
MERSEYSIDE

***BSAC
BRANCH 5***



***THE
CONSTITUTION
2017***

VERSION 9TH February 2017AMENDMENTS SHEET

DATE	AMENDMENT	BY WHOM
26th FEBRUARY 1993	BY UNANIMOUS VOTE AT THE SPECIAL GENERAL MEETING AS ACCEPTED	BRANCH MEMBERS
12 th NOVEMBER 1993.	AMENDED AT THE ANNUAL GENERAL MEETING BY UNANIMOUS VOTE	BRANCH MEMBERS
4th NOVEMBER 1994	AMENDED AT THE ANNUAL GENERAL MEETING BY UNANIMOUS VOTE	BRANCH MEMBERS
29th OCTOBER 1999	AMENDED AT THE ANNUAL GENERAL MEETING BY UNANIMOUS VOTE	BRANCH MEMBERS
3rd NOVEMBER 2000	AMENDED AT THE ANNUAL GENERAL MEETING BY UNANIMOUS VOTE	BRANCH MEMBERS
6th NOVEMBER 2003	AMENDED AT THE ANNUAL GENERAL MEETING BY UNANIMOUS VOTE	BRANCH MEMBERS
19 th APRIL 2007	AMENDED TO INCLUDE THE "FACILITIES MEMBER" AT THE SPECIAL GENERAL MEETING BY UNANIMOUS VOTE AND MINOR AMENDMENTS BY THE COMMITTEE	BRANCH MEMBERS & COMMITTEE
OCTOBER 2011	MAJOR REVIEW OF DOCUMENT IN TERMS OF TITLE, FORMATTING, UPDATING, LANGUAGE, MEMBERSHIP CLASSES AND RULES & BYELAWS	SUB-COMMITTEE
9 th FEBRUARY 2012	NEW CONSTITUTION ACCEPTED BY MEMBERSHIP AT EGM	BRANCH MEMBERS
9 th FEBRUARY 2017	AMENDED AT THE ANNUAL GENERAL MEETING BY MEMBERSHIP AT THE AGM 9 TH FEBRUARY 2017	BRANCH MEMBERS & COMMITTEE

MERSEYSIDE BSAC BRANCH 5 CONSTITUTION

1 TITLE

- a) The title of the Branch shall be called the MERSEYSIDE BRANCH OF THE BRITISH SUBAQUA CLUB (herein after called THE BRANCH).

Herein after the BSAC shall be called THE CLUB.

- b) Any words importing the singular number only shall include the plural number and vice versa.

Words importing the masculine gender only shall include the feminine gender.

Words importing person shall include corporations.

- c) Headquarters. The headquarters of the Branch shall be at the Clubhouse

1 Riverview Road, Seacombe, Wallasey, Merseyside

or at any place at any time as may be decided by the Committee.

2 AIMS & OBJECTIVES

The Aims and Objectives of the Branch shall be those of the BSAC and as set down in the publication "*Memorandum and Articles of Association and Rules of the BSAC*".

3 MANAGEMENT

- a) The Officers of the Branch shall be the Chairman, Secretary, Treasurer and Diving Officer.

- b) No person may be elected to hold more than one Officer position at a time and the Office of Chairman, of Treasurer of Secretary and Diving Officer shall not be held by the same person for more than three years consecutively save that a period of Office of less than a complete year shall not be reckoned as part of the three years. An Officer shall not be re-elected for the same post within eleven months of the expiry of the three-year period for which he previously held that post.

- c) The Aims and Objectives of the Branch shall be promoted by and the management thereof shall be the responsibility of the Committee.

4 CLUBHOUSE

The Branch may maintain for the convenience of its members a clubhouse at a site selected by the Committee, the control of which is the responsibility of the Branch Committee.

5 MEMBERSHIP

MEMBERSHIP OF BSAC MERSEYSIDE BRANCH 5 IS ANNUAL. NO REFUNDS ARE MADE ON TERMINATION OF MEMBERSHIP FOR ANY REASON PRIOR TO THE EXPIRY OF THE MEMBERSHIP PERIOD.

There shall be ten classes of membership available as outlined below. Full members thereof shall be entitled to vote on all matters. All other classes of membership shall be entitled to vote on matters pertaining to only the Branch administration and matters relating to their class of membership and not BSAC matters.

