BYE LAWS OF THE BRITISH FENCING ASSOCIATION
("the Association" or "BF")

(Amended 26.10.1996; 27.09.2003; 11.09.2004; 17.05.2009; 26.06.2010; 17.07.2011; 7.08.2012; 18.01.2013, 04.03.2014, 20.06.2016, 27.06.2018, 30.06.2020, 23.11.2021, 29.05.2024 and 13.03.2025)

I. GENERAL

1. The definitions 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 Members and Affiliated Clubs and the fees payable are as set out and published by the Board on the BF website or by such other means as the Board may determine.
2. The classes of Membership and annual subscription are as set out and published by each Home Country Fencing Organisation.
3. The benefits of affiliation for all Affiliated Clubs are published on the BF website.
4. Immediately on payment in full of the relevant annual affiliation fee to a person duly authorised to receive it, a club eligible to be an Affiliated Club shall become affiliated to the Association and entitled to the benefits available to Affiliated Clubs, including any insurance benefits.
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 become a Member and entitled to the benefits available to Members, including any insurance benefits.
6. For the purposes of paragraphs 4 and 5 above, if the applicant for affiliation or Membership gives a cheque in payment of the fee or subscription then payment in full shall be deemed to have been effected, and affiliation or Membership shall come into force, when the cheque is received by a duly authorised person. However, if the cheque does not clear upon second presentation the affiliation or Membership shall thereupon cease. In that case the Directors shall have discretion to take such action as they think fit in relation to any benefits of affiliation or Membership which the applicant has received during the period from the tendering of the cheque until cessation of Membership, and any titles, grants, or other awards that the applicant may have competed or become eligible for in right of affiliation or Membership during that period.

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 Competitions.

IV. HONORARY PRESIDENTS

1. The Board may propose an Honorary President for ratification by the Members at a General Meeting of the Association. Such appointment will take effect at the end of the meeting at which it is ratified and continue until the end of either the next or the next-but-one Annual General Meeting of the Association (as proposed by the Board and ratified by the Members).
2. The Board may make the following honorary appointments as and when it thinks fit:
   (i) An unlimited number of Vice-Presidents of the Association.

(ii) An unlimited number of Associate Vice-Presidents of the Association and may terminate any such appointment if the Board decides that there is good reason to do so.

3. Job Descriptions for Honorary President, Vice-Presidents of the Association and Associate Vice-Presidents of the Association shall be published on the BF website.

V. DISCIPLINARY OFFENCES

1. Without prejudice to the provisions of the BF Disciplinary Code, it shall be an Offence under that Code if any person:
   (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 banned or has been expelled under the Disciplinary Code;
   (iii) without holding a British Fencing Licence does anything for which the holding of such a licence is obligatory.

VI. ELECTION OF BF DIRECTORS

1. Procedure

Timetable

(a) The ballot shall be held within the timetable stipulated in these Bye Laws.

However, the Electoral Officer shall have power to adjust the timetable if circumstances beyond the reasonable control of BF render such adjustment desirable in order to facilitate the conduct of the election, provided that such adjustment will not have an unfair effect as between the candidates. Notice of any such adjustment to the timetable shall be published on the BF website in a reasonably prominent position as expeditiously as possible after the Electoral Officer has notified BF of the adjustment.

The Qualifying Date

(b) (i) The Board shall, in respect of each year's ballot, specify 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 Board shall at the same time specify the date by which completed ballot papers must be received ("**the Closing Date**"), which shall be:
   (1) not less than twenty working days and not more than three months after the Qualifying Date; and
   (2) not less than fifteen working days after the last date for the dispatch of the ballot papers (See Bye-law VI.4(b).

[Note: see paragraph VI.2(h) below for the fixing of the Nomination Date and publication of the Qualifying Date, the Nomination Date and the Closing Date]

Ballot papers

(c) Subject to paragraph (d), ballot papers shall be sent to all Qualifying Voting Members and shall be dispatched by no later than fifteen working days after the Nomination Date.

