

MUSSELBURGH
SUB-AQUA CLUB
CONSTITUTION

25.11.98

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SECTION A - GENERAL

1. **Name and Style**

The Club shall be known as the Musselburgh Sub Aqua Club.

2. **Aims and Objectives**

- a) The object of the Club as an amateur organisation shall be to advance and encourage education in the study of underwater activities in all its aspects for the general benefit of the members.
- b) The Club shall provide facilities and courses for education in the knowledge of the underwater environment

The Club's aim shall be to develop recreational facilities with particular emphasis on better and safer diving.

The Club shall encourage friendly co-operation and exchange information with other organisations.

3. **Terms of Reference**

a) **The Committee:**

In all cases hereafter, unless otherwise stated, the Committee shall refer to the Committee of the Club. As also titles, Chairperson, Vice Chairperson, Treasurer, Secretary, Assistant Secretary, Diving Officer, Equipment Officer, Assistant Equipment Officer, Pool Training Officer, Assistant Pool Training Officer.

b) **The Club:**

In all cases mentioned, unless otherwise stated, the Club shall refer to the Members of Musselburgh Sub-Aqua Club.

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4. Changes in the Constitution

Alterations or amendments to the Constitution can only be made annually at the Annual General Meeting or at an Extraordinary General Meeting convened specially for this purpose. Any change in, or addition to, the Constitution or Training Schedule can only be passed on a two thirds majority of the votes cast.

5. Interpretation:

Any question which may arise as to the interpretation of these rules, shall be decided by the Committee, and stand until the next Annual General Meeting when it shall be voted upon.

6. Contingencies:

Any contingency that may arise which is not covered by the Constitution shall be decided by the Committee, and stand until the next Annual General Meeting when it shall be voted upon.

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SECTION B - MEMBERSHIP

1. Conditions of Membership:

The total membership of the Club shall be open to as many Ordinary Members and 10 Social Members. Membership shall be open to both male and female members.

2. Class of Membership:

- a) An Ordinary Member shall be at least 18 years of age and shall receive full Club privileges.
- b) A Social Member (non-diving) formerly known as Associate Member shall be at least 18 years of age and shall receive all Club privileges except that he/she shall not be permitted to take part in any Diving/Training activities and shall have no voting rights within the Club.
- c) Annual levy to the above Classes of Membership shall be decided each year at the Annual General Meeting.

3. Special Conditions of Membership

a) Transfer of Membership:

A member may, at any time request transfer of his/her membership. The application shall be considered by the Club Committee after consultation with the Secretary of the Club from which he/she is transferring. If approved, the member shall be notified of his/her acceptance by the new Club Secretary. A member shall state on his/her application form, which Club he/she wishes to join.

b) Personal Gain

Members diving for gain in UK waters must do so under such provisions for commercial diving promulgated by the Health and Safety Executive as are current specific Exemptions to these provisions as may be applicable.

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c) Honorary Membership:

The Club may elect a person to Honorary Membership of the Club in recognition of services. Honorary Membership shall be for a stated period, which in exceptional circumstances may be for life. Such Honorary Members shall have no voting powers in the Club and the Membership is not transferable to any other Club. Honorary Members shall be elected by a two-thirds majority vote at a Club General Meeting.

4. Resignation from the Club:

Members who do not wish to remain members of Musselburgh Sub-Aqua Club must resign in writing to the Club and to the Scottish Sub-Aqua Club Headquarters. Otherwise they are deemed to be due to pay all fees due.

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SECTION C -ORGANISATION

General:

- a) The Committee shall be the central administration body of the Club.
- b) It shall consist of the :-

Chairperson,	Vice Chairperson,
Treasurer,	
Diving Officer,	
Secretary,	Assistant Secretary,
Equipment Officer,	Assistant Equipment Officer,
Pool Training Officer,	Assistant Pool Training Officer

- c) All decisions of the Committee shall be reached by simple majority vote of all Members present.
- d) A quorum shall be 50% of the voting Members of the Committee.
- e) The Chairman shall have the casting vote.
- f) The method of election of Office-Bearers to the Committee is detailed in SECTION C No. 7 Paragraph D.

2. Functions of the Committee:

- a) The Committee shall promote the aims and objectives of the Club as described in SECTION A.
- b) The Committee shall be responsible for co-ordinating activities, and for implementing the Policy of the Club as stated in the Constitution.
- c) The Committee may appoint and dismiss the Sub-Committees and prescribe rules for the conduct thereof.
- d) The Committee shall meet at least six times per year.
- c) All regulations made by the Committee shall be binding upon all members until repealed by the Committee or set aside by a resolution at an Extraordinary Meeting of the Club.

