



BYE – LAWS FOR SNORKELLING AND DIVING BRANCHES

Basildon Sub Aqua Club Branch (Branch N° 0356) of THE BRITISH SUB-AQUA CLUB

1. Scope

- a) These Bye-laws shall regulate the structure, administration and activities of a Branch of the British Sub-Aqua Club to be known as Branch 0356 (hereinafter 'the Branch').
- b) The title of the Branch shall be Basildon Sub Aqua Club – hereinafter referred to as the Branch

2. Objectives

The aims and objectives of the Branch shall be to provide for its members facilities, opportunity and training for diving in accordance with the standards of the British Sub-Aqua Club, together with related social activities.

3. Headquarters

The Headquarters of the Branch shall be at such location as may be decided by the Branch in General Meeting; provided, however, that the Branch's Committee of management provided for in Bye-law 5 ('the Committee') may at any time designate an alternative venue which shall be the interim Headquarters until the change of venue has been voted upon by the Branch.

4. Membership

- a) There shall be four classes of membership:
 1. Full Diving Membership, for which any person 14 years of age or over shall be eligible. (Note: members under the age of 14 are not eligible for Full Diving Membership and must apply for Junior Diving Membership)
 2. Associate Membership, for which any person shall be eligible but which shall not entitle such a member to take part in snorkelling or any other activity involving use of a breathing set.
 3. Junior Diving Membership, for which any person between the ages of 12–17 shall be eligible. (Note: Diving members under the age of 14 are subject to additional restrictions by the BSAC).
 4. Honorary Membership, which shall be conferred solely by the Branch Committee and for which any person shall be eligible.

- b) (i) An applicant for membership of the Branch shall apply to the Committee and upon acceptance of their application and payment of the appropriate Branch and National Headquarters subscriptions shall be a member of the class for which they have applied and is eligible. The Committee may delegate to such members of the Branch as it may see fit the responsibility for entertaining and accepting applications for membership.
- c) (ii) A member shall retain their membership until they have resigned or are deemed to have resigned in accordance with this paragraph or Bye-law 15. If payment of their Branch or National Headquarters subscriptions, if any, in respect of any period is 30 days or more overdue, a member shall be deemed to have resigned.
- d) (iii) Any application for membership from a person under the age of 18 will only be considered if accompanied by an application from a parent or legal guardian for an equivalent membership

5. Management

- a) A Committee is elected at each Annual General Meeting of the Branch which shall comprise four officers who shall serve ex officio, and no less than 3, nor more than 6 other members shall manage the Branch.
- b) The four Branch Officers shall be the Chairman, the Diving Officer, the Secretary and the Treasurer/Membership Secretary. The duties of the Officers shall be as set out in the following Bye-laws.
- c) The Committee shall hold and administer for the benefit of the membership all funds, equipment and property owned by the Branch.
- d) The Committee shall meet at least once in each quarter, the first meeting to be within four weeks of the Annual General Meeting, but otherwise and subject as hereinafter provided, shall meet as required on seven days notice to all members of the Committee from the Secretary
- e) Five Committee members are required to form a quorum at any Committee meeting
- f) Branch members may be allowed to attend Committee meetings by invitation of a Committee member and at the discretion of the Chairperson. Such invited members may not vote at Committee meetings

6. The Chairman

The Chairman shall be the Chief Executive Officer of the Branch. They shall take the chair at all meetings of the Branch and of the Committee at which they are present, and subject to the provisions of these Rules, his decision on matters of procedure shall be final.

7. The Diving Officer

The Branch's Diving Officer derives their authority in training and diving matters from the National Diving Officer of the British Sub-Aqua Club. They shall have responsibility for the training and diving activities of the Branch and for the safe conduct thereof, and they shall ensure that the said activities are carried on in accordance with such practices and procedures as may be recommended from time to time by the National Diving Officer or pursuant to their authorisation. The Diving Officer may delegate training duties to a Training Officer, who shall be responsible to them for the performance thereof. The Diving Officer's decision in respect of his responsibilities shall be final in the Branch, subject only to such guidelines consistent with this Bye-law as may be established from time to time by the Committee.

