

## **BRANCH RULES**

**Approved by the Committee & the members  
of Sub C Divers on the 22<sup>nd</sup> March 2023**

### 1. TITLE

- 1.1 Sub 'C' Divers (Club) is a branch of the British Sub-Aqua Club (BSAC).  
The Club is branch number 1206 of the BSAC.
- 1.2 These Rules and appendix applies to all members of the Club and represents the entirety of the rules applicable to members. For the avoidance of doubt, all rules relating to Sub 'C' shall cease on the day these rules come into force.
- 1.3 The headquarters of this club shall be the Howe Bridge Sports Centre, Eckersley Fold Lane, Atherton, Manchester M46 0PJ or at any place decided by the Committee.
- 1.4 A member of the Club must comply with these Rules and with any duty or obligation imposed by them.
- 1.5 A member must not knowingly, recklessly or in bad faith provide the Club with false or misleading information relating to a member or any aspect of the Club's activities
- 1.6 If any member provides false or misleading information or fails to act within the Rules the Committee at its absolute discretion can annul that member's membership of the Club.

### AIMS

- 2.1 To promote underwater sport exploration science and related studies.
- 2.2 To promote safety in these activities and by co-operation with other organisations with related objectives
- 2.3 To provide the widest exchange of knowledge and experience therein.
- 2.4 To set and maintain the highest standards of such amateur activity as is consistent with the objects of the BSAC.
- 2.5 To provide education and training as consistent with the rules of the BSAC.
- 2.6 To promote equality and fairness for all, including actively opposing prejudice and discrimination on the grounds of gender, race, ethnic origin, religion, class, marital status, sexual orientation or identity, age or disability.
- 2.7 To promote constructive cooperation between all diving clubs (BSAC Branches) to further the interests of Sub C Divers and those in other clubs in dealing with the direct and indirect impact of activities on the environment.

### 3. MEMBERSHIP

- 3.1 The BSAC shall define the categories of membership. The Club may also decide on categories of membership outside of those decided by the BSAC. Where the Club chooses to do this, it will be subject to Committee approval.
- 3.2 In circumstances when members are unable to pay club fees due to illness, disability, unemployment or similar reasons they can ask for assistance from the committee. The committee will consider the individual circumstances and decide if a reduction is appropriate.
- The member will still be able to vote at any AGM or SGM.
- 3.3 Any eligible person may apply for membership of the club by completing the appropriate application form. An applicant shall become a member when his/her application has been approved by the Committee and their details entered into the register of members.
- 3.4 Each member shall notify the Secretary of the Club any subsequent changes of address and in the absence of such notice, the Club shall be entitled to treat the address shown on the member's application form as the member's address for all correspondence.
- 3.5 If the applicant has previously been a member of a branch(s) of the BSAC, the Committee of the Club may require as a condition of admission to Sub C Divers that the applicant pays arrears in full.
- 3.6 The Committee may reject an application if it considers that to do so is in the best interest of the club.
- 3.7 An applicant refused entry to Sub C Divers will have the right of appeal in person to the committee.

### 4. MEMBERSHIP FEES

- 4.1 It shall be the personal responsibility of the member to maintain contributions and avoid arrears in all circumstances taking in to account any assistance offered under 3.2.
- 4.1.1 Club membership will run from 1st March of any year to the end of 28<sup>th</sup> February of the next year.
- 4.1.2 A reminder will be sent to members at least two weeks before membership contributions are due. Members will be notified by e-mail to the address detailed on the club's membership list or in the absence of an e mail address by hand delivering a letter at the club meeting or to the postal address registered with the club.
- 4.1.3 Membership contributions are due on the first Wednesday of March in each year (due date).

## SUB - C - DIVERS

- 4.1.4 Excepting 4.1.5, membership monies are due in full on the due date.
- 4.1.5 Members who elect to pay quarterly must pay the first instalment on the due date and subsequent instalments on the first Wednesday in June, September and December of the same year as the due date to the Membership Secretary or their nominee

<b>FEES DUE (WED)</b>	<b>Email 2 Weeks prior</b>
<b>1<sup>st</sup> week March</b>	“ ”
<b>1<sup>st</sup> week June</b>	“ “
<b>1<sup>st</sup> week Sept</b>	“ “
<b>1<sup>st</sup> week Dec</b>	“ “

- 4.2 **Any member in arrears by 4 weeks or more may not attend AGMs or SGMs** until the arrears are clear. Subject to 3.2
- 4.3 **A member whose is more than 6 weeks in arrears may be excluded from membership by the Club** posting notice to that effect to the member.

