

NORTH WALES TECHNICAL DIVERS

CONSTITUTION

1. Name

The club will be called NORTH WALES TECHNICAL DIVERS and will be affiliated to the British Sub-Aqua Club (BSAC).

2. Aims and Objectives

The aims and objectives of the club will be:-

- To facilitate suitable qualified divers to dive Dorothea with the landowners permission.

3. Membership

Membership should consist of officers and members of the club.

All members will be subject to the regulations of the constitution and by joining the club will be deemed to accept these regulations and codes of conduct that the club has adopted.

- To be eligible to join every member must hold a qualification that certifies them to conduct planned decompression dives to a depth of at least 40m, and have proof of cold water training on at least one certification.
- Each diving member shall be medically fit to dive.
- Diving members must not exceed their certification level or experience, e.g. maximum depth, gas mixes used, etc.
- Diving must be planned and conducted with a buddy, solo diving is not permitted.
- All persons who assist with club/branch activities should become members of BSAC.
- The right to vote at the club/branch meeting shall be restricted to members who have a current membership. A membership has expired once passed the anniversary of their renewal.
- Comply with the rules for specific dive sites.

4. Membership Fees

Subscriptions

(i) Anyone joining or re-joining the club/branch shall pay the appropriate BSAC membership subscription and the club/branch joining fee. The requirement for a branch annual subscription fee is at the management committee's discretion.

5. Training

At the discretion of the management committee club organised diver training may be provided. Any training given by members must be carried out by instructors with active/teaching status authorised to teach by an appropriate technical diver training agency. Instructors in an "at work" situation are expected to operate in accordance with the requirements of the Diving at Work Regulations 1997. Students will be guests of the instructor until training is completed.

6. Equipment

The club does not provide diving equipment for use by the members.

7. Officers of the Club

The roles undertaken by the club officers will be:-

The Chairman

The Chairman shall be the Chief Executive Officer of the club/branch. They shall chair all meetings of the club/branch and of the committee at which they are present, and subject to the provisions of these Rules, their decision on matters of procedure shall be final.

The Diving Officer

The club/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 club/branch and for the safe conduct. The diving officer 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. The Diving Officer's decision in respect of their responsibilities shall be final in the club/branch.

The Secretary

The Secretary shall be primarily responsible for the club/branch communications.

The Treasurer

The Treasurer shall be responsible for dealing with all monies received or paid on behalf of the club/branch. The treasurer shall prepare for consideration by the committee an annual statement of income and expenditure for submission to the Annual General Meeting.

The Membership Secretary

The Membership Secretary of a branch is responsible for ensuring both membership fees and administration of new and renewing membership is completed with HQ.

Lead Instructor

The committee shall appoint a Lead Instructor, who need not be a committee member, to award BSAC diver qualifications in accordance with the authorisation granted by the National Diving Officer.

Officers will be appointed by the management committee when a position becomes vacant.

8. Management

- (i) A Management Committee will be made up of:-
 - a. Two executive members, who will be appointed by agreement with the landowners of Dorothea quarry. They shall ensure that the interests of the membership and the landowner do not conflict. The two executive members will undertake the branch officer roles required by the landowners of Dorothea.
 - b. Other committee members, elected at each Annual General Meeting of the club/branch should include club/branch officers where possible: Chairman, Diving Officer, Membership Secretary, others may comprise of a Secretary, Treasurer, Lead Instructor, etc.

(ii) The committee shall hold and administer for the benefit of the membership all funds, equipment and property owned by the club/branch.

(iii) Both the committee and members should be aware of BSAC Policies such as Safeguarding.

The Management Committee will be convened by the Secretary of the club and held no less than once per year.

The quorum required for business to be agreed at Management Committee meetings will be: two.

The Management Committee will be responsible for adopting new policies, codes of conduct and rules that affect the organisation of the club.

The Management Committee will have powers to appoint sub-committees as necessary and appoint advisers to the Management Committee as necessary to fulfil its business.

9. Finance

The Club Treasurer will be responsible for the finances of the club.

The financial year of the club will end annually on: 30th June.

A statement of annual accounts will be presented by the Treasurer at the Annual General Meeting.

Any surplus after all costs have been deducted will be used to benefit the members.

10. Annual General Meetings

(i) The Annual General Meeting of the club/branch shall be held in a nominated location each year. Notice of the meeting and the agenda shall be handed out to all paid-up members of the club/branch an appropriate notice period 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 fourteen 14 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 1% 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.

11. 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 an appropriate notice period 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 six 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 10 (vii) and (viii) shall apply to Special General Meetings.

12. Voting

(i) Subject to the provisions of Bye-law 10 (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 17, 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 members or 1% of the membership, whichever is the higher, of the Branch entitled to vote at General Meetings. Such motion may be voted upon in General Meeting or by online ballot of all voting members.

(iii) Except as provided in Bye-laws 16 and 17, the committee may put any motion to the voting membership at any time by online 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 online ballot shall only be carried by a majority of votes cast by not less than 1% of the members of the Branch entitled to vote at General Meetings.

13. 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 the club/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.

(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.

(c) Any resolution which may be unacceptable to the landowners can be vetoed by one of the executive members.

(v) No member shall be entitled to vote on a matter in which their 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.

14. Branch Activities

(i) At the discretion of the Diving Officer, club/branch diving shall be open to members of other club/branches and to guests.

(ii) If a member damages or loses club/branch equipment the Committee may charge that member the cost of repairing or replacing it.

(iii) Diving activities are mainly arranged by members, club officers may organise some club diving activities.

15. Discipline and Appeals

(i) Temporary suspension from participation:

(a) The person in charge of a club/branch 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 the club/branch. 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 16 (v) and 17 (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.

16. Dissolution

(i) The club/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(i).

(ii) A proposal to dissolve the club/branch shall be subject to ballot and, in order to be carried, it must receive the votes of two-thirds of the voting members of the club/branch who are present at the Meeting.

(iii) If dissolution of the club/branch 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 the club/branch and to discharge the club/branch's 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 the club/branch 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.

17. Amendments to the Constitution

These Bye-laws may only be amended in General Meeting in accordance with the affirmative votes of a majority of 66% of those voting members of the club/branch 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 8, 16 and 18, 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.

18. British Sub-Aqua Club Rules

These Bye-laws are made in compliance with Article 84 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.

19. Declaration

Amendments to the Constitution

NORTH WALES TECHNICAL DIVERS hereby adopts and accepts this constitution as a current operating guide regulating the actions of members.

SIGNED:

Nigel Spiers

DATE: 18/04/2023

NAME: NIGEL SPIERS

POSITION: Chairman/Treasurer

SIGNED:

D. Howson

DATE: 18/04/2023

NAME: DAVID HOWSON

POSITION: Membership Secretary/Secretary/Diving Officer

North Wales Technical Divers

Member Agreement

I declare that I understand my obligations as a member as detailed below. Failure to comply with these obligations will void membership with immediate effect.

Member Obligations:-

- To be eligible to join every member must hold a qualification that certifies them to conduct planned decompression dives to a depth of at least 40m, and have proof of cold water training on at least one certification.
- Each diving member shall be medically fit to dive.
- Diving members must not exceed their certification level or experience, e.g. maximum depth, gas mixes used, etc.
- Diving must be planned and conducted with a buddy, solo diving is not permitted.
- All persons who assist with club/branch activities should become members of BSAC.
- The right to vote at the club/branch meeting shall be restricted to members who have a current membership. A membership has expired once passed the anniversary of their renewal.
- Comply with the rules for specific dive sites.

NAME _____

SIGNATURE _____

DATE _____