

***Crawley Divers***

***British Sub-Aqua Club***

***Branch Number 0148***



***Branch Constitution***

***Version 17***

***We confirm that Crawley Divers have adopted the following constitution.***

***Signed: .....***

***Chairperson***

***Signed: .....***

***Treasurer***

## **1 Title**

The association of members of the British Sub-Aqua Club having their base in Crawley, West Sussex shall be known as Crawley Divers. The former title CRABBSAC shall be retained as an internal name.

References within this constitution to 'he/him/his' should be read as applying equally to 'she/her/hers'.

## **2 Objectives**

- 2.1 To promote the sport of sub-aqua diving among persons of suitable age and medical fitness who are resident in Crawley and the surrounding area.
- 2.2 To promote safe diving conduct and practice by members within the framework and guidance of the rules, regulations, policies and recommendations of the British Sub-Aqua Club.
- 2.3 To promote activities by members which will further their interest and enthusiasm in the sport and assist them to undertake purposeful underwater pursuits.

## **3 Rules**

- 3.1 Crawley Divers shall at all times abide by the rules and recommendations laid down by the British Sub-Aqua Club but the Branch Committee, by a two thirds majority of the full committee, may make additions to those rules and must communicate these appropriately to the membership on the understanding that they shall be temporarily in force only until ratified at a General Meeting. These additional rules shall be effective only within the Branch and shall be known as Branch Rules.
- 3.2 The Branch Rules shall be continually on display in the Club House for reference by members and it shall be the duty of each member to ensure that he is up to date with current rules.

## **4. Membership**

- 4.1 Classes of membership shall be the same as those currently defined by the BSAC constitution and rules.
- 4.2 [deleted]
- 4.3 Only members who are Full Diving Members shall be voting members of Crawley Divers. All other members shall be non-voting members of Crawley Divers.
- 4.4 [deleted]
- 4.5 Every application for new membership shall be in the form and accompanied by such information concerning the applicant as the Branch Committee may require together with an undertaking that if accepted the applicant shall conform with these presents and such application shall be considered and acceptance be determined by the Branch Committee.

- 4.6 All members shall pay to Crawley Divers on being accepted to membership such initial and thereafter such annual or other periodic subscriptions as shall be established from time to time by BSAC council in respect of subscriptions payable to BSAC and by resolution at a Branch General Meeting in respect of the Branch levy Provided That all subscriptions shall be payable at such time in such manner and in respect of such period as the Branch Committee shall determine.
- 4.7 The Branch Committee may at any time require any member to give to the Branch Committee verbally at a meeting of the Branch Committee or in writing particulars or explanations in regard to any act alleged to have been done or omitted by such members which in the opinion of the Branch Committee constitutes a breach of such member's obligations under these presents or is considered to be prejudicial to the interests of Crawley Divers or its members collectively. Where such particulars or explanations are required in writing the Branch Committee shall permit such member any witnesses he may call to be heard at a meeting of the Branch Committee. Any requisition under this Article shall be made by notice in writing accompanied by a copy of this and the next following two Articles to the member in question and shall specify the date being not less than seven days from the date of notice within which such member is required to comply therewith by attendance at a meeting of the Branch Committee or by explanation in writing as the case may be.
- 4.8 Any member may be excluded from Crawley Divers by resolution of the Branch Committee by a two-thirds majority of the full committee provided that no member shall be excluded from Crawley Divers unless the member in question has first been required by the Branch 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 member so excluded or Officer required to resign from the Branch Committee shall if he so wishes be permitted to address the next following General Meeting in the same regard.
- 4.9 No person who has been excluded from Crawley Divers by virtue of the previous article shall on any application for membership be re-admitted as a member except by resolution of the Branch Committee by a two-thirds majority of the full committee or by resolution at a General Meeting.
- 4.10 A member shall immediately cease to be a member and shall not be permitted to be included in any club diving activities thereafter, upon the happening of any one of the events following namely:-
1. If he shall not pay within one month any subscriptions due
  2. If he shall be excluded from Crawley Divers under the provisions of articles 4.7 or 4.8.
- 4.11 A confidential register for use by Branch members only shall be kept by Crawley Divers containing the names and addresses of all the members together with such other particulars as may be required.
- 4.12 Any member who for any cause whatsoever shall cease to be a member shall have no claim whatsoever upon Crawley Divers or the undertaking or assets thereof and shall not be entitled to be repaid any part of the subscriptions paid by such members to Crawley Divers unless the Branch Committee in its absolute discretion shall otherwise determine but such member notwithstanding that he has ceased to be a member shall remain liable for and shall pay to Crawley Divers all the moneys which at the time when he ceased to be a member may have been due from him to Crawley Divers under any of the provisions of these presents or which may become payable by him by virtue of his liability under these articles.