Members will be notified by e-mail to the address detailed on the clubs membership list or in the absence of an e mail address by hand delivering a letter at the club meeting or to the postal address registered with the club

A member so excluded may apply for reinstatement of the Club subject to 3.5.

- 4.4 The Committee shall determine the level of contributions for each category of membership.
- 4.5 Members who have passed Advanced Instructor or both PIE and TIE and attain the qualification of Open Water Instructor will receive the next financial year's club membership for free should they remain an active instructor/ member of Sub C Divers.

This is at the discretion of the committee and **3 months' notice of the intention to undertake any of the above qualifications.**

No alternate reimbursement will be made.

## 5. THE COMMITTEE

- 5.1 **The Committee shall consist of a Chair, Treasurer, Diving Officer and a Secretary** and such Officers as the Committee sees fit and the Club elects.
- 5.2 **The Committee of the Club shall make its decisions on the basis of a simple majority**, except where otherwise required under these Rules or where the **Chair and Diving Officer together** believe that an issue is so fundamental to the Club that an AGM or SGM is required.

## SUB - C - DIVERS

- 5.3 **If any member of the Committee should cease to hold office for any reason then the Committee shall have the power to fill any vacancy amongst its membership** as is consistent within the objects of the Club.
- 5.4 **The Committee shall meet at least twice a year** at the request of the Chair or at least three members of the Committee.
- 5.5 *A quorum of the Committee is formed by a simple majority of its members* and must include either the Chair or the Secretary or the Diving Officer.
- 5.6 The Committee shall have the power to co-opt up to **four non-voting members**.
- 5.7 Members of the Committee who **do not attend on two consecutive meetings may be removed from office by the Committee if they fail to provide an explanation which the Committee considers adequate**.
- 5.8 The Chair shall preside over all Committee meetings to ensure that business is properly conducted and sign the minutes of each meeting, when passed. In the absence of the Chair at a meeting, the Committee shall elect a Chair for that meeting.
- 5.9 **The Treasurer shall be responsible for dealing with the financial transactions of the Club, ensuring that all payments and contributions are made in accordance with the rules of the Club and consistent with the wishes of the Committee.** He/she shall provide the Committee with a record of all financial transactions and shall ensure that they are accurately recorded in the Club records.
- The Treasurer must provide bank statements** and financial updates to the Chair or his nominee on a monthly basis and to the Committee at its scheduled Meetings.
- 5.10 The government, management and control of the Club shall be vested in the Committee and shall be consistent with the objects of the Club and the BSAC

## 6. FUNDS

- 6.1 The Committee of the Club shall have the authority to open and operate a bank/savings account on behalf of the Club, as it thinks appropriate.
- 6.2 **The Treasurer shall publish an annual financial report** providing details of the Club's income and expenditure in the previous two year to the Annual General Meeting. However, the Committee may request such a report on other occasions. .
- 6.3 All property, including books, charts, other media, effects, funds or other assets of the Club shall be held in trust on behalf of the club and shall be dealt with by the Committee.
- 6.4 Accounts shall be audited at least once a year in accordance with guidance provided by the BSAC.
- 6.5 **Cheques and other financial orders shall be signed by not less than two of the following officers:** Chair, Treasurer and Secretary or other appointed Committee members.

## 7. ANNUAL GENERAL MEETING

7.1 The Annual General Meeting (AGM) shall be held at a time set by the Committee between January and March each year.

7.2 Members will be notified of the **AGM at least 6 weeks in advance by e-mail** to the address detailed on the club's membership list or in the absence of an e mail address by hand delivering a letter at the club meeting or to the postal address registered with the club.

The notification will detail:

7.2.1 Any motions proposed by the Committee

7.2.2 A reminder that any member not in arrears on the date of the AGM may propose a motion.

7.2.3 All motions must be provided to the Secretary, in writing at least twenty one days before the date of the AGM.

However, at the sole discretion of the Chairman motions proposed and seconded at the meeting can be accepted.

7.2.4 The Secretary shall publish the agenda for the AGM at least fourteen days before the date of the AGM.

7.2.5 The nominations of members willing to stand for the Committee for the following year must be submitted in writing to the Secretary, at least fourteen days in advance of the date of the AGM.