8. The Secretary

The Secretary shall maintain the Branch records and shall record the meetings of the Committee, General Meetings of the Branch, and such other meetings as the Chairman may request. They shall be primarily responsible for the Branch's communications with third parties, and shall keep the Officers, the Committee and/or the Branch, as may be appropriate, informed of matters coming to his attention which pertain to Branch activities.

9. The Treasurer / Membership Secretary

- a) The Treasurer / Membership Secretary shall be responsible for dealing with all monies received or paid on behalf of the Branch, shall make any investment of Branch funds approved by the Committee, shall keep records and proper books of account of all financial transactions conducted in the Branch's name, and shall prepare for consideration by the Committee a statement of income and expenditure and a balance sheet to the last day of March each year which they shall cause to be audited by the Branch auditors for submission to the Annual General Meeting. A Membership List of all current members is to be maintained.
- b) They shall arrange for all Branch funds and securities to be kept on deposit with a bank or banks approved by the Committee and shall maintain a current account or accounts on which any two Officers may sign cheques or other orders. With the approval of the Committee, the Treasurer may open one or more other current accounts on which any other member of the Committee has joint signature authority.

10. Annual General Meeting

- a) The Annual General Meeting of the Branch shall be held in April each year. Notice of the meeting and the agenda thereof shall be sent by post or otherwise transmitted to all paid-up members 4 weeks before the meeting.
- b) The Notice shall identify those members of the Committee who are standing again and shall list nominations for Officers and the Committee at large received by that time. Committee members standing again shall be deemed to have been nominated by the Committee.

- c) To be valid, nominations not deemed to have been made by the Committee must be [a] delivered to the Secretary in writing at least twenty one (21) days before the meeting, [b] seconded and [c] endorsed by the Nominee to the effect that they are willing to accept the position if they are elected.
- d) The Officers and other members of the Committee shall be elected at the meeting by a show of hands or ballot. If a nominee stands unopposed, he shall be deemed to have been so elected.
- e) The notice of the meeting shall also include the text of any motion proposed by the Committee. Any member may propose amendments to such motion and may make any further motion for consideration at the meeting, but such amendments and further motions must be proposed and seconded in writing and delivered to the Secretary not less than fourteen (14) days before the meeting.
- f) At least thirty per cent (30%) of the Branch's membership entitled to vote at the meeting should be required for a quorum, but a quorum once formed shall not be lost despite the departure from the meeting of any member or members.
- g) The right to vote at the meeting shall be restricted to subscription paying members whose current subscriptions are fully paid.

11. Special General Meetings

- a) Any General Meeting of the Branch other than the Annual General Meeting shall be known as a Special General Meeting.
- b) The Committee may call a Special General Meeting at any time upon giving not less than fourteen (14) days written notice thereof by post or otherwise transmitted to all paid-up members. The notice shall state the reasons for the meeting and shall include the text of any motion proposed for consideration thereat. Amendments to such motion may be proposed at the meeting.
- c) The Committee shall call a Special General Meeting upon receipt of a request to do so signed by not less than 5 paid-up members, provided that the request states the reason therefore and contains the text of at least one motion proposed for consideration thereat. The provisions of the preceding paragraph shall apply with regard to convocation and conduct of the meeting.
- d) The business of a Special General Meeting shall be that for which it was called and no other.
- e) The provisions of Bye-laws 10 (f) and (g) shall apply to Special General Meetings.

12. Voting

- a) Subject to the provisions of Bye-law 10 (d) and 17 (b) and of the next succeeding paragraph, voting on any given motion at a General Meeting shall be by show of hands or by ballot, as the Chairman may decide and motions shall be carried by the affirmative votes of a simple majority of voting members present.
- b) Subject to Bye-law 18, a motion to alter these Bye-laws shall only be carried by at least a two-thirds majority of affirmative votes cast by not less than 30% of the members of the Branch entitled to vote

at General Meetings. Such motion may be voted upon in General Meeting or by postal ballot of all voting members.