- 4.13 Any member who for any cause whatsoever shall cease to be a member shall immediately discontinue the use of any device of Crawley Divers printed or impressed on any document or other material or transmitted by any media or any other indication of membership of Crawley Divers and shall not make any use of the name or purport to use the authority of Crawley Divers and shall forthwith return to the Secretary any property of Crawley Divers then in his possession.
- 4.14 Guest Membership may be granted at the discretion of the Diving Officer to current BSAC members with valid medical certificates, or other appropriately qualified divers holding a minimum of Ocean Diver Qualification (or its CMAS equivalent) who wish to join the Branch for a period not exceeding two weeks and participate in diving activities. Subscriptions, not including air and boat costs, shall be as currently published by the Branch Committee. Guests of members may use pool facilities on pool training evenings upon payment of a swimming fee as currently published by the Branch Committee, upon receipt of the approval of a current Committee member.
- 4.15 Notwithstanding the above, the Branch Committee shall maintain and publish a list of current scheduled charges, which may amend or change any charge, fee or subscription that may appear in these articles.
- 4.16 Branch subscriptions may, at the discretion of the Branch Committee be refunded to any member who, after joining, fails to pass the compulsory medical examination.

## **5 Management**

- 5.1 The management of Crawley Divers' affairs shall be vested in a Branch Committee comprising of eight persons.
- 5.2 The Branch Committee shall consist of eight elected Officers namely the Chairman, the Secretary, the Treasurer, the Diving Officer and the Equipment Manager, and three Officers having no specified Committee responsibilities.
- 5.3 At each Annual General Meeting of Crawley Divers the Officers shall retire.
- 5.4 No person shall be eligible to become an elected Officer who
1. is under the age of eighteen years
  2. is not a voting member of Crawley Divers
- 5.5 Not later than six weeks before the date of the Annual General Meeting voting members of Crawley Divers shall be invited to nominate in writing candidates (who must be voting members of Crawley Divers) to serve as Officers and such nominations shall reach the Secretary not later than four weeks before the meeting.
- 5.6 The nomination of a candidate for election or re-election to the post of Officer shall be made in writing by a voting member of Crawley Divers and accompanied by the support in writing of two voting members of Crawley Divers and the written consent of the nominee. Candidates may prepare and include a brief outline of their aims and intentions to be in the notification sent to all members.
- 5.7 The names of all persons so nominated who would be eligible if elected shall be entered on a ballot paper in alphabetical order and not less than fourteen days before the date fixed for the election a ballot paper shall be sent out to each member of Crawley Divers entitled to vote. Ballot papers duly marked shall be returned to the Secretary so as to arrive not later than 8:00pm on the day of the election.

- 5.8 The candidates successful in the ballot shall be announced and shall be declared Officers of the Club.
- 5.9 In the absence of competing candidates for any office unopposed qualified candidates shall be deemed to have been elected as if by ballot.
- 5.9a In the event that at the end of all elections there remain one or more vacancies in the Branch Committee then nominations may be received from the floor for any such vacant post. Candidates must be present at the meeting and nominated by a voting member of Crawley Divers and seconded by two further voting members of Crawley Divers.
- A secret ballot amongst all voting members of Crawley Divers present will be held if more than one candidate is proposed for a single Branch Committee post. Successful candidates shall be elected Officers of the Club.
- In the absence of competing candidates for any office unopposed qualified candidates shall be deemed to have been elected as if by ballot.
- 5.10 No person may be elected to hold more than one office at a time.
- 5.11 The Branch Committee shall have the power to fill casual vacancies in the number of elected Officers provided that an election to properly fill that vacancy is held within eight weeks of the appointment.
- 5.12 Officers shall not be entitled to any remuneration for their services as Officers but the Branch Committee may authorise the payment by Crawley Divers of any reasonable and proper out-of-pocket expense incurred by any Officer or other member in the performance of his duties in connection with the affairs of Crawley Divers and of reasonable and proper remuneration for authorised and necessary technical or professional services to Crawley Divers which would otherwise have required the employment of an independent contractor.
- 5.13 The office of a member of the Branch Committee shall be vacated
- 1 if he becomes of unsound mind
  - 2 if being an elected Officer he ceases to be a voting member of Crawley Divers
  - 3 if in notice in writing to Crawley Divers he resigns his office
  - 4 if he shall absent himself from his elected duties for a period exceeding eight weeks without making adequate provision for the proper execution of those duties.
- 5.14 Other members may be co-opted by Branch Officers to assist them in their duties, and authorities to act on behalf of the Branch may be delegated within the scope and accountability of the Officer.
- 5.15 In order to achieve an orderly progression of Executive Management, a formal handover meeting shall be held between the old and new committees, and shall be convened within two weeks of the Annual General Meeting.
- 5.16 At any meeting of the Branch Committee up to two ordinary members may apply to the Secretary to attend as observers. They may put forward their views and suggestions but shall not be entitled to vote.