MEMBERSHIP CLASSIFICATIONS

There are three groups of membership:

- Diving
- Snorkelling
- Social

Group 1 – Diving

- A. FULL DIVING MEMBER – Includes all diving and instructor grades – Any person over the age of 18 years who submits a valid medical or medical self-declaration form.
- B. DUAL (Affiliate) MEMBERSHIP – A member who is a full member of another Branch of the BSAC, but will not entitle such a member to hold an office on the Branch Committee nor organise club dives using Branch 5 boats and equipment unless such dives are sanctioned by the Branch Diving Officer. Branch fee same as Full Member. BSAC membership fee paid to primary Branch or BSAC Direct Debit. Proof of current membership is required by the Branch 5 Membership Secretary.
- C. JOINT (Abated) MEMBERSHIP – Available for members of the same household of a full member. Branch fee same as Full Member. No BSAC fee charged by Merseyside Branch.
- D. JUNIOR MEMBER – AGED 12 – 17. Parent must be an active member of the Branch if under 18. Branch fee same as Full Member. Reduced BSAC fee.
Full instructor training is given with the parent present at all times.
- E. STUDENT MEMBER – For those over the age of 18 and in full time education. Proof of full time education required. Branch fee same as Full Member. Reduced BSAC fee.

Group 2 – Snorkelling

- F. FULL SNORKEL MEMBERSHIP – 18 years and over. Includes magazine and voting rights
- G. SNORKEL MEMBERSHIP – 6 – 17 years. No magazine or voting rights

Group 3 – Social Membership

- H. POOL & SOCIAL MEMBERSHIP – Entitles member to use the clubhouse facilities socially and gives free access to the training pool on a club night, specifically excludes the use of snorkelling or SCUBA equipment. No BSAC membership. Excludes voting rights on Diving or Snorkelling activities.
- I. SOCIAL MEMBERSHIP – Entitles member to use the clubhouse facilities socially. Does not provide access to the pool. Excludes voting rights on Diving or Snorkelling issues.
- J. HONORARY MEMBER – (Historically not a BSAC membership. Equivalent to Pool & Social Membership) who may be any person, invited by the Branch Committee, in its absolute discretion, to become an Honorary Member for such a period as the Branch Committee shall determine.

Every applicant for membership must be proposed by one member of the Branch and seconded by another member of the Branch, both the proposer and seconder being full members and vouching for the candidate's fitness for membership.

The name and address of every candidate proposed for membership, together with the names of the proposer and seconder shall, for a period of at least two clear weeks before such a candidate be elected, be posted by being fixed in a prominent position in the clubhouse.

Any member objecting to such application to join the Branch should make their objections known to an Officer of the Branch.

All applications are subject to approval by the Branch Committee.

It shall be the duty of the Secretary to ensure that any such notice remains so exhibited throughout the period required.

6 CHARGES

- a) Persons joining or re-joining the Branch shall pay such membership fees as may be determined from time to time by the Committee.
- b) All members shall pay to BSAC (if applicable to that membership) on being accepted such initial and thereafter such annual or other periodical subscriptions as shall be established from time to time by BSAC. Dual Members must provide evidence of current BSAC membership status.
- c) A member of this Branch shall immediately cease to be a member if he does not pay within one month of any subscription being due to this Branch.
- d) Due to lapsed Third Party Insurance Cover, those members so lapsed shall be excluded from Branch and Club activities.
- e) Persons failing to renew their membership to this Branch within twelve months of the due date will be considered to be lapsed members. In such cases, formal application to rejoin shall be required as in Rule 5.

7 ANNUAL GENERAL MEETING

A General Meeting called the ANNUAL GENERAL MEETING shall be held each year in the month of November, to be chaired by the current Chairman, at which the quorum shall be 25 voting members or one third of the total membership, whichever is the less.

The business of the Annual General Meeting shall be:

- a) The minutes of the previous Annual General Meeting (AGM) and of any Extraordinary General Meeting, which may have occurred in the interim period. All business shall be deemed to be special that is transacted at an EXTRAORDINARY GENERAL MEETING and all that business (save as such as is specified in paragraph 7 hereof) which is transacted at an Annual General Meeting.
 - a) The appointment of non-voting members as tellers for a ballot.
 - b) The Chairman's Address.
 - c) The Secretary's Report.
 - d) The Treasurer's Report and Approval of Accounts
 - e) The Diving Officer's Report.
 - f) The election of Officers for the ensuing year.
 - g) The election of ordinary Committee members as specified.
 - h) Motions of which notice has been given.
 - i) Other business as the Chairman may select.

