



DUDLEY DOLPHIN BSAC 0857 CONSTITUTION

MISSION STATEMENT

Dudley Dolphin BSAC exists to promote enthusiasm and excitement for the safe scientific and sporting exploration of the underwater world. The name of the Club shall be "DUDLEY DOLPHIN BSAC", and shall be an open branch of the British Sub Aqua Club, the rules, regulations, recommendations and procedures, of which, shall form the basis of Dudley Dolphin BSAC practice.

CONSTITUTION

Purpose

The purpose of the Club is to promote and provide facilities for the amateur sport of sub-aqua diving and snorkelling around Dudley in the West Midlands and community participation in the same.

The Club shall be organised and run on amateur basis and shall be non-profit making.

Membership

Membership of the Club shall be open to anyone interested in the sport on application regardless of sex, age, disability, ethnicity, nationality, sexual orientation, religion or other beliefs, subject to a self-signed medical declaration, however age limits apply to taking part in activities.

Minimum age requirements for the sport applies. For Scuba Diving the minimum age requirement is 12 years, and for Snorkelling 8 years.

Any known medical issues must be declared and could be subject to further checks prior to membership being granted. Medical forms should be completed annually, however any changes to your medical health must be notified to the relevant training officer.

Limitation of membership according to available facilities is allowable on a non-discriminatory basis. Junior members will not be allowed to vote until they reach the age of 18.

The Club may have different classes of membership and subscription on a non-discriminatory and fair basis. The Club will keep subscriptions at levels that will not pose a significant obstacle to people participating.

The Club Committee may refuse membership, or remove it, only for good cause such as conduct or character likely to bring the Club or sport into disrepute. Appeal against refusal may be made to the committee in writing.

Applicants wishing to join as qualified divers or snorkelers, must satisfy the relevant diving / snorkelling officer as to their ability by either written proof i.e. qualification record, or by undertaking part, or all, of the BSAC tests. You may be asked to demonstrate your skill set with an appointed instructor.

Club membership classes will be as notified by the BSAC. These classes of membership will be subject to change as and when notified by the BSAC.

Assessment of diving skills, whether in-water or theory, shall be supervised by an Instructor who has had minimum involvement with the applicable tuition of the trainee. Such Assessing Instructor shall be nominated by the Diving Officer or Training Officer in advance of the assessment taking place.

Scuba Diving / Snorkelling

Equipment required for participation in Snorkelling and Diving should be as per the Dive Manager recommendations, under the authority of the Diving Officer. These will be decided on the day, following assessment of the dive site, requirements and conditions.

No unqualified members shall participate in scuba or snorkelling activities.

No members shall participate in scuba diving or snorkelling outside the scope of the BSAC recommendations for their level of qualification. To do so could lead to expulsion from the Club.

Equipment for which special training is required shall only be used by members who have the appropriate training.

Diving in Lodge Farm Reservoir shall take place at the times laid down by Dudley Metropolitan Borough Council or by mutual arrangements within Dudley Water Sports Ltd.

No diving shall take place in Lodge Farm Reservoir when boats are in use on the water, except by work / training parties specially authorised by the Club, or in an emergency, or in the interests of safety. A Diving Manager of Dive Leader qualification or above is to be appointed by the Diving Officer for all open water diving. It shall be the responsibility of such person to ensure that all recognised safety precautions are taken, that the Club Log is made out and is passed to the Diving Officer.

All diving in Lodge Farm Reservoir must be from the compound only. A Committee Member or nominee of the Diving Officer or Training Officer must be present. Under no circumstances is diving to take place from the banks.

Club Trips

Deposits and remaining balance of the costs must be paid to the Club Treasurer no later than 4 weeks before the Club Trip commencement date, or at the time of booking, whichever is the later date. All funds will be held in the Club Bank Account.

In exceptional circumstances, the Club may require additional or earlier payments in order to meet the requirements of the Club Trip service providers.

Should a member decide to withdraw from a Club Trip they may only sell their place to another suitably qualified member with the agreement of the Diving Officer or his/her nominated Club Trip organiser.

Should a member be forced to withdraw from a Club Trip through exceptional circumstances (e.g. serious illness. family bereavement etc), the Committee should immediately be made aware of the circumstances. The Committee may authorise the repayment of some or all monies paid providing there is no loss of money to the club.

Club Boat

Only suitably qualified members are authorised to use the Club Boat.

Accidents / Incidents

All accidents / incidents must be reported to the Dive Marshall / Diving Officer as soon as they occur. An incident log will need to be completed, which will be reviewed and if necessary additional actions taken.