Each nomination must be proposed, seconded and signed by the nominee. An oral declaration is acceptable if agreed by the Chair and Secretary.

However, at the sole discretion of the Chairman nominations proposed and seconded at the meeting can be accepted on the night.

7.3 Appointments to the Committee or Changes to the Rules of the Club shall require a qualified majority of 75% of members attending the AGM.

7.4 Members entitled to vote at the AGM but who are unable to attend can nominate a proxy to vote on their behalf.

7.5 The appendices to these Rules may be modified by the Committee by a simple majority.

## 8. SPECIAL GENERAL MEETING

- 8.1 A Special General Meeting (SGM) shall be called by a request of 12 members who are not in arrears at the time of request, by giving their reasons in writing to the Secretary. Upon receipt of such a request, the SGM must be called within six weeks of the request. The Secretary shall give at least fourteen days' notice of the date of the SGM.
- 8.2 The Committee shall have the power to call a SGM, by a simple majority.
- 8.3 The agenda of the SGM shall be confined exclusively and exhaustively to the purpose(s) it was called.
- 8.4 **Members will be notified of the SGM at least 6 weeks in advance by e-mail** to the address detailed on the clubs membership list or in the absence of an e mail address by hand delivering a letter at the club meeting or to the postal address registered with the club.

## 9. DISCIPLINE

- 9.1 A member of the Club may be charged with:
  - 9.1.1 **Acting in a way contrary to the Rules of the Club** or any duty or obligation imposed upon that member by or pursuant to these rules, whether in their capacity as a member, holder of office or representative of the Club.
  - 9.1.2 **Being a party to fraud on the Club** or any misappropriation or misuse of its funds or property.
  - 9.1.3 **Bringing about injury or discredit upon the Club** or any member of the Club.
  - 9.1.4 **Not paying the sum due for any organised diving** or other related activity as required by the organiser of that activity.
- 9.2 A disciplinary hearing shall be organised by the Committee. These directions will ensure that the hearing process is fair and conducted in accordance with the principles of natural justice.
- 9.3 A member found to have breached the rules of the club may be subject to sanction as determined by the chair of the disciplinary committee.
- 9.4 The member shall be informed of the outcome of the hearing in writing by the Secretary within fourteen days of such a sanction being passed.
- 9.5 Any member shall have the right to appeal against any disciplinary sanction.
- 9.6 An appeal must be lodged in writing to the Secretary within fourteen days of being informed of the sanction.

- 9.7 Upon receipt of an appeal, the Secretary shall arrange a sub-committee of members that have not been involved in the original process to hear the appeal. The appeal shall be held within twenty-eight days of notification.
- 9.8 The decision of the appeal hearing is final.
- 9.9 The Diving Officer, Dive Manager or Assistant Dive Manager may temporarily suspend a member from a Club activity at their discretion, for the duration of that activity. Such a suspension must be reported to the Chair, Secretary or Diving Officer at the earliest opportunity.
- 9.10 The Diving Officer, Dive Manager or Assistant Dive Manager and member suspended by means of rule 9.9 may be asked to explain their actions to the Committee. The member must, upon request be given the opportunity to make submissions regarding the events leading to their temporary suspension.

## 10. VOLUNTARY DISSOLUTION

- 10.1 **The Club may be dissolved by a resolution supported by not less than 80% of members attending the AGM or SGM.**

Members entitled to vote at the AGM/SGM but who are unable to attend can nominate a proxy to vote on their behalf.

- 10.2 After discharging all debts and liabilities, the remaining assets shall be divided equally between all members who are not in arrears at the date of dissolution, unless the members voting for dissolution shall have decided otherwise.
- 10.3 For the avoidance of doubt, should dissolution be decided all proceeds shall be given to the RNLI.

## 11. INTERPRETATION

- 11.1 The Committee shall be responsible for interpreting these Rules and introducing new rules subject to rule 8.4
- 11.2 These rules shall be governed by and construed in accordance with English law.

## 12. ADOPTION OF THESE RULES

- 12.1 On the first occasion, the rules will be adopted by a qualified majority of 75% of members attending the AGM.

Members entitled to vote at the AGM but who are unable to attend can nominate a proxy to vote on their behalf.

- 12.2 Thereafter, the rules shall only change subject to 7.3 of these Rules.



