

NewSea Divers

Club Constitution & Rules

1. Objective

- 1.1. To provide a forum in which divers can support each other with a view to arranging diving and non-diving activities.
- 1.2. To support new members to the club and introduce them safely into the sport of diving.
- 1.3. Proactively promote the sport of diving to interested parties.
- 1.4. To provide an environment within which members can further their diving skills through continued education and training.

2. Designation

- 2.1. Club activities are open to members and non-members, albeit preferential rates and specific trips will only be available to members to reflect payment of annual membership fee.

3. Officers

- 3.1. The Officers of the club will consist of a Chairperson, Treasurer, and Dive Officer.
- 3.2. The Officers shall be elected at the Annual General Meeting
- 3.3. Other Officers as required may be elected at the Annual General Meeting.
- 3.4. The Officers shall retire from office annually at the Annual General Meeting but shall be eligible for re-election.
- 3.5. Every candidate for election as an Officer shall be proposed and seconded by a member.
- 3.6. In the event of there being insufficient number of nominations for the Officers the Committee shall have the right to make the necessary appointments.
- 3.7. In the event of any Officer dying, resigning, or for any reason ceasing to be a member during the year of his/her office, the Committee may appoint a member to fill the vacancy until the next Annual General Meeting.

4. Members

- 4.1. Membership of the club is open to anyone of any sex colour, race or religion
- 4.2. Members shall pay:
 - 4.2.1. An annual membership fee as determined at the Annual General Meeting
 - 4.2.2. Such other fees as the Committee may determine for additional events.

5. Application for Membership

- 5.1. Every applicant for membership to the club shall complete and sign an application for membership in a form prescribed by the Committee and deliver it together with his/ her fee to an appointed Officer.
- 5.2. The Committee shall consider applications on a regular and timely basis.

6. Membership

- 6.1. An appointed Officer of the Committee shall keep records of members, including such particulars as the Committee shall from time to time reasonably require for the proper administration and management of the club.
- 6.2. Each year a member will renew their membership, signing a new declaration and confirming agreement of the club constitution and club rules.
- 6.3. Members changing their address shall advise an appointed Officer in writing as soon as possible.

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- 6.4. All communications (including notices given pursuant to this constitution) to a member shall be posted or e-mailed to his/her address as last advised to the club and shall be considered as having been delivered to him/ her on the day following that on which the communication was posted or sent.
- 6.5. No person shall be entitled to the privileges of membership until his/her subscription fee has been paid.
- 7. Payment of Membership Fees Trips & Functions**
- 7.1. A new member shall pay his / her subscription fees in accordance with Rule 5.1.
- 7.2. A member shall pay his / her annual subscription either by standing order, cash or cheque on or before the 1st April each year.
- 7.3. A member shall be responsible for ensuring that his / her subscription fees are paid on time.
- 7.4. A member whose subscription is in arrears cannot vote at any Annual General Meeting or General Meeting.
- 7.5. Members wishing to attend any trips or functions or participate in any other activity provided by the club, where applicable must pay a deposit at the time of booking or pay such other amounts as and when they become payable. Places will not be confirmed until deposits have been paid to the Club.
- 7.6. Deposits are non-refundable, although in exceptional, legitimate circumstances deposits may be refunded as a gesture of goodwill, but this decision will be made by the Committee, based on each situation.
- 7.7. A member cannot benefit from nor participate in any activity or function unless all fees, deposits or other amounts due to the club have been paid in full.
- 7.8. The Committee has discretion on the application of Honorary Membership, membership payment during a current year for new members and such other matters; and each application will be considered on its merits. The Committee's decision will be final.
- 8. Members' Rights and Responsibilities**
- 8.1. The Rules and Regulations of the club shall bind every member of the club.
- 9. Breaches of Rules and Regulations**
- 9.1. If any member persistently behaves in a manner likely to cause offence or bring the club into disrepute, he / she may be expelled or suspended at the discretion of the Committee whose decision shall be final and for the avoidance of doubt whilst suspended and / or expelled he / she shall not be entitled to attend as either a member or a visitor and there shall be no refund of any subscription fees or deposits paid for trips or functions.
- 10. Resignation**
- 10.1. Any member may resign membership at any time by giving notice of resignation to the Committee in writing but shall not be entitled to any refund of subscription or event fees.
- 11. The Committee**
- 11.1. The management of the club shall reside in the Committee who shall consist of the Officers and no more than 10 members elected by the Club at the Annual General Meeting.
- 11.2. In the absence of the Chairperson from any duly convened and quorate meeting those present and entitled to vote shall elect a Vice Chairperson for the meeting

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- whose function for the said meeting shall be the same as if he / she were the Chairperson
- 11.3. 50% of the current members of the Committee present at any meeting shall form a quorum and the Chairperson shall have a casting vote.
 - 11.4. Candidates for the Committee shall be members of the club whose nominations are duly proposed and seconded by members of the club at the Annual General Meeting.
 - 11.5. Any of the elected members of the Committee not attending Committee meetings for 3 consecutive meetings and who fail to notify the Committee shall be deemed inactive Committee members and may at the discretion of the Committee be required to step down from the Committee.
 - 11.6. No member of the Committee shall be entitled to receive any remuneration for his / her services as such Committee member. For the avoidance of doubt this does not prevent payment of additional expenses incurred by a member of the Committee in the exercise of his / her duties.