- c) Except as provided in Bye-laws 17 and 18, the Committee may put any motion to the voting membership at any time by postal ballot.
- d) Voting papers for such ballot shall be sent to all paid-up members not less than fourteen (14) days before the date on which the votes are to be counted. A motion put to postal ballot shall only be carried by a majority of affirmative votes cast by not less than 66% of the members of the Branch entitled to vote at General Meetings.

13. Committee

- a) The Committee shall take office upon election and shall hold office until their successors have been elected.
- b) At its first meeting, the Committee shall appoint one of their members Vice-Chairman.
- c) The Committee shall have the power to fill any vacancy amongst the Officers of the Branch or amongst the rest of the Committee's membership which occurs during their term of office, and any person newly appointed to the Committee to fill such vacancy shall become a full voting member thereof. The Committee shall also have the power to co-opt up to four non-voting members.
- d) The Committee shall determine any question as to the interpretation of these Bye-laws and of any regulations made hereunder and may rule in connection with any situation not otherwise provided for herein. In the latter event, such ruling shall only remain in effect until the next General Meeting of the Branch. Its continued validity shall depend upon ratification of that meeting.
- e) A simple majority of a minimum of 5 voting Committee members then serving shall form a quorum for a meeting; provided, however, that no quorum shall be formed without the presence of either the Chairman, the Vice-Chairman, or the Secretary. A quorum once formed shall not be lost even though, as a result of the departure of a member during the meeting, the number of voting members falls below the number required to open the meeting.
- f) The Committee may adopt no resolution unless:
 - 1. it has the affirmative votes of a simple majority of those members present and entitled to vote,
and ...
 - 2. the number of such votes is at least equal to a simple majority of the number of members required to open the meeting at which the resolution is proposed.
- g) No member shall be entitled to vote on a matter in which their interest differs from that of the Branch as a whole, and they shall withdraw from any meeting during the period of discussion of such interest.
- h) Any Officer and the Vice-Chairman shall each have the power to require the Secretary to call a meeting of the Committee at any time.

14. Branch Activities

- a) At the discretion of the Diving Officer, Branch diving and open-water training activities shall be open to members of other Branches and to guests.
- b) Subject to such regulations as may be established from time to time by the Committee, any Branch member and, with the prior approval of the official in charge of the session, any visitor from another Branch or any guest may use the training pool for training, testing equipment, swimming with basic equipment and free swimming. No-one shall use any equipment other than basic equipment without the prior approval of the official in charge of the session.
- c) If a member damages or loses Branch equipment the Committee may charge that member the cost of repairing or replacing the article.

15. Discipline

- a) This Club has the safety and safeguarding of children and vulnerable adults, as a primary importance. We are committed to providing an environment where young people can learn and participate in a sport free from harassment and abuse. All those people working with children have a moral and social responsibility to safeguard and promote a child's safeguarding. This Club follows the BSAC Safeguarding Policy to ensure peace of mind for both children and adults
- b) Furthermore, intolerance on any grounds, acts of bullying, abuse, threats or harassment of any kind will not be permitted
- c) Any breach of discipline will be dealt with in accordance with Branch and BSAC rules and may result in suspension
- d) Temporary suspension from participation:
 1. In order to ensure the safety and good name of the Branch and its members, the person in charge of a Branch activity may suspend, at his discretion and for the duration of the activity, any member who misconducts himself. Any such suspension shall be reported as soon as possible to the Chairman or the Secretary and shall be discussed at the next meeting of the Committee.
 2. The Committee shall first discuss the incident without the presence of the member in question and then shall invite him to join the discussion and express his view of the matter.
- e) Suspension and loss of membership:
 1. The Committee shall have the power by a two-thirds majority of all serving voting members to suspend the membership of any member of the Branch. Suspension of the membership of any Officer or other Committee member shall be dealt with in accordance with the provisions of the next succeeding sub-clause. A decision to suspend so taken shall be immediately communicated to the member concerned, and his membership shall thereupon be suspended. A suspended member shall be entitled to demand a hearing at the next regular meeting of the Committee during which the reasons for his suspension shall be made fully known and he shall be given the opportunity to answer fully the charges against him. Upon conclusion of the hearing, the member shall leave the meeting and the Committee shall vote again on the suspension. If the requisite

two-thirds majority does not carry the motion, the suspension shall thereupon be lifted and the member shall be informed accordingly. If the motion is carried again by the said majority, the member shall be so informed and he shall thereupon be deemed to have resigned his membership in the Branch. The member affected shall have the right to appeal from the decision of the Committee to the next General Meeting of the Branch. In that regard, they shall for the purposes of Bye-Laws 10:5) and 11:c) have the rights of a paid-up member.