## **APPENDICES**

### **1. Use of club equipment**

### **2. Hire of Club Equipment for training**

### **3. Visitors**

### **4. Fees structure**

### **5. Training**

### **6. Divers code of conduct**

### **7. Welfare policies**

## **Appendix 1 Use of club equipment**

### **Boat**

1. Members should check on the clubs year planner to see if the required date is available.
2. Confirm with the equipment manager and provide a completed boat booking form.
3. The club boat shall only be cox'd by qualified experienced boat handlers.
4. The boat should be returned to its place of storage. It should be fully washed including flush through of the engine with fresh water & should be fully fuelled ready for the next users.

## **Appendix 2 Hire of club equipment for training**

1. Members may be required to pay for damage to equipment belonging to, or loaned to, the club for diving activities. The decision will be at the discretion of the Committee.

The equipment detailed in the hire agreement will be provided for a period of four month at a cost determined by the Committee. The person named on the hire agreement is responsible for replacing any lost or stolen equipment or for the repair to damaged equipment detailed on the hire agreement.

### Appendix 3 - VISITORS

1.0 The following types of visitors are welcome at the club:-

- Anyone wishing to undertake a try dive
- Friends and family of members wishing to use the swimming pool
- Students from other clubs and dive organisations

#### 2.0 Try Divers

2.1 All try divers must make prior arrangement with the club to undertake a try dive and must sign a disclaimer provided by the club prior to entering the water.

2.2 Try divers must pay in accordance with the branch price list for each try dive undertaken.

#### 3.0 Friends

3.1 Friends of club members a token amount as per branch price list for use of the swimming pool.

3.2 Liability for use of the pool is vested in Howe Bridge Sports Centre and Wigan Council.

3.3 All non-members using the pool agree to abide by the rules of Howe Bridge Sports Centre and Wigan Council.

3.3 All non-members using the pool do so at their own risk and agree to not hold Sub 'C' Divers responsible for any damages however caused, irrespective of whether such damage was foreseeable.

#### 4.0 Divers

4.1 Divers who are not members of Sub C Divers and External Students at the Branch diving officers discretion.

4.2 External Students and qualified divers who are members of another BSAC branch must ensure they have a current BSAC UK Sport Diver Medical Form prior to entering the water.

4.3 Divers from other training agencies wishing to use the pool shall ensure they have a current Diver Medical Form prior to entering the water.

4.4 All students must be accompanied by an instructor qualified to teach the lesson being undertaken.

4.5 All visitors to the Club are required to act appropriately with consideration for others.

4.5.1 All visitors must observe request made by a member of the Club regarding the health and safety of the visitor and or other members of the Club.

### **Appendix 4 – Branch Fee Structure**

1.0 The Sub C Divers annual fees are available within the branch price list and notice will be given to members concerning any price amendments.

2.0 Diving members of the Club must also be members of the British Sub – Aqua Club.

3.0 Social members of the Club may use all the facilities of the club except those related to diving.

4.0 Social members of the Club shall not have voting rights.

5.0 Social members of the Club cannot be an officer of the Club. They may be co-opted to the Committee for their expertise or skill.

### **Appendix 5 - TRAINING**

1.0 The Club is committed to supporting members and providing their training by in-house Club Instructors to

- Ocean Diver
- Sports Diver
- Dive Leader
- Advanced Diver
- SDCs

2.0 The training of these students depends on the support of club members and qualified Instructors in the classroom, pool and open water.

3.0 The Club will support Skill Development Courses for which in-house Instructors exist in the club.

5.0 Students on courses run within the club should commit to attending programmed **sessions as detailed in the course schedule**; they must inform the lead instructor or training officer if unable to attend.

6.1 All training dives will be undertaken (*Supervised*) by suitably qualified instructors according to the BSAC Instructor Manual.

6.2 It is the student's responsibility to ensure that all training / dives are recorded and instructors sign student's logbook. / qualification record book.

6.3 It is the student's responsibility to ensure that all training dives are logged appropriately and submitted to the Diving Officer.

### **Appendix 6. Diver's code of conduct**

Sub C Divers shall adhere to the code of conduct as set out by the BSAC. This policy is available to view on the BSAC web site. ([www.bsac.com](http://www.bsac.com)) A copy of this will be provided upon request.

### **Appendix 7. Welfare policies**

Sub C Divers does adopt the policies on welfare as set out by the BSAC. This policy is available to view on the BSAC web site. ([www.bsac.com](http://www.bsac.com)) A copy of this will be provided upon request.