

THE RULES OF THE KINGSTON AND ELMBRIDGE BRANCH OF THE BRITISH SUB-AQUA CLUB

Title

The title of the association of persons interested in underwater activities shall be the **Kingston and Elmbridge Branch of the British Sub-Aqua Club** (herein called “**The Branch**”)

Objects

The objects of the Branch shall be to promote underwater exploration, science and sport, to promote safety in these activities, to train those interested in the above in the safe use of underwater equipment and to assist them in the pursuance of diving projects.

British Sub-Aqua Club Rules

The following rules are subject to BSAC Rules

KINGSTON AND ELMBRIDGE BSAC RULES

Membership

1. There shall be seven classes of membership as defined in the BSAC rules, namely **Full, Dual, Abated, Student, Junior, Snorkelling** and **Associate**.
2. There shall also be the class of **Social Member** as defined in these rules. Membership of the Branch will be issued on the following basis;

Full members
Dual members
Abated members
Student members
Junior members
Snorkelling members
Associate members
Social members
Honorary Life members

The following membership classes shall be entitled to vote on all Branch matters at Annual and Extraordinary General Meetings, call an Extraordinary General Meeting (under Rule 52) and for the purposes of disciplinary and grievance matters described in these Rules:

Full, Dual, Abated, Student and Honorary Life members.

Snorkelling members shall be entitled to vote as per Rule 4 and Social members as per Rule 5.

3. All members who are actively diving or intend to dive shall at all times have a valid BS-AC approved medical certificate or Self-Declaration Medical Form. The original of the medical certificate or Self-Declaration Medical Form shall be kept with the members' qualification record book. A copy of the medical certificate / Self-Declaration Medical Form shall be provided to the Membership Secretary and will be kept on file with the membership / renewal form.
4. Snorkeling members have the rights of a social member (rule 5) but are also allowed to use snorkeling equipment at the pool sessions and in open water. They may also vote on any matters purely to do with snorkeling.
5. Social members shall have the right to:
 - Enter the Branch premises as a member.
 - Sign in guests to the Branches premises.
 - Vote on **Social Club** matters at General Meetings.
 - Receive copies of the branch newsletter.

but shall not participate in any diving or pool activities except free swimming.

6. Dual membership shall be accepted from full members of other Branches on payment of the Branch portion of the membership subscription at the discretion of the Branch committee.
7. The Branch upon representation of the Branch Committee may elect by ballot an honorary life member of the Branch at an Extraordinary General Meeting or Annual General Meeting called for that purpose.
8. Rule 8 will not be used (intentionally left blank).
9. The branch annual subscription shall rise in line with inflation each year and can only be varied by a majority vote of the Branch of those present at an Extraordinary General Meeting or Annual General Meeting called for that purpose.

Managing Body and Officers

10. The managing body of the Branch shall be a Branch Committee, to be constituted as the rules of the Club and Branch may provide.
11. There shall be a Social Club, managed by the Branch Committee, which shall operate the premises of the Branch and undertake related activities for and on behalf of the Branch according to these rules.
12. The Branch Committee shall exercise:
 - a) General control over all officers and Committees of the Branch
 - and**
 - b) any other controls thought relevant.
13. The election of the Branch Committee shall be by ballot of the Branch members at the Annual General Meeting of the Branch to be held on the **last Thursday in November**, each year. Members are to be notified of the exact date in writing at least 14 days prior to the meeting.
14. The nominations for various members of the Branch Committee, the consent of each nominee having previously been obtained, are to be delivered to the Branch Secretary, in writing, at least seven days before the date of the Annual General Meeting.
15. If there has been no nomination, or a nominee decided not to stand, then nominations for members of the Branch Committee can be accepted at the Annual General Meeting.
16. The Officers of the Branch shall be:

Chairman
Diving Officer
Secretary
Treasurer.
17. The Branch Committee shall comprise of the officers of the Branch together with a least six other members, who shall be elected to the Branch Committee at the Annual General Meeting, or a Special General Meeting of the Branch.