Such other business (without prejudice to the provisions of the Constitution) as the Chairman may allow providing that this shall not empower the Chairman to treat as ordinary business under this Article, business that would otherwise fail to be treated as Special Business.

- j) Notice of the Annual General Meeting of the Branch, which shall be held in November of each year, shall be sent by post, or otherwise delivered, to all paid-up members eight weeks before the meeting.
- k) This notification should confirm the names of those Committee members who wish to stand again and have been duly nominated and seconded. It should also include a request for further nominations for the Committee from the membership.
- l) All nominations must be proposed and seconded and signed by the nominee that they are willing to accept the nomination and the position, if they are elected.
- m) Nominations for the positions of Diving Officer, Training Officer and Treasurer from the membership must be delivered to a Branch Officer no later than the last Thursday before the October Committee meeting.
- n) Nominations for other Committee positions must be delivered to a Branch Officer 14 days prior to the AGM.
- o) The notification of the meeting shall also include motions proposed by the Committee. Those proposed by the members must be seconded and delivered to the Honorary Secretary 14 days prior to the Annual General Meeting. Any member may propose an amendment to these motions at the meeting.

8 NOMINATIONS

- a) The positions of Diving Officer, Training Officer and Treasurer to be approved by the Branch Committee at the October Committee meeting and submitted for voting if required to the Annual General Meeting. In the event of members at the Annual General Meeting not approving the Diving officer, Training Officer and Treasurer put forward by the Committee, the matter shall be referred back to the Committee and a Special General Meeting be called to elect the person(s) named.
- b) If an election is required between nominees, other than those stated in a), a ballot of voting members shall be effected by a majority of the votes cast therein. If there is only one nominee for a post, that candidate is appointed without a vote being taken. If no nominations are received by the date of the Annual General Meeting, the Chairman may accept nominations on that day.

9 VOTING

- a) The election of the Committee and voting on such motions shall be by show of hands unless one or more objections is received from the floor, in which case a secret ballot will be held.
- b) Any motion which the Branch Committee considers may affect the Constitution of the Branch shall be passed only by a two to one majority of votes cast by a quorate meeting of the members of the Branch in a ballot of those members present.

- c) Postal / Email / Proxy Voting

To facilitate the need for members who wish to express their vote at Branch Annual General Meetings and Extraordinary General Meetings, members may cast their vote based on Motions and Nominations that have been included in the General Meeting notification, either by casting their vote as indicated on the form and submitting it by post or email to the designated Branch Officer, to arrive by the time and date notified on the form, or by appointing a proxy to vote in person at an AGM or EGM on their behalf. Notification of intention of a Proxy Vote or delivery of Postal Votes must be received by the Thursday before the AGM.

10 COMMITTEE

- a) The Committee may appoint and dismiss sub-committees and prescribe rules for the conduct thereof, may co-opt members for any special purpose, provided that such members shall not be entitled to vote in deliberation of the Committee.

The Committee may fill from its own members any vacancy in the Officers and from the voting membership of the branch any vacancy in other positions which occurs in its term of office.

- b) The Committee shall meet at least once in each month except August, but a meeting can be called on seven days' notice to all members from the Secretary.
- c) Five (5) to form a quorum, one at least to be Chairman, Vice-Chairman or Secretary.
- d) The Committee shall arrange activities for the Branch, in accordance with the Objectives, and to raise funds therefore, and defray expenses thereof, may charge such fees for participation and incur such liabilities as it may deem proper, provided that the Committee may not, without prior approval of a General Meeting, incur liabilities in excess of the assets, including therein the reasonably expected income.
- e) The Committee shall hold and administer, for the general benefit of all members, all funds, property and equipment in the general membership of the Branch.
- f) The Committee shall insure the premises and equipment of the Branch against all the usual property risks and the Branch and the members thereof against Third Party Liability