Members Conduct

All members of Dudley Dolphin are expected to conduct themselves in a manner that is consistent with being a member of the club. Members should not engage in any club activity, or other policies that would adversely affect other members or bring the name of Dudley Dolphin into disrepute. Appropriate conduct by all members should ensure that the discipline policy does not require to be called into action. Infringement of club or BSAC safe diving practices will be dealt with by the Dive Marshall on site who will then report it to the Diving Officer who may decide to refer matters to the committee for further action. The club has a disciplinary and complaints procedure which apply to all members.

Any known infringement of the Club Constitution or Rules shall deem the member liable to disciplinary action by the committee.

The members shall abide by the rules and by-laws as laid down by Dudley Metropolitan Borough Council concerning diving at Lodge Farm Reservoir, a copy of which is held by the Secretary.

All members will act in accordance with the law in their respective roles within the club, ensuring that they meet all their duties and responsibilities that arise from this Constitution to the best of their ability. However, except for matters arising from criminal or negligent financial mismanagement, all members are indemnified in their personal capacity against any civil prosecution in relation to those said duties. This does not affect the statutory rights of any member.

Subscriptions

Subscriptions shall be renewable annually on the anniversary of the first day of the month in which the relevant member joined or re-joined the Club.

However, once BSAC membership has expired, the member is no longer covered by BSAC insurance for any activities related to the sport.

For payment policy and options, see Club Rules.

Property and Funds

The property and funds of the Club cannot be used for the direct or indirect private benefit of members other than as reasonably allowed by the Rules and all surplus income or profits are reinvested in the club.

The Club may provide sporting and related social facilities, sporting equipment, coaching, courses, insurance cover, medical treatment, away expenses, post event refreshments and other ordinary benefits of Community Amateur Sports Clubs as provided for in the Finance Act 2002.

The Club may also in connection with the sports purposes of the Club:

- Sell and supply food, drink, and related sports clothing and equipment.
- Employ members (though not for participating) and remunerate them for providing goods and services, on fair terms set by the Committee without the person concerned being present.
- Pay for reasonable hospitality for visiting clubs and guests.
- Indemnify the Committee and members acting properly in the course of the running of the Club against any liability incurred in the proper running of the Club (but only to the extent of its assets).

The Committee will have due regard to the law on disability discrimination and child protection.

Priority

Where there is any conflict between these Rules ("key Rules") and any other rule or rules, the Key Rule(s) will take priority. Interpretation of all the Rules must be consistent with the statutory requirements for CASCs (Community Amateur Sports Clubs as first provided for by the Finance Act 2002).

Management

The management of the Club shall be vested in a committee, four of whom should have a minimum qualification of Sports Diver.

The Committee officers shall be a minimum of Chairperson, Secretary, Diving Officer, and Treasurer with additional positions as deemed necessary to ensure the smooth running of the club.

The Diving Officer shall be at least a Dive Leader and an Open Water Instructor, and the Snorkelling Officer shall be at least Snorkelling Instructor qualification.

It is recommended that the Training Officer shall be at least Sports Diver.

The broad responsibilities of each committee position and any necessary qualifications are summarised in the Committee Guidance Notes.

The Chairperson (or nominated representative) will chair all meetings of the Club and Committee at which s/he is present, and subject to the provisions of this Constitution and Club Rules, his/her decision on matters of procedure shall be final.

The Diving Officer's decision in respect of the responsibilities conferred upon him by the Dudley Dolphin membership shall be final within the Club.

Full Club members shall elect a committee from nominations received. The nominations will be for a position on the committee, i.e. Chairperson, Treasurer etc. All officers shall serve for a period of one year and will be eligible for re-

election. All nominees for committee must be member of BSAC and members of the Club.

Meetings of the Club committee will be convened by the Secretary or other officer, following the Chairperson's advice. In the absence of the Chairperson, a chairperson for the meeting will be elected by a majority vote of the committee members present. Business may only be transacted by the committee if there is a minimum of committee members to equate a majority vote.

The Chairperson will have a casting vote only in all meetings of the Committee or Annual General Meetings and Special General Meetings of the Club.

The committee will be responsible for administering and managing the affairs of the club and may appoint at its discretion any subcommittees which will be subject to the control of the management committee.

The Treasurer shall be responsible for the finances of the Club and all monies shall be paid to him/her but may be collected by any member of the committee as nominated by the treasurer. The Treasurer shall open and maintain Bank and / or Building Society Accounts at a Bank and / or Building Society as specified by the committee. All cheques shall be signed by a nominated signatories from the Committee.

A statement of accounts shall be made annually, and shall be presented at the Annual General Meeting. The accounts will be audited annually by a minimum of two committee members unrelated to the treasurer function.