18. The officers shall be elected at an Annual General meeting or Special General Meeting of the branch, and shall hold office for one year, or until their successors are elected.
19. In the absence of the Chairman at any Branch Committee function, the Diving Officer shall be the acting Chairman.
20. The ownership and administration of all funds, property and equipment of the Branch is vested in the Chairman, Secretary and Treasurer as trustee for the benefit of the membership and to be applied in the best interests of the membership as a whole, for their period of office only.
21. A President of the Branch may be elected at the Annual General Meeting or at an Extraordinary General Meeting by ballot, for a term of three years or until a successor is elected. This position is to be a non-voting position on the Branch Committee.
22. The Branch Committee shall decide upon the amounts of admission fees, and the hiring charges for equipment from time to time as it sees fit.
23. Any qualified diver of Ocean Diver grade or above is eligible for the Branch Committee, however the Diving Officer shall be qualified as described in the current edition of the BS-AC *Branch Officers' Handbook*.
24. The Branch Committee shall meet as often as the business of the Branch necessitates and at least every two months.
25. The Secretary shall prepare minutes of each Branch Committee Meeting, which shall be agreed by the Branch Committee, and signed by the Chairman at the next Branch Committee Meeting. A copy of the agreed minutes shall be posted on the Branch Notice Board as soon as possible after agreement.
26. The Secretary shall hold an up to date copy of the Branch rules, with all amendments.
27. A quorum of any Committee shall be 50% of the members thereof.
28. The Branch Committee has the right to refuse acceptance of a person to any kind of membership of the Branch without appeal of this decision. However, membership may not be unreasonably or vexatiously withheld. Where membership is suspended or terminated under the disciplinary or grievance procedure, the right to appeal allowed under Rule 69 shall apply.
29. Vacancies occurring among the Officers of the Branch during their term of office shall be filled only by election of a new Officer, at a ballot held at an Extraordinary General Meeting of the Branch.
30. Vacancies occurring among Committee members other than officers of the Committee can be filled at the discretion of the Committee. Any such person shall have full voting rights.
31. Additional non-voting members can be co-opted to the Committee as its discretion, as the need arises.

32. Rule 32 will not be used (intentionally left blank).
33. The Branch Committee shall have power to borrow or raise monies in such amounts and manners and upon such terms as the Branch Committee shall think fit, to be applied for such purposes as the Branch Committee shall decide, up to a limit of £5000 and shall notify in writing, all members within 21 days of taking such action, provided any such monies will be used for or in the interests of the membership as a whole. For any amounts above and beyond £5000, 7 days notice, in writing, of an extraordinary general meeting, will be given, in writing, to all members, whereupon a vote of two-thirds majority will prevail.

Bar Rules

34. No person shall be admitted to membership without an interval of at least 48 hours between their nomination or application for membership and their admission.
35. The purchase for the Social Club and the supply by the Social Club of intoxicating liquor shall be managed by the elected Branch Committee, and any gain arising from such purchase or any money or property of the Club or any money arising from the carrying on of the Club will not be applied other than for the benefit of the Club as a whole.
36. The ownership and administration of all funds, property and equipment relating to the Social club shall be undertaken by the Branch Committee on behalf of the social club, to be used at all times in the best interest of the social club.
37. No member will be allowed to sign in more than two guests in any two-hour period.
38. Intoxicating liquor will not be supplied to members on the premises or their signed in guest(s), otherwise than by or on behalf of the Social Club.
39. A bar manager shall be appointed on behalf of the Social Club by the Branch Committee.
40. All members and guests using the Social Club facilities are to vacate the premises in a quiet and orderly fashion giving full consideration to the proximity of residential dwellings in the surrounding area. Failure to do so may result in Social Club Membership being withdrawn by a majority decision of the Branch Committee.
41. The Social Club licensing hours will be as follows:

Monday to Sunday (inclusive of Public Holidays) **11:30 to 12:00 midnight**

The club premises will be closed at 00:30 to allow for cleaning and vacating of the premises.
42. The Branch recognises the four licensing objectives:
1. Prevention of crime and disorder;
 2. Public safety;
 3. Prevention of public nuisance;
 4. Protection of children from harm.