- incurred thereby within the United Kingdom whilst engaged in authorised activities of the Branch.
- g) The Committee may, from time to time, make, repeal and amend all such Rules (not inconsistent with this Constitution) as they may think expedient for the internal management and wellbeing of the Branch. All Rules made by the Committee under this Constitution shall be binding on all members until repealed by a resolution of a General Meeting of the Branch.
- h) The Committee may award to any member such honorarium as it shall deem proper for the necessary technical or professional service to the Branch which would have otherwise have required the employment of an independent contractor, may reimburse out-of-pocket expenses incurred by a member in the conduct of the affairs of the Branch, as a result of any direction by the Committee.
- i) Committee may at any time require any member to give to Committee orally at a meeting of Committee or in writing particulars or explanations in regard to any act alleged to have been done or omitted by such member which in the opinion of the Committee constitutes a breach of such member's obligations under this Constitution or is calculated to be prejudicial to the interests of the Branch or its members collectively.
Where such particulars or explanations are required in writing Committee shall permit such member and any witnesses he may call to be heard at a meeting of Committee. Any requisition under this article shall be made by notice in writing accompanied by a copy of this and the next following Rule to the member in question and shall specify the date of notice within which such member is required to comply therewith by attendance at a meeting of Committee or by explanation in writing as the case may be.
- j) Any member may be excluded from the Branch by resolution of Committee by a two-thirds majority provided that no member shall be excluded from Branch unless the member in question has first been required by Committee to give particulars and explanations of any acts alleged to have been done or omitted by such member in accordance with the provisions of the last foregoing Article and provided that any Officer or member of Committee so excluded or required to resign from Committee shall if he so wishes be permitted to address the next following Annual General Meeting.
- k) The Committee shall be responsible for appointing a member to act on their behalf for the purchase and supply of intoxicating liquor by the Branch to the members and other persons on Branch premises. The Committee shall ensure the due observance of the current licensing act and all acts relating thereto and of any conditions attached to any license held by or on behalf of the Branch, for the supply of intoxicating liquor or to the registration certificate granted in respect of the Branch premises.
- l) The Committee shall embed the BSAC Safeguarding Policy into the Branch's own Constitution

11 EXTRAORDINARY GENERAL MEETING

- a) Any other general meeting shall be known as an Extraordinary General Meeting and may be called at any time by the Committee on receipt of a request to do so by
 - i) Any member supported by the signatures of 25 voting members or one third of all voting members whichever is the less.
 - ii) The full Committee.
- b) Within one month of receipt thereof, an Extraordinary General Meeting shall be convened by the Committee after giving fourteen days' notice to the voting members.
- c) The business of the Extraordinary General Meeting shall be that for which it was called and no other.
- d) The procedure applicable to an Annual General Meeting shall otherwise apply to an Extraordinary General Meeting.

12 CHAIRMAN

The Chairman shall be Spokesman for the branch and shall further its interests to the best of his ability. He shall address the Annual General Meeting, Extraordinary General Meeting and meetings of the Committee. In the absence of the Chairman, the Vice Chairman shall preside and in his absence, the relevant meeting shall elect one of the Committee members to preside. The Chairman must maintain order at all meetings and have a good knowledge of procedure.

13 SECRETARY

The Secretary shall keep the minute book of the Branch and the Committee. He shall summon meetings, prepare agenda, record transactions at Meetings, deal with Branch correspondence, maintain in good order and safekeeping, records, documents, insurance and books of the Branch and present a report to the Annual General Meeting. Any notice required in accordance with this Constitution, to be given to voting members by the Secretary, shall be duly given, on or before the commencement of the relevant period of time.

14 TREASURER

The Treasurer shall keep proper books of account of all funds received or paid on behalf of the Branch, shall effect in the name of the Branch and keep records of all investments by the Committee. He shall arrange for all such funds 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 the Branch on which cheques or other orders shall be signed by not less than two (2) of the Officers. He shall be responsible for the calling in and collection of debts, capitation subscription from members and for the due discharge of all liabilities of the Branch out of Branch funds as the Committee may direct. He shall prepare a statement of income and expenditure and a balance sheet to the 30th September of each year, which he shall cause to be audited by auditors, approved by the Branch Committee, and presented to the Committee for submission to the Annual General Meeting and may be assisted in his work by such person or persons as the Committee may approve. The

auditors, at the discretion of the Committee, may be two competent/qualified members of the Branch.

