

# Dearne Valley Divers Branch Bye-laws

Branch Number **1460** of the British Sub-Aqua Club

On **11/02/2019**

## 1. Scope

These Bye-laws shall regulate the structure, administration and activities of a Branch of the British Sub-Aqua Club to be known as **DEARNE VALLEY DIVERS**. These Bye-laws are made in compliance with Article 85 of the Articles of Association of the British Sub-Aqua Club.

## 2. Membership

- i. All persons who assist with **Dearne Valley Divers** activities should become members of BSAC.
- ii. The right to vote at the **Dearne Valley Divers** meeting shall be restricted to members who have a current membership. A membership has expired once passed the anniversary of their renewal.

## 3. Management

A Branch shall adopt Bye-laws not in conflict with the Memorandum and Articles of Association of BSAC in such form as such Branch may approve which provide for:

- A) The management of the Branch which shall be vested in a committee (of which the majority shall be 18 years of age or over):-
  - 1) In the case of an Ordinary or a Snorkelling Branch elected and consisting of at least 5 members of which the officers shall be Chairman, Secretary, Treasurer and Diving Officer.
  - 2) In the case of a Special Branch in a committee of which the officers shall be Chairman, Secretary, Treasurer and Diving Officer.
- B) An Annual General Meeting of the Branch and the Business thereof.
- C) The dissolution of the Branch.
- D) The suspension of Branch members from taking part in the activities of the Branch subject to a right of appeal to the members of the Branch in general meeting.
- E) Other matters as necessary for the proper management of Branch affairs.

## 4. Annual General Meeting

- i. The Annual General Meeting of **Dearne Valley Divers** shall be held in **February** each year. Notice of the meeting and the agenda shall be circulated to all paid-up members of the branch **two (2)** weeks before the meeting.

- ii. The Notice shall identify those members of the committee who are standing again and shall request nominations for officers and the committee. Committee members standing again shall be deemed to have been nominated by the committee.
- iii. To be valid, nominations not deemed to have been made by the committee must be [a] delivered to the Secretary in writing at least fourteen (14) days before the meeting, [b] seconded and [c] endorsed by the Nominee to the effect that he is willing to accept the position if he is elected.
- iv. The Officers and other members of the committee shall be elected at the meeting by ballot. If a nominee stands unopposed, he shall be deemed to have been elected.
- v. 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 **seven (7)** days before the meeting.
- vi. The meeting may vote to appoint a President for the ensuing year. If a President is appointed, he shall be a non-voting member of the Committee.
- vii. At least 10% 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.
- viii. The right to vote at the meeting shall be restricted to members whose current subscriptions are fully paid.

## 5. Special General Meetings

- i. Any General Meeting of the Branch other than the Annual General Meeting shall be known as a Special General Meeting.
- ii. The committee may call a Special General Meeting at any time upon giving not less than fourteen (14) days written notice 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. Amendments to such motion may be proposed at the meeting.
- iii. The committee shall call a Special General Meeting upon receipt of a request to do so signed by not less than **five (5)** paid-up members, provided that the request states the reason and contains the text of at least one motion proposed for consideration. The provisions of the preceding paragraph shall apply with regard to conduct of the meeting.
- iv. The business of a Special General Meeting shall be that for which it was called and no other.
- v. The provisions of Bye-laws 3 (vii) and (viii) shall apply to Special General Meetings.

## 6. Voting

- i. Subject to the provisions of Bye-law 4 (iv) and 11 (ii) 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 votes of a simple majority of voting members present.
- ii. Subject to Bye-law 12, a motion to alter these Bye-laws shall only be carried by at least a two-thirds majority of votes cast by not less than 10% 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.
- iii. Except as provided in Bye-laws 11 and 12, the committee may put any motion to the voting membership at any time by postal ballot.

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 votes cast by not less than 10% of the members of the Branch entitled to vote at General Meetings.

## 7. Committee

- i. The appointed committee member should take their position upon election and remain until their successors have been elected.
- ii. The committee shall have the power to fill any vacancy amongst the officers of **Dearne Valley Divers** 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.
- iii. A simple majority of voting committee members shall form a quorum for a meeting; provided, however, that no quorum shall be formed without the presence of either the 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.
- iv. The committee may adopt no resolution unless:
  - a. It has the votes of a simple majority of those members present and entitled to vote, and...
  - b. 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.
- v. No member shall be entitled to vote on a matter in which his interest differs from that of the Branch as a whole, and he shall withdraw from any meeting during the period of discussion of such interest.

- vi. Any Officer shall have the power to require the Secretary to call a meeting of the Committee at any time.
- vii. The Officers of **Dearne Valley Divers** shall have the following duties:

**Chairman** – The Chairman shall be the spokesman for **Dearne Valley Divers** and shall further its interests to the best of his ability. He shall preside at the Annual General Meeting, Special General Meetings and meetings of the Committee.

**Vice Chairman** – The Vice Chairman shall preside at Special General Meetings and meetings of the Committee on the absence of the Chairman.

**Secretary** – The Secretary shall keep the minute books of all proceedings of **Dearne Valley Divers**. He shall convene meetings, prepare agendas, record transactions at meetings, deal with Branch correspondence, and maintain in good order and safe-keeping all records, documents and books of **Dearne Valley Divers**. He shall present a report to the Annual General Meeting and Special General Meetings. He shall invite nominations of candidates for Committee, prepare ballot papers, receive notification of any special business proposed by members and give all the notices required by these byelaws in the manner and at the times therein prescribed.