All four areas will be reviewed annually to ensure the Branch is complying with any recent changes in the law or recommendations of best practice.

43. The bar steward and nominated bar staff shall have the right (which shall not be used unreasonably or vexatiously) to refuse to serve any person.

Diving

44. The Diving Officer may award all diving qualifications, but these must be reported to the Branch Committee to enable the Secretary to affix the Branch seal to the qualification record book, the achievement of the qualification to be recorded in the Branch minutes and the Membership Secretary to update the Branch records.
45. Branch Dives and training shall only be organised in line with guidance published in the current edition of the BS-AC *Branch Officers' Handbook*. The Diving Officer is to be advised in writing, in advance, of all persons on the dive together with their diving grades. The inclusion of any guests on a dive is to be as described in the *Branch Officers' Handbook*.
46. The person in charge of a Branch RIB a BS-AC Diver Cox'n or BS-AC recognised equivalent, while the person in charge of a second RIB when accompanying the first may be an experienced BS-AC Boat Handler or BS-AC recognised equivalent. The second RIB is to remain under the direct control of the first RIB.
47. With the exception of Ocean Diver, newly qualified diver grades will be restricted to the BS-AC recommendations of the divers previous BS-AC grade until the Diving Officer, in consultation with the Branch Committee, has agreed to the application of the new grade recommendations for the individual.
48. Rule 48 will not be used (intentionally left blank).

Meetings

49. The Branch shall hold regular meetings, which shall be arranged from time to time by the Committee.
50. The Branch shall hold an Annual General Meeting (AGM) on the last Thursday in November in each year when the Committee for the forthcoming year shall be elected and other Branch business dealt with. For the purposes of this meeting 25% (twenty-five per cent) of Branch Members eligible to vote (see Rule 2) shall be present. Decisions will be ratified by a simple majority vote, unless otherwise stated in these Rules. Proxy votes will be accepted from Members for the election of Officers and Committee members only and must be given to the Branch Secretary in writing 3 (three) days prior to the vote taking place.
51. The newly elected Committee shall assume its responsibilities as from 12 midnight on the day they are elected.
52. An Extraordinary General Meeting may be summoned at any time by the secretary upon the request of the Branch Committee, or of at least ten members of the Branch in writing. At least seven days notice must be given of the meeting, which should be communicated in writing to each member.

53. The financial year of the Branch shall be from the first day of October to the thirtieth day of September.
54. The Branch year shall be from the first day of December to the thirtieth day of November.

Amendments and Alterations to the Rules

55. Alterations and amendments to these Rules shall be made by the Branch at an Annual General Meeting or an Extraordinary General Meeting called for that purpose. Such alterations and amendments shall be made by the vote of not less than two-thirds of those who, being entitled to do so, vote in person at that meeting. For this purpose a minimum of 25% (twenty-five per cent) of the Branch Members eligible to vote (see Rule 2) shall be present.

Finance

56. The Treasurer shall be responsible for the collection of all monies due to the Branch and shall lodge it to the credit of the banking account specified by the Branch Committee. All payments on behalf of the Branch shall either be authorised by the Treasurer, or paid by cheque signed by the Treasurer and one other Officer of the Branch (as defined in Rule 16).
57. The Treasurer shall prepare a statement of the Branch accounts annually as at the end of September. A review of the Branch transactions shall be made once a year by an independent person or persons, whom will be appointed at the preceding Annual General Meeting. A financial statement shall be presented to each member upon entry to the Annual General Meeting.
58. The Branch Committee, for the time being, agrees on behalf of the Branch, to indemnify Gerald Lawrence Hassell, Roger Broom and Brian Deluce for their liability and obligation under the lease dated 1997, and made between the Mayor Alderman and Burgess of the Royal Borough of Kingston upon Thames of the one part and Gerald Lawrence Hassell, Roger Broom and Brian Deluce of the other part which lease they have entered into as individuals on behalf of the branch.

