



## **Constitutional Bye-Laws of Robin Hood Independent Dive Club**

***FYI Notes:** The British Diving Safety Group (BDSG) was formed in 2002 to promote safe diving practices amongst the British sport diving community. Currently chaired by the RNLi, the group has a broad representation, with all of the UK diver training agencies, the HSE, the MCA and the professional charter-boat skipper organisations having a seat at the table. These organisations regularly meet in order to work towards a common goal; to make diving safer. By sharing and analysing incident data, devising safety initiatives and then promoting them to divers, the group has a broad influence on the recreational diving community.*

*The comprehensive nature of the BDSG, reflecting as it does all of the significant interests in the British sport diving scene means that it is uniquely positioned to significantly influence diving safety.*

*The (BDSG) represents a national standards body for the promotion of safe diving*

<http://www.bdsg.org>

These constitutional byelaws have been approved by an affirmative vote of the required majority of those voting members of the Club who attended at the Annual General Meeting held 29<sup>th</sup> March 2007 in the Club Room at Robinhood Watersports.

Amendments have been approved by an affirmative vote of the required majority of those voting members of the Club who attended at the Annual General Meeting held 28<sup>th</sup> February 2008 in the Club Room at Robinhood Watersports.

*Signed on behalf of the Membership and Committee of Robinhood Independent Dive Club*

Eric Bottomley - Chairman

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# CONSTITUTIONAL BYELAWS OF ROBINHOOD DIVE CLUB

## 1. Scope

These Bye-laws shall regulate the structure, administration and activities of a Social Scuba Diving Club to be known as Robinhood Independent Dive Club and commonly as Robinhood Dive Club or RoHo Dive Club (hereinafter 'the Club').

## 2. Objects

- (i) The aims and objects of the Club shall be to provide for its members facilities, opportunity for diving in accordance with the standards of The British Diving Safety Group, together with related social activities.
- (ii) The Club will not participate in any diver grade or certification training activities. Any member requiring diver training shall be referred to Robin Hood Watersports Dive School.

## 3. Headquarters

The Headquarters of the Club shall be at Robin Hood Watersports, 152 Leeds Road Heckmondwike, WF16 9BJ or at such other location as may be decided by the Club in General Meeting; provided, however, that the Club's committee of management provided for in Bye-law 6 ('the Committee') may at any time designate an alternative venue which shall be the interim headquarters until the change of venue has been voted upon by the Club.

## 4. Clubroom

The Committee shall maintain a clubroom or appoint another meeting place for the convenience of members; provided, however, that no change in clubroom or meeting place shall be final unless and until it has been ratified by the Club in a General Meeting.

## 5. Membership

- (i) There shall be Four classes of membership:

Full Diving Membership, Associate Membership, Junior Membership and Honorary Membership

Minimum age for membership is 16 Years

- (a) Full Member 18+  
There is no upper age limit for membership
- (b) Associate Member 18+  
Associate members may take part in meetings, surface only diving related activities and social events, but only as partner or spouse to a full member of the Club. There is no upper age limit for membership
- (c) Junior Member 16 – 18 Years  
Junior members may take part in meetings, , and social events, but only if accompanied at all times by a parent or legal guardian (who is also a full member of the Club). Junior members may dive with anyone on a diving trip (subject to agreement with parent and the buddy)

(c) **Honorary Membership**  
which shall be conferred solely by the Club Committee and for which any person shall be eligible.

(ii) An applicant for Full or Junior membership of the Club, must be a person holding a current nationally recognised qualification to Scuba Dive.

(iii) An applicant for membership of the Club shall apply to the Committee and upon acceptance and approval of his/her application and payment of the appropriate Club subscriptions shall be a member of the class for which he/she has applied and is eligible. The Committee may delegate to such members of the Club as it may see fit the responsibility for entertaining and accepting applications for membership.

(iv) A member shall retain his/her membership until he/she has resigned or has membership terminated in accordance with this paragraph or Bye-law 16. If payment of his/her Club subscriptions, if any, in respect of any period is 30 days or more overdue, a member shall be deemed to have lapsed. If a lapsed member wishes to rejoin less than ten months after the membership being lapsed, then the full annual fees will be due for that membership year. Pro-rata membership fees are only available to new members or lapsed members returning after a period of more than one year

(v) Members of 16 to 17 years of age will only be accepted providing a parent or guardian is a Full Member of the Club. This person must accompany the Junior member at all times on all Club activities.