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- f) The Committee shall take office immediately after election at the Annual General Meeting and shall hold office until the next Annual General Meeting.
- g) Any member wishing to forward any matter of competent business which they wish to be inserted in the Agenda should forward them to the Secretary at least fourteen days before the Meeting.

3. Duties of Office-Bearers

a) Chairperson:

The chairperson shall be the spokesperson for the Club.

He/She shall preside at the Annual General Meeting, Extraordinary Meetings, and the Meetings of the Committee.

In absence of the Chairperson, the Vice-Chairperson shall preside, and in his/her absence also, the Meeting shall elect one of the voting Members present to preside. He/She shall hold an ex-official position on all Sub-Committees appointed by the Committee.

b) Vice-Chairperson:

The Vice-Chairperson shall assist the Chairperson in the execution of his/her duties and deputise in his/her absence. He/She shall be responsible for Committee/Club liaison.

c) Treasurer:

The Treasurer shall keep proper records of accounts of all monies received and paid on behalf of the Club.

He/She shall arrange for all such monies to be deposited at such Bank as the Committee may direct, to the credit of an account in the name of the Club, on which cheques or other orders shall be signed by not less than two officials nominated by the Committee.

He/She shall prepare a statement of income and expenditure and a Balance Sheet to the last day of the Club Financial Year. The Statement shall be scrutinised by suitable persons appointed at the Annual General Meeting.

He/She shall be prepared, upon request to submit an interim financial statement at any Committee Meeting.

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d) Diving Officer:

The Diving Officer shall be adviser to the Committee on all aspects of diving. He/ She shall be responsible for all diving arrangements in connection with Club activities.

He/She shall prepare diving regulations for the approval of and publication by the Committee, in which shall be laid down the standards of training, experience and theoretical knowledge required for the purpose of Club Diving.

e) Secretary:

The secretary shall keep a Minutes Book of the Club Committee Meetings.

He/She shall summon meetings, prepare agenda, record transactions and meetings, deal with Club correspondence, maintain in good order and safe keeping all records and documents and books of the Club and present a Report to the Annual General Meeting.

f) Assistant Secretary: To assist the Secretary.

g) Equipment Officer:

Responsible for all Club Equipment, collect all monies due for equipment hire, repairs or replacement and the service of all equipment.

h) Assistant Equipment Officer: To assist Equipment Officer.

i) Pool Training Officer:

Responsible to Diving Officer for Pool Training.

j) Assistant Pool Training Officer: Assists Pool Training Officer.

k) Expedition Officer: Organises Club Expeditions.

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4. Sub-Committees and Co-Option:

Sub-Committees may be appointed by the Committee at their discretion for the purpose of specific organisation. Sub-Committees of co-opted members have no voting powers, and may only make recommendations.

5. Open Attendance of Committee Meetings:

Any fully paid-up Member of the Club may attend a Committee Meeting but shall take no part in the meeting and have no voting power.

6. Annual General Meeting:

- a) The Annual General Meeting of the Club shall be held each year in January or February. A Quorum shall be twenty voting members or 50% of the Club Membership, whichever is the smaller.
- b) Agenda for the Annual General Meeting will be posted 1 week before the meeting. Any items to be brought up at the Annual General Meeting must be in writing to the Club Secretary, 2 weeks before the date of the Annual General Meeting.
- c) The Annual General Meeting will run until business has been concluded.
- d) All speakers must go through the Chairperson.
- c) No Proxy voting will be permitted.

7. The Committee and Meetings:

- a) The Committee shall be appointed at the Annual General Meeting and shall hold office until the next Annual General Meeting.
- b) They shall meet at least six times per year on arranged set dates.
- c) Items to be brought up at Committee Meetings must be sent in writing to the Club Secretary at least 2 weeks before arranged meetings as to enable the Agenda to be set.

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- d) Election of Members to the Committee and voting on proper motions brought to an Annual or Extraordinary General Meeting shall be by simple majority vote of those present at such a meeting. Ordinary and Joint Members have the right to vote provided that they have paid their Annual Subscription to both **S.S.A.C.** and **M.U.S.A.C.** for the current year.
- e) They shall arrange activities for the Club in accordance with the objectives of the Constitution.

- f) The Committee reserves the right to appoint Committee Members when required.
- g) The Committee may appoint and dismiss Sub-Committees and prescribe rules for the conduct thereof.
- h) The Committee may establish By-Laws for the better conduct of its own internal affairs, provided that they are in accordance with the policy and Constitution of the Club.
- i) Such By-Laws made by the Committee shall be binding upon all Members until repealed by the Committee or set aside by a resolution at an Extraordinary Meeting.
- j) The By-Laws shall be made known to all Members of the Club.
- k) A quorum shall be 50% of the voting Members of the committee; the Chairperson shall have the casting vote.