- 5.17 The Branch Committee shall decide upon expenditure to be met from Club funds, subject to the provision that a General Meeting of all members must be convened to approve all expenditure which is greater than one quarter of the available club funds.
- 5.18 The Branch Committee shall meet formally at an agreed venue as often as is necessary to conduct Branch business. Provisional dates of meetings for the coming year shall be published as soon as practicable after the Annual General Meeting. Minutes of all meetings shall be recorded.

## **6 General Meetings**

- 6.1 A General Meeting of all members shall be held each year no later than the 10 November as the Club's Annual General Meeting which shall be held at such time and place as the Branch Committee shall appoint. All General Meetings other than Annual General Meetings shall be called Extraordinary General Meetings.
- 6.2 An Extraordinary General Meeting of all members shall be called when Branch funds reach a level below £600.00 (six hundred pounds). The Branch Committee will at this point conduct a thorough examination of the finances and potential income of the club. Should the Branch Committee feel that the future cannot be secured within a reasonable time a further Extraordinary General Meeting will be called with a specific motion to wind up the club. A motion calling for the dissolution of the Crawley Divers shall be put only at an Extraordinary General Meeting convened for the purpose, and shall be passed only by a 2:1 majority of votes cast by not less than 33% of the members of Crawley Divers who are entitled to vote..
- 6.3 If upon the winding up or dissolution of Crawley Divers there remains after the satisfaction of all its debts and liabilities any property whatsoever the same shall not be paid or distributed among the members of Crawley Divers but shall be given or transferred to some other institution or institutions having objects similar to the objects of Crawley Divers and which shall prohibit the distribution of its or their income and property among its or their members to an extent at least as great as imposed on Crawley Divers. Such institution or institutions to be determined by the members of Crawley Divers at or before the time of dissolution and if and so far as effect cannot be given to such provision then to some charitable object.
- 6.4 Extraordinary General Meetings may be called by Branch Committee, whenever they shall think fit and shall do so on a requisition as provided for by Article 6.5. Only the motions for which the meeting is convened may be voted on.
- 6.5 The Branch Committee shall within fourteen days of receiving a proposal in writing signed by at least three voting members therefore proceed to convene an Extraordinary General Meeting. Such meeting shall be arranged for a date not later than four weeks after the date of receipt of the proposal.
- 6.6 Notification of a General Meeting shall be made to all members by any suitable means at least two weeks in advance by the Branch Secretary. In addition, a notice shall be posted on the Branch Notice Board.
- 6.7 The Secretary shall accept motions from voting members. Motions submitted by voting members shall be seconded by at least two voting members.
- 6.8 Other business may take place after all voting has taken place, but no further votes shall be taken.
- 6.9 Any motion, either in word or meaning, which has been defeated by a vote at a general meeting on two separate occasions within twelve months, shall not be admissible for a

further twelve months unless two thirds of the listed membership is present or all members are asked to vote by postal ballot.

## **7. *Proceedings at General Meetings***

### **7.1 The business referred to hereunder shall be transacted at an Annual General Meeting**

1. The presentation of the minutes of the previous Annual General Meeting and of any Extraordinary General Meeting held since.
2. The appointment of tellers for any poll, ballot, or show of hands which may be required.
3. The Chairman's address.
4. The Diving Officer's report.
5. The Treasurer's report, the report of the Auditors and the adoption if approved of the audited accounts and balance sheet for the year past.
6. The Secretary's report.
7. The Equipment Officer's report.
8. Voting for Diver of the Year
9. Declaration of the results of the election for the Officers for the ensuing year.
10. The consideration of motions for which due notice has been given.
11. The consideration of motions for which due notice was not able to be given, as the Chairman may allow.
12. Such other business as the Chairman may allow provided that this shall not empower the Chairman to treat as ordinary business that which would otherwise fall to be treated as special business.