## **6. Management**

(i) A Committee, known as “the Committee”, is elected at each Annual General Meeting of the Club which shall comprise eight officers who shall serve ex officio, and no more than 4 other co-opted members shall manage the Club.

(ii) The eight Club Officers shall be the Chairman, the Diving Safety Officer, the Club Secretary, the Equipment Officer, the Membership Secretary, the Social Secretary, the Communications Officer, and the Finance Officer.

(iii) The Committee shall hold and administer for the benefit of the membership all funds, equipment and property owned by the Club.

(iv) The committee shall have collective responsibility for the management of diving activities of the Club and for the safe conduct thereof, and shall ensure that the said activities are carried on in consideration with such practices & procedures as may be recommended from time to time by The British Diving Safety Group.

(v) The committee’s decision in respect of diving activities shall be final in the Club.

The duties of the Officers shall be as set out in the following Bye-laws.

## **7. The Chairman**

The Chairman shall be the Chief Executive Officer of the Club. He/She shall take the chair at all meetings of the Club and of the Committee at which he/she is present, and subject to the provisions of these Rules, his/her decision on matters of procedure shall be final.

## 8. The Diving Safety Officer

The Diving Safety Officer shall be responsible providing opportunities and encouragement for members to reach the minimum standards of skills and experience to meet the minimum requirements for taking part in organised diving activities of the Club (as set out in Bye-Laws 19). The Diving Safety Officer shall be responsible for advising on all aspects of diving safety, managing all aspects of incident reporting, monitoring and related matters including Insurance issues arising from incidents. The Diving Safety Officer role shall be limited to members with a qualification of Dive Leader / Dive Master or higher.

## 9. The Finance Officer

The Finance Officer shall be responsible for dealing with all monies received or paid on behalf of the Club, shall make any investment of Club funds approved by the Committee, shall keep records and proper books of account of all financial transactions conducted in the Club's name, and shall prepare for consideration by the Committee a statement of income and expenditure and a balance sheet to the last day of 31<sup>st</sup> January each year which he/she shall cause to be audited by the Club auditors for submission to the Annual General Meeting.

He/She shall arrange for all Club funds and securities to be kept on deposit with a bank or banks approved by the Committee and shall maintain a current account or accounts on which cheques or other orders must be signed by two people being two officers of the committee or one officer and one other person so authorised by the committee. With the approval of the Committee, the Finance Officer may open one or more other current accounts on which any other member of the Committee has joint signature authority.

## 10. Other Officers

**The Club Secretary:** shall maintain the Club records and shall record the meetings of the Committee, General Meetings of the Club, and such other meetings as the Chairman may request. Co-ordination of the annual "dive calendar" diving programme for the Club. Management & Issue of Club paperwork & documentation

**The Communications Officer:** shall be primarily responsible for the Club's communications with third parties, and shall keep the Officers, the Committee and/or the Club, as may be appropriate, informed of matters coming to his/her attention which pertain to Club activities. To manage the communications within the Club. Maintain the Club notice boards and website. To correspond on behalf of the Club both internally to members and with external bodies or organisations. To promote contributions to the content of newsletters and maintain the website.

**Equipment Officer:** Responsible for overseeing equipment related matters on behalf of the Club. To investigate and price any new purchase equipment. Advising the Committee on matters concerning the purchase and insurance of Club equipment. Providing for safe and secure storage of equipment. Arranging for equipment allocation and for its return to store. Maintenance of all equipment and the keeping of relevant records.

**Social Secretary:** To promote and coordinate the non-diving, social and charitable aspects of the Club. To recruit and assist Social Secretary volunteers to organise and run events.

**Membership Secretary:** The Management of all membership affairs of the Club. To accept applications for membership of the Club and apply on the prospective members behalf to the Committee, and upon acceptance of his/her application and payment of the appropriate Club subscriptions co-ordinate and confirm membership. To manage and securely store membership documents & completed medical self-declaration forms.

## **11. Annual General Meeting**

(i) The Annual General Meeting of the Club shall be held in March each year. Notice of the meeting and the agenda thereof shall be sent by post, email, or otherwise transmitted to all paid-up members six weeks 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 at large. Committee members standing again shall be deemed to have been nominated by the Committee. All Committee members are only elected for one year at a time.