15 DIVING OFFICER

The Diving Officer shall be the advisor to the Committee on all aspects of diving and shall be responsible for diving arrangements in connection with Branch activities. He shall prepare Diving Regulations & Recommendations for the approval and publication by the Committee. He shall award certificates of qualification to be issued to those who attain the required standard in such examinations. He is responsible for co-ordinating the resources of those listed in Rule 16;

He shall report to the Annual General Meeting on all matters which fall within his responsibility.

16 ASSISTANT DIVING OFFICER, TRAINING OFFICER, ASSISTANT TRAINING OFFICER and EQUIPMENT OFFICER

The above Committee members are to assist the Diving Officer in all aspects of all Branch diving, training and equipment activities and the keeping of proper records.

17 ACTIVITIES

- a) Members of any other branch of BSAC may participate in the activities of this Branch as 'guests', on application to the Diving Officer or Dive Manager, if able and willing to accept him. The definition of 'guest' is as defined in the Combined Diving Association's publication 'Guidance for the Safe Operation of Member Club Dive Boats' (i.e. Six days in any calendar year)
- b) No activity of the Branch shall be undertaken unless it has been authorised by the relevant Committee member. The Diving Officer shall appoint a person as Dive Manager, who shall control and supervise that activity to secure safety and discipline are maintained on diving expeditions.
- c) To secure safety and discipline on diving expeditions the Dive Manager may suspend for the duration of the expedition any member who fails to obey instructions given by such leader for the said purpose. All such suspensions shall be promptly reported to the Branch Committee in writing.
- d) Every member of the Branch shall be bound to further to the best of his ability, the Objectives, interests and influence of the Branch. Members shall undertake not to bring, or join in bringing any action, claim or other proceeding against the Branch, its Officers or members, whose bona fide actions are not contrary to this Constitution and are carried out in furthering the Objectives of the Branch.
- e) Any administration of therapeutic oxygen must only be given to divers suffering from diving related conditions, administered by suitably qualified persons. Following such incidents a written report must be submitted to the Branch Diving Officer.

- f) No member may take part in any aqua-lung open water activity without first submitting a valid medical certificate. This can be either a self-declaration form as laid down by BSAC Council or a valid medical certificate from a BSAC Medical Referee.
- g) All watercraft (other than hand-propelled watercraft) used by Branch or by any member of the Club on Club or Branch activities must be insured for Third Party risks with a minimum indemnity limit of an amount stipulated by BSAC Council from time to time. All policies in existence now or in the future must be endorsed to indemnify Council for the time being and any employee of BSAC and affiliated Clubs and Branches. Members wishing to use their own boats on expeditions must lodge proof of current insurance with the Branch Committee, prior to embarking on the activity.
- h) Members suitably qualified to use rebreathers (closed or semi-closed) and mixed gas may use such technical diving techniques on branch dives, at the discretion of the Diving Officer, to within the limits specific to their current qualification.
- i) The Branch compressor and filling facilities must only be operated by Branch members suitably qualified to do so, in order to comply with the equipment insurance requirements.
- j) Nitrox and Mixed Gas blending must only be carried out by those Branch members qualified in those skills.

18 INTERPRETATION

Committee shall determine any question as to the interpretation of this Constitution and may rule for any occurrence not provided within it.

19 DISSOLUTION

If, at any General Meeting, a resolution is passed for the dissolution of the Branch, an Extraordinary General Meeting shall be called, to be held not less than one month thereafter. Confirmation of dissolution of the Branch can only be passed by a majority of two-thirds of the voting members, the Committee shall thereupon or at such future dates shall be specified in the resolution, proceed to realise the property of the Branch and after discharge of all liabilities shall hand over the net assets to such a body having similar objectives to those of the Branch, as shall be specified in such a resolution.

20 AMENDMENTS

No amendments shall be made to Rule 14 or this Rule, except by a resolution of a General Meeting, of which two-thirds of the voting members are in favour. Subject thereto no amendments shall be made to these Rules except by a resolution of a General Meeting, of which a majority of the voting members present and voting are in favour.

RULES & BYELAWS FOR THE REGULATION OF THE CLUBHOUSE

1, RIVERVIEW ROAD, WALLASEY

1. OPENING HOURS OF THE CLUBHOUSE

The clubhouse may be open for the sale of intoxicants throughout the week in line with current licensing laws, which will be published in the clubhouse.