**Treasurer** – The Treasurer shall be responsible for the financial administration of **Dearne Valley Divers** required by these byelaws. He shall keep proper books of account of all sums received and expended on behalf of **Dearne Valley Divers** and shall record the assets and liabilities of **Dearne Valley Divers** so as to show a true and fair view of the state of its affairs and explain its transactions.

He shall prepare a statement of income and expenditure and a balance sheet to the Accounting Reference Date each year which he shall present to the Annual General Meeting.

He shall prepare a balance sheet each month which he shall present to the Special General Meeting.

He shall effect in the name of **Dearne Valley Divers** and keep records of all investments by the Committee. He shall arrange for all such monies and securities to be deposited at such branch of such bank as the Committee may direct to the credit of an account in the name of **Dearne Valley Divers**.

He shall be responsible for the calling in and collection of all debts and of subscriptions from Members and for the discharge of all liabilities of **Dearne Valley Divers** out of its funds as the Committee may direct.

**Diving Officer** – The Diving Officer shall be the advisor to the Committee on all technical aspects of diving and shall be responsible for diving arrangements in connection with **Dearne Valley Divers** activities.

He shall arrange for examinations to be held and certificates of qualification to be issued to those who attain the required standard in such examinations.

He shall report to the Annual General Meeting and Special General Meetings on all matters which fall within his responsibilities.

**Training Officer** – The Training Officer shall be responsible for the implementation of training for all members of **Dearne Valley Divers** to BSAC requirements. He shall prepare training schedules as required and ensure their completion. He shall be responsible for the safety and supervision of the general public undertaking ‘try dives’ and other related activities. He shall report to the Annual General Meeting and Special General Meetings on all matters which fall within his responsibilities. He may be assisted in his duties by such person(s) as the Committee approve.

**Equipment Officer** – The Equipment Officer shall be responsible for the safe, secure storage and maintenance of all diving and other related equipment in the ownership of **Dearne Valley Divers**. He may be assisted in his duties by such person(s) as the Committee approve.

## 8. Branch Activities

- i. At the discretion of the Diving Officer, **Dearne Valley Divers** diving and open-water training activities shall be open to members of other club/branches and to guests.
- ii. If a member damages or loses **Dearne Valley Divers** equipment the Committee may charge that member the cost of repairing or replacing it.

## 9. Discipline

- i. Temporary suspension from participation:
  - a. The person in charge of a **Dearne Valley Divers** activity may suspend, at their discretion and for the duration of the activity, any member who misconducts themselves. 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.
  - b. 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 explain his view of the matter.
- ii. Suspension and loss of membership:
  - a. The committee shall have the power by a two-thirds majority of all current voting members to suspend the membership of any member of **Dearne Valley Divers**. Suspension of the membership of any officer or other committee member shall be dealt with in accordance with the provisions of the next sub-clause. A decision to suspend shall be immediately communicated to the member concerned, and his membership shall 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 they shall be given the opportunity to answer fully the charges against them. 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 be lifted and the member shall be informed accordingly. If the motion is carried again by the said majority, the member shall be informed and they shall be deemed to have resigned their membership in the Branch. The member affected shall have the

right to appeal the decision of the Committee to the next General Meeting of the Branch. In that regard, they shall for the purposes of Rules 11 (v) and 12 (iii) have the rights of a paid-up member.

- b. Suspension of the membership of an officer or other committee member shall only be voted upon at a meeting where the agenda has [a] 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, they shall be entitled to hear and respond to the charges levied against them. 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 they 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.

## 10. Subscriptions

- i. Anyone joining or re-joining **Dearne Valley Divers** shall pay the appropriate BSAC membership subscription and the Branch subscription.

## 11. Dissolution

- i. **Dearne Valley Divers** 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 4(i).
- ii. A proposal to dissolve **Dearne Valley Divers** shall be subject to ballot and, in order to be carried, it must receive the votes of two-thirds of the voting members of **Dearne Valley Divers** who are present at the Meeting.
- iii. If dissolution of **Dearne Valley Divers** is voted in accordance with the preceding provisions of this Bye-law, the committee shall proceed without delay to realise the value of the property of **Dearne Valley Divers** and to discharge **Dearne Valley Divers** outstanding liabilities. Any net assets remaining shall be distributed to such recipient or recipients and in such fashion as the Meeting shall have decided.

(If **Dearne Valley Divers** has assets acquired in part or in full with grants from agencies such as the Lottery Sports Fund or Foundation for Sport and the Arts, those agencies should be informed of the proposed dissolution, for they have a right to recover a proportion of the current value of the assets.

## 12. Amendment

- i. These Bye-laws may only be amended in General Meeting in accordance with the affirmative votes of a majority of **sixty (60)** % of those voting members of **Dearne Valley Divers** who are present at the meeting.
- ii. Notwithstanding anything to the contrary contained in these Bye-laws, no amendment may be made to this Bye-law or to Bye-laws 3, 11 and 13, 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.

### **13. 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.

### **14. Financial**

- i. Purchases of any item of equipment or service of £200 or less in value can only proceed following the prior approval of the Chairman or Treasurer.
- ii. Purchases of any item of equipment or service greater than £200 in value can only proceed following the prior approval of the Committee.

These Branch bylaws are adopted by Dearne Valley Divers at the Annual General Meeting on 11th February 2019.

Signed:

A. Hodgson, Chairman