2. Suspension of the membership of an Officer or other Committee member shall only be voted upon at a meeting the agenda of which [a] has been posted or distributed to all Committee members at least one week prior to the meeting and [b] explicitly refers to the motion of suspension. If the person charged attends the meeting, he shall be entitled to hear and respond to the charges levied against him. When the Chairman of the meeting is satisfied that the matter has been adequately and fairly discussed, The person charged shall leave the meeting and a vote shall be taken. If the proposal to suspend is carried by the requisite two-thirds majority, the person charged shall be deemed to have resigned his membership in the Branch, and he shall have the right of appeal provided for in the preceding paragraph. If the person charged does not attend the meeting, the provisions of the preceding paragraph shall apply.

16. Subscriptions

- a) Persons joining or rejoining the Branch shall pay the appropriate National Headquarters subscription plus the Branch subscription.
- b) Branch membership subscriptions shall be in such amount, shall be payable on such dates, and shall be subject to such terms and conditions as may be determined from time to time by the Committee

17. Dissolution

- a) The Branch may not be dissolved except pursuant to a vote taken at a General Meeting; provided, however, that dissolution may be put to a vote at an Annual General Meeting only if it appears on the agenda provided for in Bye-law 10:a).
- b) A proposal to dissolve the Branch shall be subject to a show of hands or ballot and, in order to be carried, it must receive the affirmative votes of two-thirds of the voting members of the Branch who are present at the Meeting. Any assets remaining after the settling of any debts and liabilities shall be applied towards charitable bodies within Basildon, which have similar aims to those of the committee. Such charitable bodies to be decided and approved by the aforesaid majority.

18. Amendment

- a) These Bye-laws may only be amended in General Meeting in accordance with the affirmative votes of a two thirds majority of those voting members of the Branch who are present at the Meeting.
- b) Notwithstanding anything to the contrary contained in these Bye-laws, no amendment may be made to this Bye-law or to Bye-laws 2, 7, 17 and 19 unless prior to the meeting at which such amendment is proposed an Officer or the Chief Executive of the British Sub-Aqua Club shall have notified the Branch in writing of the British Sub-Aqua Club's approval of the subject and text thereof.

19. British Sub-Aqua Club Rules

These Bye-laws are made in compliance with Article 85 of the Articles of Association of the British Sub-Aqua Club, shall be subject to the provisions and requirements of that Rule, and shall only be valid to the extent that they are not in conflict with the said provisions and requirements or with those of the Articles of Association of the British Sub-Aqua Club.