The committee shall have the power to alter the constitution and rules, but no such alteration shall take effect until confirmed at the Annual General Meeting or a Special General Meeting convened specifically for this purpose.

In the event of a vacancy on the committee, the committee shall have the power to co-opt any member of the Club to fill the vacancy until the next AGM.

Training

All instruction shall be organised and delivered by the Training Officer, who is responsible to the Diving Officer, who may delegate their authority to suitably qualified person to take charge of the training sessions.

The training program will be based on the BSAC scheme currently in operation.

Annual General Meeting (AGM)

The main business of the AGM shall be the reports of the Chairperson, Diving Officer, presentation of the accounts and report by the Treasurer, the election of the committee and, at the discretion of the chairperson, any invited guests who may address the meeting.

The right to vote at the meeting is restricted to full adult members, whose subscriptions are fully paid at the time of the meeting.

The annual general meeting will be held on a convenient Friday between mid-October and mid-January. Notice of the meeting shall be transmitted to all full members 28 days before the meeting.

At least 30% of the club membership entitled to vote at the meeting will be required for a quorum, and once formed shall not be lost despite departure from the meeting of any member of members.

The notice of the meeting will also include the text of any motion proposed by the committee.

Any member may propose amendments to such motion(s) for consideration at the meeting, but such amendments and further motions must be proposed and seconded in writing and delivered to the Secretary no less than 14 days prior to the meeting.

Voting for election to Committee positions.

Voting for the election of nominees for Committee positions at the AGM will be arranged and conducted by the Secretary.

Successful nominees will be elected by a simple majority of votes cast by full adult members, including proxies where applicable. If a nominee stands unopposed s/he will be deemed to have been elected.

All proxy votes must be registered with the Secretary 14 days in advance of the meeting.

The notice will identify those members of the committee who are standing again and will request nominations for officers of the committee at large. Committee members standing again for the same position are deemed to have been nominated by the committee.

The Roles of the club management team and descriptions for said roles are as per BSAC recommendations of which the club secretary holds a copy and are available at request.

To be valid, nominations not deemed to have been made by the committee must be:

- Delivered to the secretary in writing at least 14 days prior to the meeting
- Be seconded
- Be endorsed by the nominee to the effect that he/she is willing to accept the position if elected.

Special General Meeting (SGM)

Any General Meeting of the Club other than the Annual General Meeting shall be known as a Special General Meeting.

The committee may convene a Special General Meeting for any purpose, but must notify all members at least 14 days before such a meeting. The notice must state the reasons for the meeting and will include text of all motions proposed for consideration at the meeting.

The Committee will consider a Special General Meeting upon receipt of a request to do so, signed by not less than thirty per cent of full adult members provided the request states the reason for the meeting and contains the text of at least one motion proposed for consideration at the meeting.

The business of a Special General Meeting shall be that for which it was called and no other.

Voting for motions proposed at AGM's and SGM's.

Votes to determine the result of proposed motions will be by a show of hands. A simple majority of the votes cast shall determine the outcome of the proposed motion except that which is specified in this Constitution under section dissolution.

Interpretation

The Club Committee shall determine any question of interpretation of this Constitution and following Rules, and may rule relating to any situation not otherwise provided for herein.

In the latter event, said ruling shall only remain in effect until the next AGM of the Club. Its continued validity shall depend upon ratification at that meeting'

This constitution should be read in conjunction with the BSAC and club rules.

Swimming Pool

Each week a Pool Marshall / Lifeguard shall be appointed by the Training Officer. Such person should hold a qualification acceptable by both the Swimming Pool Management and the Club Diving Officer or Training Officer.

The Pool Marshall / Lifeguard is to be responsible for the enforcement of Pool and Club Rules and Regulations, the maintenance of the pool discipline and the proper conduct of training. The Pool Marshall should not participate in instruction or training in any form.

The Swimming Pool must be vacated at the time stipulated and on the instructions of the Pool Marshall.

Any mishap resulting in physical injury to any person, whether member or guest of the Club, or any damage to any property of the Swimming Pool or the Club equipment, must be reported immediately to the Pool Marshall.

Winding up

The members may vote to wind up the Club if not less than 75% of full adult current members present and voting support that proposal at a properly convened general meeting.

The Committee will then be responsible for the orderly winding up of the Club's affairs.

After settling all liabilities of the Club, the Committee shall dispose of the net assets remaining to one or more of the following:

- to another Club with similar sports purposes which is a registered charity and/or
- to another Club with similar sports purposes which is a registered CASC and/or
- to the Club's governing body for use by them for related community sports.