2. CLUBHOUSE MANAGEMENT

The Committee may appoint a Bar Steward following the AGM, who will be willing to take responsibility for the management, security and upkeep of the Clubhouse. The Bar Steward shall enforce the maintenance of the Clubhouse Rules and Byelaws by all members when on Clubhouse premises and shall manage the Clubhouse, in accordance with these Rules to the benefit of all members.

Any breach of the clubhouse Rules or byelaws is to be reported to the next Committee meeting. The Bar Steward is responsible for arranging volunteer helpers to assist him during opening hours to ensure adequate cover. He is responsible for stock purchase and sales, maintaining agreed margins and providing monthly reports and invoices to the Branch Treasurer.

3. USE OF FACILITIES

Any member or person using the facilities of the Clubhouse shall, upon request, produce his membership receipt or enter his name and address and the date of the visit in the visitor's book.

4. REFUSAL OF ENTRY

The Committee or its representative reserves the right to refuse entry and to evict any person whose conduct may be deemed to be disorderly.

5. GUESTS

No person, other than a Branch member, shall be allowed into the Clubhouse, unless introduced by a member. The member shall write his own name and the names and addresses of his guests, together with the date of the visit, in the visitor's book provided for this purpose. Guests shall not be provided with any form of refreshment in the Clubhouse, unless at the express invitation of a member. That member is also responsible for his guests' observance of the Clubhouse Rules and byelaws.

6. PETS

No dogs or other such pets shall be allowed in the Clubhouse with the exception of guide dogs

7. UNLAWFUL ACTIVITIES

The Clubhouse shall not be used for the purpose of unlawful gambling or the playing of unlawful games or unlawful activities

8. SALES CONDITIONS

All sales to members should be strictly on a cash basis and no accounts being opened. Members must clear expenses before leaving the Clubhouse.

9. OTHER USES OF CLUBHOUSE

No theological or political meetings shall be held in the Clubhouse.

10. ADVERTISEMENTS

Advertisements shall only be displayed on notice boards provided and then only on the permission of the Branch Secretary.

11. BRANCH ITEMS & TROPHIES

- a) No member shall remove from the Clubhouse or injure or destroy any article belonging to or in the custody of the Branch.
- b) Items loaned or trophies awarded to members must be returned on request, written or otherwise, of the Committee.
- c) Any item belonging to or in the charge of the Branch shall only be removed from the premises upon the express permission of the Equipment Officer or his delegate.
- d) Diving equipment belonging to the Branch shall only be removed from the premises on the express permission of the Equipment Officer or his delegate.
- e) Any damage done to Branch property by a member or guest shall be made good by such member or the member introducing such guest, unless the Committee is satisfied that such damage was accidental.

12. PROVISIONS & EXCISABLE ARTICLES

All provisions and excisable articles in the Clubhouse shall be under the absolute control of the Committee and be for the benefit of the Branch.

13. MEMBERSHIP LIST

The Membership Secretary shall keep an up-to-date list of the Branch membership at the Clubhouse.

14. REFRESHMENT TARIFF

A tariff of charges for refreshments will be placed in the Clubhouse. These charges shall be paid to the person in charge at the Clubhouse, who will enter the total amount received thereof regularly in the account book kept for this purpose, and shall initial his entry.

15. COMPLAINTS

- a) Any complaints against the arrangements or regulations of the Clubhouse should be forwarded in writing to the Branch Secretary to be submitted at the next Committee meeting.
- b) Any complaints against a servant of the Clubhouse should be sent in writing and placed before the next Committee meeting and not entered into as a form of personal reprimand by a member.

16. BREACH OF RULES

Any member observing a breach of Branch Rules or byelaws on the premises should report the same to the Committee for their attention.

17. PARKING

Members and guests visiting the Clubhouse should endeavour to park their cars in a manner and position where they will cause least interference to local residents.

18. CLUBHOUSE RULES

- a) These rules shall be posted in a prominent position in the Clubhouse.
- b) Amendments and alterations to these Clubhouse Rules can be effected only by the Branch Committee from time to time in accordance with Rule 4 of the Constitution.
- c) Each member will be entitled to a copy of these Clubhouse Rules.