(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/she is willing to accept the position if he/she 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/she shall be deemed to have been so 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) Upon motion made by the Committee, the meeting may vote to appoint a President for the ensuing year. If a President is appointed, he/she shall be ex officio a non-voting member of the Committee.

(vii) At least twenty-five per cent (25%) of the Club'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 attend and vote at the meeting shall be restricted to subscription paying members whose current subscriptions are fully paid.

## **12. Special General Meetings**

(i) Any General Meeting of the Club 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 not less than fourteen (14) days written notice thereof 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 thereat. 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 8 or 25% of paid-up members (whichever is the greatest), provided that the request states the reason therefore and contains the text of at least one motion proposed for consideration thereat. The provisions of the preceding paragraph shall apply with regard to convocation and 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 11 (vii) and (viii) shall apply to Special General Meetings.

### **13. Voting**

(i) Subject to the provisions of Bye-law 11 (iv) 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 affirmative votes of a simple majority of voting members present.

(ii) Subject to Bye-law 20, a motion to alter these Bye-laws shall only be carried by at least a two-thirds majority of affirmative votes cast by not less than 10% of the members of the Club entitled to vote at General Meetings. Such motion may be voted upon in General Meeting or by written postal or electronic ballot of all voting members.

(iii) Except as provided in Bye-laws 18 and 20, the Committee may put any motion to the voting membership at any time by written postal or electronic 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 postal or electronic ballot shall only be carried by a majority of affirmative votes cast by not less than 10% of the members of the Club entitled to vote at General Meetings.

### **14. Committee**

(i) The Committee shall take office upon election and shall hold office until their successors have been elected.

(ii) The Committee shall have the power to fill any vacancy amongst the Officers of the Club 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) The Committee shall determine any question as to the interpretation of these Bye-laws and of any regulations made hereunder and may rule in connection with any situation not otherwise provided for herein. In the latter event, such ruling shall only remain in effect until the next General Meeting of the Club. Its continued validity shall depend upon ratification at that meeting.

(iv) A simple majority of voting Committee members then serving shall form a quorum for a meeting; provided, however, that no quorum shall be formed without the presence of either the Chairman, the Finance Officer, or the Club 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.

(v) The Committee may adopt no resolution unless:

(a) it has the affirmative 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.

(vii) No member shall be entitled to vote on a matter in which his/her interest differs from that of the Club as a whole, and he/she shall withdraw from any meeting during the period of discussion of such interest.

(viii) Any Officer shall each have the power to require the Club Secretary to call a meeting of the Committee at any time.

(ix) The committee shall meet on a regular monthly basis at a time and place agreed by the committee members.

## **15. Club Activities**

(i) At the discretion of the Committee, Club activities shall be open to members and to guests only. The committee reserve the right to levy such guest with an additional fee for using Club equipment in pursuit of diving activities

(ii) Subject to such regulations as may be established from time to time by the Committee, No-one shall use any Club equipment other than life-saving or First Aid equipment without the prior approval of the official in charge of the session.

(iii) If a member damages or loses Club equipment the Committee may charge that member the cost of repairing or replacing the article. The Committee may similarly charge a member who damages or loses private property used in connection with Club activities.

(iv) All Club activities should be conducted in accordance with the The British Diving Safety Group general Codes of Practice. All Club diving activities must be run in accordance with the 'Respect our Wrecks' and "Project Aware" Codes of Practice.

(v) Members MUST dive to the standards of their qualification authority and are entitled to dive to the depth limits relative to their qualification. All members must adhere to commonly accepted safe diving practices at all times.

## 16. Discipline

(i) Temporary suspension from participation:

(a) In order to ensure the safety and good name of the Club and its members, the person in charge of a Club activity may suspend, at his/her discretion and for the duration of the activity, any member who misconducts himself/herself. 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/her to join the discussion and express his/her view of the matter.

(ii) Suspension and loss of membership:

(a) The Committee shall have the power by a two-thirds majority of all serving committee members to suspend the membership of any member of the Club. Suspension of the membership of any Officer or other Committee member shall be dealt with in accordance with the provisions of the next succeeding sub-clause. A decision to suspend so taken shall be immediately communicated to the member concerned, and his/her membership shall thereupon 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/her suspension shall be made fully known and he/she shall be given the opportunity to answer fully the charges against him/her. 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 thereupon be lifted and the member shall be informed accordingly. If the motion is carried again by the said majority, the member shall be so informed and his/her membership in the Club shall be immediately terminated. The member affected shall have the right to appeal from the decision of the Committee to the next General Meeting of the Club. In that regard, he/she shall for the purposes of Rules 11 (v) and 12 (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 the agenda of which [a] has 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, he/she shall be entitled to hear and respond to the charges levied against him/her. 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/her membership in the Club, and he/she 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.