### **7.2 The Chairman shall preside as the chairman of every General Meeting but if there be no such chairman or if at any meeting he shall not be present within fifteen minutes after the time appointed for holding the same or shall be unwilling to preside the members present and entitled to vote shall chose some Officer or if none be present or if all Officers decline to take the chair they shall choose some other member of Crawley Divers who shall be present to preside. No business shall be discussed or transacted at any General Meeting whilst the chair is vacant except for the election of a chairman.**

### **7.3 No business shall be transacted at any General Meeting unless a quorum of members is present at the time when the meeting proceeds to business. The number of members being a quorum shall be 1 quarter of the current full membership.**

### **7.4 If within half an hour from the time appointed for the General Meeting a quorum is not present the meeting if convened upon the requisition of members shall be dissolved. In any other case it shall stand adjourned to such other day and at such other time and place as the Branch Committee may determine subject to appropriate notification periods and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting the members present shall be a quorum.**

### **7.5 No person who is present at a General Meeting and entitled to vote shall be prevented from expressing an opinion on any relevant matter.**

- 7.6 Minutes of all General Meetings shall be recorded and a copy of the minutes displayed in the Club Hut not more than two weeks after the AGM.

## **8. *Votes of members***

- 8.1 Article 4.3 defines which members shall be entitled to vote at General Meetings.
- 8.2 No member shall be entitled to vote at any General Meeting unless all subscriptions presently payable by him to Crawley Divers have been paid.
- 8.3 On a poll or show of hands votes may be given either personally or by proxy. The instrument appointing a proxy shall be deemed to confer authority to demand or join in demanding a poll.
- 8.4 The instrument appointing a proxy shall be in writing under the hand of the appointer. The instrument shall be passed to the Secretary not less than 24 hours before the time appointed for the taking of the poll and in default of this the instrument of proxy shall not be treated as valid.
- 8.5 In the case of an equality of votes the Chairman of the meeting shall be entitled to a second or casting vote.
- 8.6 At any General Meeting a motion put to the vote of the meeting shall be decided by a poll. At the request of three or more members present any vote may be required to be performed as a secret ballot.
- 8.7 A poll shall be taken in such manner as the Chairman of the meeting directs and the result of the poll shall be deemed to be the resolution of the meeting at which the poll was taken unless a motion is raised to disband the Branch. All full members of the Treasurer's nominal roll must then be asked to vote by postal ballot.

## **9. *Obligations and Duties of the Branch Committee***

- 9.1 The Branch Committee shall cause proper minutes to be made of all proceedings of all General Meetings of Crawley Divers and of committees.
- 9.2 The Branch Committee shall cause accounting records to be kept and such records shall include
- 1 all sums of money received and expended by Crawley Divers and the matters in respect of which such receipts and expenditures take place.
  - 2 a summary of all sales and purchases of goods by Crawley Divers and
  - 3 the assets and liabilities of Crawley Divers.
- 9.3 The Branch Committee shall cause the accounts of Crawley Divers to be examined once at least in every year and cause the correctness of the income and expenditure account and balance sheet to be ascertained by one or more properly qualified auditors.
- 9.4 The Branch Committee shall acknowledge and discharge the obligations and duties placed upon it by the Rules of the British Sub-Aqua Club.
- 9.5 The Branch Committee shall review all Branch Rules within eight weeks of taking office at the Annual General Meeting.



## ***10. Distribution Of The Constitution And Branch Rules***

- 10.1*** One copy of the Constitution and Branch Rules shall be given to all new members and a copy shall be displayed in the Club House for reference by all members.
- 10.2*** Each member of the Branch Committee shall receive from the Secretary a copy of both documents for reference during their term of office. The copy should be maintained in good condition and handed over to any successor.

## ***11. History of this document***

Promulgated:	Version 1	December 1976
1st Amendment:	Version 2	November 1977
2nd Amendment:	Version 3	March 1980
3rd Amendment:	Version 4	March 1981
4th Amendment:	Version 5	June 1981
5th Amendment:	Version 6	June 1982
6th Amendment:	Version 7	February 1983
7th Amendment:	Version 8	March 1985
8th Amendment:	Version 9	November 1988
9th Amendment:	Version 10	November 1990
10th Amendment:	Version 11	March 1993
11th Amendment:	Version 12	October 1996
12 <sup>th</sup> Amendment:	Version 13	July 1997
13 <sup>th</sup> Amendment:	Version 14	August 2000
14 <sup>th</sup> Amendment:	Version 15	March 2003
15 <sup>th</sup> Amendment	Version 16	January 2004
16 <sup>th</sup> Amendment	Version 17	May 2011