Basildon Sub Aqua Club Branch Rules

- 1) Trainees shall not begin open water training, diving or qualifying dives until an appropriate standard of training has been achieved
- 2) Depth limits for all divers or trainees shall be as laid down by the British Sub Aqua Club and are subject to any additional restrictions that the Diving Officer may elect to put in place for all members for individual members
- 3) All members of the club will have an Alternate Air Source (AAS) when diving, in order to be able to donate air should it be required, suitable for the prevailing diving conditions Note: The emergency inflation cylinder fitted to many BCD's is NOT an acceptable AAS
- 4) A Lead Instructor will be allocated to each OD & SD trainee. It is *not* expected that this instructor will do all, or even the majority of the training of that trainee, but that the "Lead Instructor" should have an overview of the trainees progress, getting feedback from any training sessions undertaken and that any training module signoffs are discussed with the Lead Instructor.
- 5) Regular meetings are to be held (bi-monthly or more regularly if appropriate) to discuss the progress of trainees and any other training issues. All Instructors and ADIs are expected to attend.
- 6) Strong emphasis should be given to good buoyancy control during training. This includes additional pool sessions if necessary as well as the 'exploratory dive' aspect of open water assessments to *ensure good control at varying depths.*
- 7) Focus on the use of DSMBs will be given during OD training. OD will be trained in the deployment of DSMBs before going on any boat dives, but ODs should not be expected to deploy DSMBs on open water dives until they are fully competent in deployment in confined water and have completed a minimum of 4 open water dives. Additionally their first deployment should be when accompanied by an instructor. It should be noted that the "BSAC Safe Diving" states "*Ideally the reel should be attached to some feature on the bottom (such as a wreck) during deployment, to avoid the risk of being pulled towards the surface*"
- 8) Focus will be placed on dive planning for all open water dives. As a minimum the pre-dive SEEDS brief must include the expected dive time, planned stops and expected surfacing gas pressure. (This should be for all buddy pairs to present positive role modelling. New divers must be continually assisted in these basic calculations by their more experienced buddy).
- 9) The Dive Manager must ensure all buddy pairings are entirely comfortable with each other AND the expectations of each of them before entering the water. .
- 10) **Club Trips.** When club trips with dives only suitable for SD's or higher are being arranged, an option will be included to allow lower qualified divers to sign up for the trip, on the basis that they do so knowing that they will only be able to undertake dives which they are qualified for at the time. This may mean that an OD diver can only carry out half of the dives planned on that trip if they have not reached the appropriate qualification and experience level.
- 11) Members deemed to be 'out of training' by the Diving Officer, may be refused attendance at Club dives or open-water meet

- 12) Those members booking places on Club dives 'undertake to attend'. Those defaulting on costs will repay same before club fees are considered
- 13) All divers should be reminded that they are **obligated** to report any issues or incidents that have taken place on a dive to the Dive Manager as soon after the dive as possible and certainly before any further dives take place.
- 14) Any dispute or difference which may arise in regard to the interpretation of these rules or the powers or the procedure of the Committee shall be determined by the BSAC Headquarters, whose decision shall be final and binding on all members of the Branch
- 15) **The Training Officer** will be responsible for the training of members under the current BSAC Training Scheme and keeping of current diving qualification records. They will arrange for examinations to be held. In conjunction with the Diving Officer, maintaining the diving and training standards of the membership. They will appoint an Assistant Training Officer should they so desire
- 16) **The Equipment Officer** will be responsible for maintenance, servicing and distribution of club owned equipment in conjunction with other members of the Committee. They will also keep records of Branch equipment, obtain signed agreements covering Branch equipment on loan and produce an inventory for the AGM. will appoint an Assistant Equipment Officer should they so desire
- 17) **The Welfare Officer** will be responsible for ensuring the Branch complies with all rules and regulations in relation to the treatment of the young and vulnerable
- 18) **The Members' Representative/Social Secretary** will be responsible for ensuring an effective link exists between members and Committee, ensuring all new Members are greeted and made welcome. In addition, they will be responsible for overseeing the social calendar for the Branch.
- 19) Members may be allowed to pay their Branch subscription in instalments provided the BSAC subscription is paid in full
- 20) Anyone failing to make a payment within 1 month of the date due may be deemed by the Committee to have resigned their Membership
- 21) Members paying BSAC subscriptions directly to National Headquarters must provide proof of payment or BSAC Membership to the Treasurer within 1 month of the date due. Members who fail to provide such proof within this timeframe may be deemed by the Committee to have resigned their Membership
- 22) The Agenda for the AGM will be:
 - a) Approval of minutes of previous AGM &/or EGM
 - b) The Chairperson's Address
 - c) The Secretary's Report
 - d) The Treasurer's Report and Approval of the Accounts
 - e) The Diving Officer's Report
 - f) The Training Officer's Report / Presentation of Awards
 - g) Presentation of the Bernie Chamberlain Trophy

- h) Reports from any other person selected by the Chairperson
 - i) Election of Committee
 - j) Appointment of Auditors
 - k) Motions for which due notice has been given
- 23) The suggested maximum number of minors holding full diving membership at any one time is 3. This is not a fixed ceiling but any additional minors would only be accepted under exceptional circumstances following the approval of a majority vote of the Committee
- a) A.O.B.