution of the BFA in general meeting.

Approved by the Board 17th July 2011