12. The Powers of the Committee

- 12.1. The Committee shall have full power to manage the affairs of the club and in particular (but without prejudice to the generality of the foregoing) shall have the power to:
 - 12.1.1. Conduct the general day to day business of the club and regulate its internal management and to make, vary or revoke all regulations relative to the governing of the club, provided that such regulations thus made, altered or revoked are not inconsistent with the Constitution and are reasonably necessary for the conduct of the club.
 - 12.1.2. Fill any casual vacancy that may occur on the Committee. The person thus appointed shall take the place of the person he / she replaces only until the next Annual General Meeting.
 - 12.1.3. If reasonable fix alter waive or otherwise amend subscription and entrance fees payable to the club by its members.
 - 12.1.4. Require a member or other person occasioning damage to the property of the club or any premises at which the club holds a meeting or event either willfully or through negligence or improper use either to make good such damage or to otherwise compensate the club.
 - 12.1.5. Procure that an Officer of the club or member of the Committee shall accurately record minutes of all meetings and shall perform such duties as required of him / her either by these rules or by any resolution of the Committee.
 - 12.1.6. Enter into legally binding contracts whether written or oral.
- 12.2. Committee meetings shall be held as often as may be necessary but in any event at least 6 times every year, and notice of those meetings shall be given to every member of the Committee and every Officer. Further meetings of the Committee shall be called by the Chairperson on the written request of three members of the Committee.
- 12.3. The Committee may create such sub-Committees and co-opt such members as it deems necessary for such periods as it deems necessary. The decision of the Committee and all its sub-Committees shall be by way of a simple majority unless

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otherwise stated in these rules. In the event of a tie the Chairperson shall have a further and casting vote.

13. Annual General Meeting

- 13.1. The Annual General Meeting shall be held between December 1st and March 31st each year and its purpose shall be;
 - 13.1.1. To approve the minutes of the previous Annual General Meeting
 - 13.1.2. To elect the Officers
 - 13.1.3. To elect the Committee
 - 13.1.4. To receive preliminary figures of the Clubs financial year end.
 - 13.1.5. To deal with such other matters as the Committee directs.
- 13.2. The Annual General Meeting shall be held at such places as the Committee decides and at least 14 clear days notice thereof shall be given to the members.
- 13.3. A minimum of 50 % of current members present shall be a quorum and the Chairperson shall have a casting vote.
- 13.4. The Chairperson shall conduct the meeting.
- 13.5. Subject to all other provisions of these rules, each member present shall be entitled to exercise 1 vote in relation to any resolution proposed at the Annual General Meeting.

14. General Meetings

- 14.1. A General Meeting of the members shall be convened by the Chairperson upon the direction of the Committee or upon receipt of a request from at least 5 members.
- 14.2. Such a request shall state the object for which the General Meeting is convened and no other subject shall be discussed or dealt with at such meeting.
- 14.3. The General Meeting shall be held at such time and place, as the Committee may deem convenient but within 28 clear days of the request.
- 14.4. At least 14 clear days notice of the time and place of the General Meeting and of the subjects to be discussed shall be given to every member.
- 14.5. 50% of members present shall be a quorum and the Chair shall have a casting vote.
- 14.6. The Chair shall be taken in accordance with the provisions of rule 13.4.
- 14.7. Subject to all other provisions of these rules, each member present shall be entitled to exercise 1 vote in relation to any resolution proposed at the General Meeting.

15. Club Insignia

- 15.1. The Club Insignia may not be used or reproduced without the prior written permission of the Committee.

16. Dispute

- 16.1. The Committee shall have the power:
 - 16.1.1. To determine any dispute or difference which may arise as to the interpretation of these Rules or of any Bye-Law or Regulation made pursuant to the same.
 - 16.1.2. To settle and adjudicate upon disputes between members arising in relation to the operation of the club.
 - 16.1.3. Two or more Officers shall have power to determine any dispute or difference that may arise in relation to the election of the Committee.

17. Alterations and Amendment of Rules

- 17.1. These Rules may be revoked, supplemented or altered by resolution passed in General Meeting by at least 2/3 of the meeting present and voting.

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18. Accounts

- 18.1. The Treasurer shall at all times maintain proper accounting records and shall maintain such bank and other records as are appropriate having regard to the provisions of the Rules.
- 18.2. All expenditure (exceeding £25 in aggregate) must be authorised by the Committee and the accounts shall be operated as the Committee directs, provided that the mandate relating to such accounts shall require that there be at least two signatories and that the signatories will be that of three appointed Officers of the Committee, one being the Treasurer.
- 18.3. The club's accounting year shall run from 1st April to 31st March
- 18.4. The Treasurer shall prepare accounts immediately after the 31st March containing a summary of the previous year's receipts and payments, appropriately differentiated, together with a balance sheet setting out the assets and liabilities of the club as at the previous date /summary.
- 18.5. The summary and the balance sheet shall be audited by either the Chairperson or a Committee appointed; Officer, Committee or club member.
- 18.6. Payment for goods or services received by the club will only be reimbursed on production of a valid receipt.
- 18.7. All cheques received by the treasurer will be considered as and accounted for as cash until such time as they are paid into the club account.
- 18.8. The Treasurer is authorised to hold no more than £100 cash as a float, if this amount is exceeded then the treasurer is required to bank such funds as to bring the cash holding down below the allowed limit within 7 days.
- 18.9. Exception to rule 18.8 - In case of special events or transactions requiring a cash payment / transaction to be carried out, the Committee and Officers must be notified at that time to agree.

19. Dissolution

- 19.1. If at any General Meeting called for the purpose, a resolution for the dissolution of the Club is passed by a majority of two thirds of the members present and entitled to vote the Committee must immediately or at such future date as is specified in the resolution proceed to realise the assets of the club and after the discharge of all liabilities of the club must donate the remainder to charity or charities nominated by the last Committee and upon completion of the donation, the club will be dissolved.