Electronic voting

(d) The ballot may be conducted by electronic voting only (that is, voting through a website and/or by means of such other electronic media as the Board may approve), or may be conducted by a combination of electronic voting and traditional paper voting, as the Board decides. In the case of electronic voting, all expressions used in these Bye Laws which are referable to paper voting shall be construed as necessary to apply them to electronic voting; for example (for illustration but not by way of limitation): (i) references to a ballot paper or voting papers include a secure

electronic form or web page on which a voter enters his/her vote instead of completing a traditional paper ballot; (ii) references to dispatching or sending a ballot paper or Nomination Form include making it available by electronic means; (iii) references to "writing on" a ballot paper or completing a Nomination Form include marking by electronic means.

"First past the post" voting system

(e) The ballot shall be conducted by the multiple non-transferable vote system (otherwise known as "first past the post"). Under that system:

(i) Each voter may cast one vote for each candidate whom the voter wishes to be elected, not exceeding the number of Vacancies to be filled, and the candidate(s) who obtain(s) the greatest number of valid votes shall be elected to fill the Vacancy or Vacancies.

(ii) If any voter marks his/her ballot paper with votes for more candidates than there are Vacancies, that ballot paper shall be invalid and none of the votes marked on it shall be counted.

Addresses, and receipt of ballots

(f) For practical reasons:

1) the onus is on each member to provide BF with at least one correct email address or postal address before the Nomination Date;
2) if a member has given BF an email address then that member can only receive the voting papers by email and not by post, and can only vote electronically and not by post;
3) if a member gives BF more than one email address or more than one postal address, BF is only obliged to send to one of those addresses and is not obliged to observe the member's preferred choice of address;
4) BF is not responsible for emails/papers which are sent to the correct address but which are not received, or go into spam filters, or for any other reason are not seen by the member;
5) if BF is notified in writing of non-receipt by a member before the Closing Date BF will re-send the voting papers within five working days after BF's actual receipt of the written request. However:
   a. this provision will only apply in any case to papers which are (i) sent to the correct address but not received, or (ii) sent to a wrong address even though the member gave BF the right address, or (iii) not sent at all through error by BF or the organisation conducting the ballot; it will not apply if the member had originally given the wrong address or no address; and
   b. if the resent papers do not reach the member in time to enable the member to submit the vote before the ballot closes, the vote shall not be counted, and BF shall have no responsibility for that.
6) In Bye Law VI, references to "writing" or "written" include email but not fax, text message or other social media.

Awareness of the election

(g) Members are deemed to be aware of the election, and of all relevant dates (including the Qualifying Date, the Nomination Date and the Closing Date), by reason of the announcement of the election and dates on the BF website, whether they look at the website or not.

Appointment of electoral administrator

(h) The Board may appoint Civica or other suitable body to deal with all or any of the administrative aspects of the election, including (but not limited to) the nomination process, 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. This body may act on behalf of BF in receiving Nomination Forms and member nominations via 3rd party online platforms

(i) References to BF shall where the context requires by taken as references to the body responsible for administering the relevant aspects of the electoral process.

(j) Where the context requires for email communication with BF, this should be done through the BF Head Office email published on the BF website, and communication with a body appointed to administer any aspect of the election should be done through the email address published on the BF website.

2. Nominations

All candidates for election must have been validly nominated.

Candidates are responsible for collecting nominations. They must ensure that anyone agreeing to nominate them gives them permission to pass their personal data to BF or any organisation appointed to run the nomination process.

The conditions for making valid nominations are:

(a) Nominations must be made by either:

(i) 15 paid-up Members who are Qualifying Voting Members as at the Qualifying Date. (See also Bye Law VI.2(j)(v)); or

(ii) the Board. In the case of a nomination made by the Board, the Nomination Form shall require only the nomination of the Chair of the Association, or failing him another Director (not being the nominee) appointed by the Board for the purpose, in place of the nominations of 15 Members.

(b) A Member who is an employee of BF at the Nomination Date shall not be entitled to be a nominator.

(c) (i) No Member shall agree to be put forward as a nominator for more candidates than the number of Vacancies. If this limit is exceeded, that Member's nomination shall be deleted from one or more of the Nomination Forms on which it appears so as to reduce that Member's number of nominated candidates to the maximum permitted number, under the supervision of the Electoral Officer, as follows:

- The member name shall be deleted first from any Nomination Forms on which it appears, which would still have the required 15 nominating members even after the deletion; if further deletion is still needed after that, then:
- If the chronological order in which BF through the published mechanism received the Nomination Forms containing nominations by the Member in question is known, the deletion shall be done from the last received backwards.
- If or to the extent that the chronological order is not known, or the nominations were received at the same time, the deletion shall be done in an order established by the Electoral Officer drawing lots.