8. Extraordinary Meetings:

Extraordinary Meetings may be called by

- a) The Club Committee.
- b) The Secretary upon receipt of the signatures of either one third of the Club Membership or Twenty Members whichever is the smaller, to a letter stating the reasons.
- c) At this Meeting only matters arising from this business shall be discussed. The Meeting shall be held within 21 days from receipt of a letter.

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SECTION D - FINANCE

9. Finance of the Club:

- a) The Club Committee shall conduct the entire financial affairs of the Club through the Treasurer and shall have the powers to appoint an agent to act on the Clubs behalf should any special contingency arise.
- b) The Committee can utilise up to £500 funds without calling an Extraordinary Meeting.
- c) The Club, at the Annual General Meeting, will decide the amount of the Club Subscriptions for the coming year. This will include Ordinary Members and Social Members Club Subscription Charges.

- d) All members of the Club will pay their Annual Subscription due to S. S.A.C. to the Club Treasurer, on the appropriate months.
- e) All Club Subscriptions shall be paid direct by members to the Treasurer on the **First Wednesday in September**.
- f) All pool fees to be paid to the Treasurer direct by the Member.
- g) Sub-Committees appointed by the Committee shall have no power to incur any financial liability in the name of the Club without specific authority from the Committee.
- h) Any Member failing to renew his/her Club Subscription within the due date shall be deemed to have resigned.
- i) **FUNDS:**

These shall be under the control of the Treasurer and shall be deposited at an accredited bank. Cheques must be signed by at least Two Officials, nominated by the Committee.

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SECTION D - FINANCE

9. **Finance of the Club:**

- a) The Club Committee shall conduct the entire financial affairs of the Club through the Treasurer and shall have the powers to appoint an agent to act on the Clubs behalf should any special contingency arise.
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- d) All members of the Club will pay their Annual Subscription due to S.S.A.C. to the Club Treasurer, on the appropriate months.

- e) All Club Subscriptions shall be paid direct by members to the Treasurer on the **First Wednesday in September.**
- f) All pool fees to be paid to the Treasurer direct by the Member.
- g) Sub-Committees appointed by the Committee shall have no power to incur any financial liability in the name of the Club without specific authority from the Committee.
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SECTION E - CLUB DIVING OFFICER TRAINING AND DIVING

10. **Club Diving Officer:**

- a) The Diving Officer (**D.O.**) shall be responsible to the Committee for carrying out the rules and regulations laid down by the National Diving council for Diving and Training.
- b) The **D.O.** shall hold at least the 2nd Class Diving Certificate. Exception to this rule may be in the case where the Club is having particular difficulties and then only with the approval of the National Diving Council may someone with less than 2nd Class stand in as Acting Diving Officer, until they attain 2nd Class.
- c) The **D.O.** will submit immediately after his/her election or as soon as possible a list of appointed Branch Instructors (**B.L's**) to the National Diving Officer for approval.

11. **Training and Diving:**

- a) Training and Diving in the Club@ shall be carried out as laid down in the Club's Training Schedule and the SCOTSAC publications.
- b) Any serious flagrant breach of Training or diving Rules within the Club, shall be reported to the Diving Officer who shall submit details in writing to the National Diving Officer.
- c) Any member so reported may, at the discretion of the National Diving Officer, may be called before the National Diving Council to explain the breach of- regulations. The National Diving Officer shall submit to the General Committee the findings of The National Diving Council in such cases together with their recommendations of any actions to be taken.
- d) All Members must inform the Diving Officer before they go into the open water. If the **D.O.** is not available, then a Branch Instructor must be informed.

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SECTION F -DISCIPLINE

12. Discipline:

- a) In the event of an alleged breach of the Club Constitution or any conduct prejudicial to the Club, (*except any aspects of diving and Training*) the Member or Members concerned shall be called before the committee to explain their conduct.
- b) After hearing their evidence, the Committee shall consider the case on its merits and shall take such action as it may deem necessary.
- c) Disciplinary action (*at all levels*) may take the form of a caution, verbal or written, or of a suspension for a given period or sine die.

13. Appeals and Hearings by Club Committee:

- a) Any Member or Members of the club, disciplined under the terms described above shall have the right to appeal against such action.
- b) Any appeal shall be sent in writing to the Club Secretary. The letter shall give grounds for the appeal and state the appellant's case clearly.

- c) If the appeal is to be heard by an Extraordinary General Meeting of the Club, then this Meeting shall be called in full accordance with the regulations covering such a Meeting.
- d) After hearing all the written evidence, together with any verbal evidence that the Meeting may require, a decision shall be reached by simple majority vote of the Members present.
- e) The decision on the appeal heard by an Extraordinary General Meeting of the Club, shall be binding on all parties concerned.

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