## **17. Subscriptions**

(i) Persons joining or rejoining the Club shall pay the appropriate Club subscription.

(ii) Club membership subscriptions shall be in such amount, shall be payable on such dates, and shall be subject to such terms and conditions as may be determined from time to time by the Committee.

## **18. Dissolution**

(i) The Club 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 11(i).

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

(iii) If dissolution of the Club is voted in accordance with the preceding provisions of this Bye-law, the Committee shall proceed without delay to realise the property of the Club and to discharge the Club's outstanding liabilities. Any net assets thereafter remaining shall be distributed to such recipient or recipients and in such fashion as the meeting shall have decided.

(If the Club 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, and/or to advise on their disposal, perhaps to another worthy user).

## **19. Trip Secretary Handbook & Branch Diving Activities**

The club shall annually publish and distribute a guidance document outlining the day-to-day operation of the club diving activities. This is to be known as the "Trip Secretary Handbook.(Operating Policy)" Guidance, policy and procedures contained within the Trip Secretary Handbook are the operating policy of the club, and form part of the Club Bye Laws outlined herein. The contents of the Trip Secretary Handbook shall be periodically reviewed and may be amended by the Committee.

## **20. Amendment**

(i) This Constitution may only be amended in a General Meeting in accordance with the affirmative votes of a majority of 60 % of those voting members of the Club who are present at the Meeting.

## **Appendix to be included in Trip Secretary Handbook (Operating Policy)**

### **(1) Club Trips / Private Trips**

“Club Trips” are “diving activities organised or sanctioned and underwritten by the Committee”. One characteristic of a club trip is that members can pay by cheque payable to “Robinhood Dive Club”. Members may organise and arrange “private trips” where a trip is offered directly to individuals or advertised to the Club as a whole. Private trips may not be promoted “in competition” to club trips, but members may advertise on the notice board. It must be made very clear at all times that “private trips” are not Club Trips. Members may not use the club name, when booking with Skippers, accommodation, etc or advertising and promoting their trip.

### **(2) Training**

It is club policy to recommend all members to only use Robinhood Dive School for all training and diver development. Only Robinhood Dive School may advertise training on notice boards and the website (subject to approval from the Communications Officer). Other training providers are not permitted to promote their services within the club meetings. Members are free to choose a training provider of their own choice.

### **(3) Oxygen Resuscitation Equipment (O<sub>2</sub>)**

The O<sub>2</sub> kit is never to be used for private diving activities or commercial gain. The O<sub>2</sub> kit is to be used only for “club trips”. The equipment will be issued to the Trip Secretary by the Equipment Officer. Each person will sign and fully complete the tracking log. The equipment is to return to the storage cupboard as soon as possible after use. The equipment is not to be daisy chained from one trip to the next. The committee will consider suspending this rule upon request from groups of club members who wish to use the O<sub>2</sub> kit as part of a private diving activities.

### **(4) Rules & Regulations**

The committee wish to maintain the absolute minimum number of rules and regulations for members. Where a problem exists and we do not have a RoHo club policy, procedure, or rule, then the committee will take guidance from standard The British Diving Safety Group policy and procedures.

### **(5) Suitability to dive**

The MINIMUM skills & experience required to undertake club diving activities is as follows:

- Proof of evidence of medical fitness to dive.
  - (medical self-declaration form to be completed annually)
- Proof of evidence of valid 3<sup>rd</sup> party liability insurance (BSAC or Divemaster)
- Certified to dive at the depths of planned dive sites
- Over 20 dives logged
- (For cold water diving) Must be competent in the use of a (semi)dry suit and have completed a (semi)dry suit dive within the last 3 months
- Must own and be competent in the use of a dSMB
- Must be competent in the use of dive tables or the use of a dive computer
- Must be familiar with good dive boat etiquette
- Must dive with a buddy within the most conservative divers qualification limits

Members are entitled to dive to the depth limits relative to their qualification. All members must adhere to commonly accepted safe diving practices at all time.