(ii) The Board shall not nominate more candidates than the number of Vacancies. If this limit is exceeded, so many of the nominations made by the Board shall be eliminated as is necessary to reduce the number of candidates nominated by the Board to the maximum permitted number, under the supervision of the Electoral Officer, as follows:

- If the chronological order in which BF received the Board's nominations is known, the

elimination shall be done from the last received backwards. Each nomination by the Board shall be deemed to have been received by BF on the date on which the Board passed the resolution to make that nomination.

- If or to the extent that the chronological order is not known, or the nominations were received at the same time, the elimination shall be done by the Electoral Officer drawing lots.

(iii) (1) Where any Nomination Form signed by members is rendered invalid under paragraph (c)(i) for want of the necessary number of signatures, the affected candidate shall be informed as soon as reasonably possible. The Nomination Form may be resubmitted with the necessary additional valid member nominations, but must still be received by BF by the Nomination Date.

(2) Where any nomination by the Board is eliminated under paragraph (c)(ii), the Chair of the Board and the Chief Executive shall be informed as soon as reasonably possible. The Board may still submit up to the permitted number of Nomination Forms, but the Forms must still be received by BF by the Nomination Date. A fresh resolution of the Board will be required to decide which forms are to be submitted.

(iv) There is no appeal against any deletion or elimination properly made under this clause.

(d) Home Country Fencing Organisation Presidents and Board Directors shall not be eligible for nomination. (However, for the avoidance of doubt, this does not prevent Home Country Fencing Organisation Presidents and Board Directors from nominating candidates in accordance with the terms of these Bye Laws.)

(e) Every nominee must be a paid-up Member on the date on which the Nomination Form is received by BF by the means specified; otherwise, the nomination is invalid.

(f) Each nomination must be made on an official Nomination Form.

(g) (i) The Nomination Form shall incorporate a form giving details of the candidate ("Details of Candidate Form") and shall contain and/or be accompanied by instructions for the nomination of Directors and submission of Nomination Forms. The Nomination Form shall be in a form approved by the Board or the Electoral Officer (see paragraph VII below). The Nomination Form must be duly completed in accordance with the said instructions. From here on, references to the Nomination Form include, where the context so admits or requires, all those documents and matters required to be incorporated or contained in, or to accompany, the Nomination Form.

(ii) Nomination Forms shall be made available electronically by not later than 10 working days after the date on which the Nomination Date is announced under paragraph (h)(ii) below. In addition, an online link to the Nomination Form shall be sent promptly to any Member who, by not later than 5 working days before the Nomination Date fixed under paragraph (h)(i) below, has requested one in writing from BF.

(iii) For the avoidance of doubt the official Nomination Form can be an online form made available by BF or the organisation appointed to administer the nomination process. The mechanism to access the Form will be described on the BF website at the time the Form is made available.

(h) (i) The date by which completed Nomination Forms must be received by BF shall be the same date as the Qualifying Date selected by the Board under paragraph VI(1)(b)(i) above and shall be known as **the Nomination Date.**

(ii) The Qualifying Date, the Nomination Date, the Closing Date and the job description(s) for the Vacancy/ies shall be announced on the BF website as soon as possible after being fixed by the Board. They may also be published in "The Sword" magazine, and/or in such

other way as the Board may decide. The announcement may be accompanied, for information only, by an election timeline chart in the form of the attached example, or such other form as the Board or the Electoral Officer may approve.

(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.

(j) (i) Each duly completed and signed Nomination Form, including the Details of Candidate Form, must be received by BF by not later than 12 noon on the Nomination Date.

(ii) The Forms must be sent to BF by email, or if the Directors have so approved may be submitted through a website.

(iii) (i) When submitting the Nomination Form the candidate must provide a list of the names and membership numbers and email addresses of all Nominating members and confirm that they have the permission of those Nominating members for their data to be passed on and published in accordance with these rules.

(ii) BF will verify Nominating members using the data provided which includes ensuring that the name, membership number and email address corresponds to the BF member record. Nominating members will be emailed informing them they have nominated a candidate and giving them 3 working days to contact BF if there has been an error.

(iv) Nominations may be collected on more than one copy of the relevant part of the Nomination Form, as long as all the necessary nominations are submitted with the final submission of the Nomination Form.

(v) (i) The Nomination Form for any candidate (not being a candidate nominated by the Board) may contain up to, but not more than, 20 nominating members. This is to allow some margin of error in case any members are deemed invalid for any reason. BF (or other person conducting the election on behalf of BF) shall not be obliged to check more than 20 member details for any candidate. BF will check the nominating members in the order submitted by the candidate, or – if that order is not clear – then may do so in any order.

(ii) If a candidate provides more than 15 valid nominating members, the first 15 only (or, if the order is not obvious, then any 15 only) shall be used.

(iii) The names of any valid nominating member above the limit of 15, and the names of any nominating members that are not valid, shall not be published.

(vi) The information in the Nomination Form as referred to in 4.(a) will be published online including the names of the 15 valid nominating members.

(k) The Nominations Committee shall identify and advertise the desired skills of candidates for election. This identification shall be based on the existing skills matrix of the Board. The Nominations Committee shall assess each Nomination Form against the advertised desired skills.

[**3**. Not used.]

4. Dispatch of Ballot Papers; Publication of candidates

(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, a statement from the Nominations Committee as to whether the candidate fully meets, partially meets or does not meet the desired and advertised skills for candidates and either a statement that the candidate has been nominated by the Board, or the names of the 15 Members (selected if necessary in accordance with Bye Law VI.2(h)(v)) who have validly nominated the candidate;

(ii) instructions for voting, which must be followed if the ballot paper is to be counted as valid; and

(iii) a statement of the Closing Date.

(b) The ballot papers shall be dispatched (as to which, see Bye Law VI.1(d)) on or after the Nomination Date, but not later than the fifteenth working day after the Nomination Date.

(c) The information contained in (and, if applicable, accompanying) the ballot papers shall be published on the BF website either before, at the same time as, or as soon as possible after, the ballot papers are sent out.

5. Ballot Paper Validity

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

(a) it is properly completed in accordance with the instructions mentioned in paragraph 4(a)(ii) above.

(b) [not used]

(c) [not used]

(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;

(e) in the case of a hard copy, it is an original ballot paper provided by BF 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; and

(f) in the case of a ballot paper submitted electronically, any security measures imposed by BF or by the person or organisation administering the ballot (see paragraph 1(f) above) have been complied with.

(2) Each Member entitled to vote in the election is entitled to return one ballot paper only. If any Member submits more than one ballot paper, only the first received shall be counted, or if there is doubt as to which was the first received, then one of the papers selected at random by the person or organisation administering the ballot shall be counted, and the remainder shall be destroyed.

6. The outcome of the election

(a) Subject to paragraphs (b) and (c) of this Bye-law, the candidates in each ballot who shall individually have polled the most votes, up to the number necessary to fill the available Vacancies (or to fill as many of the Vacancies as there are candidates for), shall be elected, and they shall take office from the conclusion of the next following annual general meeting.

(b) Under Article 47 it is provided that if the number of candidates for election does not exceed the number of Vacancies, such candidate or candidates shall be deemed to have been elected. In order to allow time to verify the valid nomination of all candidates, the deemed election of a candidate or candidates under Article 47 shall take effect on the third working day after the Nomination Date. Any candidate so deemed to have been elected shall take office from the conclusion of the next following annual general meeting.

(c) Written notification of the names of the candidates who have been elected or deemed to have been elected shall be sent to all candidates by BF by not later than seven working days after the outcome becomes known to BF.

(d) The name(s) of the candidate(s) who have been elected or deemed to be elected shall be published on the BF website within three working days after the date on which notification is sent to the candidates under paragraph 6(c).

VII. THE ELECTORAL OFFICER

1. Prior to each ballot for the election of Directors an Electoral Officer, who shall be a Member, shall be appointed by the BF 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.

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 paragraph 4 below;
(b) approving the final text of the Nomination Form, 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 votes cast;
(g) deciding the result of the election;
(h) advising the CEO of the result of the election not more than seven working 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 Civica or other body.

3. 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.
4. 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, take part or have taken part in making any nomination in the relevant election, or vote in the election.
5. Neither the Electoral Officer nor any person appointed to assist him shall disclose to any person information concerning in whose favour any voter or voters shall have cast his or their votes, except by order of the BF Board.
6. The Electoral Officer has authority to interpret but not to alter these Bye Laws.
7. 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. BF 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. There is no limit on the number of times a person may be reappointed as Ombudsman.
3. No person may be appointed to be the Ombudsman if he/she:
   (a) is a Member of BF;
   (b) is a Director of BF;
   (c) is an employee of BF;
   (d) has any contractual relationship with BF or any Affiliated Club or Associated Body, other than any agreement appointing the Ombudsman as such in terms which do not compromise the Ombudsman's independence;
   (e) has any other material relationship with BF or any such club or body which could impair his/her impartiality or the perception of impartiality; or
   (f) has been in any position described in (a), (b), (c), (d) or (e) at any time within four years preceding the date of appointment;

4. 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 BF;
   (b) to report as follows any circumstances which the Ombudsman considers indicate maladministration:
      (i) to the Chief Executive, unless the Chief Executive is alleged to be responsible for the circumstances being reported, in which case
      (ii) to the Chair, unless both the Chair and the Chief Executive are alleged to be responsible for the circumstances being reported, in which case
      (iii) to all members of the Board other than the Chair, the Chief Executive, and any member(s) of the Board who is/are alleged to be responsible for the circumstances being reported, unless all members of the Board are alleged to be responsible for the circumstances, in which case
      (iv) to the chairs of all the Home Country Fencing Organisations.
   (c) if so required upon reasonable written notice by the Board (or, where 4(b)(iv) above applies, by the chairs of the Home Country Fencing Organisations), to attend any meeting at which the alleged maladministration is to be discussed in order to clarify the circumstances of the case, but without taking any part in deciding how the case shall be dealt with;
   (d) to report annually to BF Members, at the Annual General Meeting, in such detail as the Ombudsman thinks fit, on his/her activities during the previous year, and specifying the steps taken within BF to correct or to prevent maladministration.
5. The only persons who may refer a complaint or grievance to the Ombudsman are Members, Affiliated Clubs and Associated Bodies.
6. 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.
7. The Ombudsman, on deciding to investigate a complaint or grievance, shall immediately notify the party/parties originating the complaint or grievance, the party/parties against whom the complaint or grievance is directed, the person(s) to whom the matter would be reported under paragraph 4 above if found to be substantiated, and, for information only, the Chair of the BF Disciplinary and Grievance Panels.
8. The Ombudsman has the right:
   (a) to investigate the matter generally, and for that purpose to interview any persons, including the parties to the complaint and any potential witness(es), either in person or in writing, by telephone, or by electronic communication. The parties to the complaint, any proposed witness(es) and all other persons to whom this provision applies have a duty to give reasonable co-operation to the Investigator, and not to mislead him/her (except that no person shall be obliged to incriminate him/herself). Breach of that duty may constitute an Offence under the BF Disciplinary Code.
   (b) to attend Board meetings for the purpose of fulfilling his/her functions; and
   (c) of access for the purpose of fulfilling his function to all relevant minutes of the BF Board and its committees and to all relevant accounts and documents.
9. (a) Where under paragraph 4 above the Ombudsman reports to the Chief Executive, the Chair, or Board members, the matter shall be discussed by the Board (excluding any Board member(s) who is/are the subject of the complaint or grievance), who shall take such action as they consider appropriate in relation to the maladministration.
   (b) Where under paragraph 4 above the Ombudsman reports to the chairs of the Home Country Fencing Organisations, those chairs shall discuss the matter and take such action as they consider appropriate, which may include calling an extraordinary general meeting of BF.
10. (a) The Ombudsman will not consider any case unless he/she is satisfied that there have

been conscientious attempts to resolve the complaint or grievance through appropriate persons and channels.

(b) The Ombudsman shall not be concerned with:

(i) matters covered by BF's Disciplinary Code or Grievance Code, except cases concerned with maladministration in the manner in which a particular disciplinary matter or grievance has been handled; in particular, a reference to the Ombudsman may not be used as a substitute for an appeal under the Disciplinary Code or Grievance Code (as applicable;

(ii) selection matters, except cases concerned with maladministration in the manner in which a particular selection matter has been handled; or

(iii) cases concerned with the wording, effects or implications of any BF Article or Bye-law, or any Resolution of BF in general meeting.

Adopted on 13th March 2025 pursuant to a resolution of the Board