Dissolution of the Branch

59. The Branch may be dissolved at a General Meeting of the Branch duly called for that purpose, of which at least one month's notice in writing shall have been given to members. Provided that any action to that effect is duly made and seconded, it shall be passed by the votes of not less than two-thirds of those who, being entitled to do so, vote in person.
60. After it has been decided to dissolve the Branch, the Branch funds (if any remain after settlement of outstanding debts and liabilities) and the effects and property of the branch shall be dealt with in such a manner as shall be prescribed by the majority of the members at the General Meeting.

Interpretation

61. The Branch Committee shall determine any question as to the interpretation of these rules and of any regulations made thereunder and may rule for any occurrence not otherwise catered for in these rules provided that an appropriate amendment thereto is moved at the next following General Meeting.
62. Rule 62 will not be used (intentionally left blank).
63. Rule 63 will not be used (intentionally left blank).

Data Protection

64. For the purposes of the Data protection Act 1988, the Branch holds the following classes of data on individual members:

- Name
- Address
- Telephone Number(s)
- Email address
- Date of Birth
- Sex
- Next of kin information
- Pictures / images and reports
- Training records
- Diving history summary
- Medical declaration certificate/form

This information is held is on a secure membership database, on a training records database, as written training cards and as photocopies of medical declaration forms for the purpose of Branch administration. On an ad hoc basis, electronic information is also downloaded to hard copy and provided to a Committee Member for specific purposes relating to Branch business (for example, for the organisation of a social event such as the Dinner Dance or for the production of mailing labels for Newsletter distribution).

Personal information which identifies an individual Members' contact details (home address and telephone number), next of kin, diving summary and full training record is kept on a secure (https) web site, with access restricted to the Diving Officer, Secretary, Membership Secretary and Training Officer. The userid and password required to access to this data is changed on a regular basis.

The Branch does not make this information available to any third party organisation, nor to any Branch Member or one of the Committee positions identified above, except for a specific purpose pertaining to the normal execution of Branch activities.

Medical declarations do not require written "yes/no" responses and therefore contain no sensitive medical information, as adjudged under the Act.

Data held on individuals who do not renew their annual membership is removed from the Branch records after a period of six (6) months.

It is a pre-requisite of joining the Branch that Members consent to the Branch holding this information for the normal administration of Branch activities. The specific consent

of individual Members will be sought if the information held by the Branch is to be put to any other purpose.

Privacy Policy

65. These policies inform members of the information we collect and the use we make of this information. To report any abuse or violations of this Privacy Policy, please contact the Branch Secretary in writing, providing any notes or information that you feel are pertinent.

Branch Electronic Mail Distribution Lists

To keep each Member in touch with activities occurring within the Branch, from time to time we will send you an electronic mail (email). When you join the Branch and provide your email address, we will add this to our email distribution list. Your email address will be used only by Kingston Branch of the BS-AC and under no circumstances given to any other party. A Branch Member may unsubscribe at any time by notification in writing to the Secretary.

The email facility offered through the K&E web site, by group distribution lists or via groups of names of Branch Members should only be used to send information about Branch diving, events and other matters related to the day to day running of the Branch. On no account should these lists be used for personal matters, for grievances or for election-related discussion or correspondence. Inappropriate use, or misuse of email will be treated as a disciplinary matter by the Branch.

Use of Web Site Information

The information we collect may be used to create an aggregate profile of our Members so we can improve content and services, respond to BS-AC requests for such data, distribute information to individual, or groups of Members, contact you or provide you with services for which you have signed-up, registered or provided consent. No individual information is provided to third parties for commercial purposes. Upon written request to the Branch Secretary we will provide you with the information that we maintain about you.

Cookies

We do not employ cookies on this site.

Security

We strive to maintain appropriate security measures to protect against the loss, misuse or alteration of information we have collected from you as a Member. We take reasonable measures to secure our data, although we cannot guarantee that the measures taken are or will remain adequate. Since we may include links on the web site to other companies' web sites, please refer to the privacy policies of those sites for information on how they handle security for the information they collect.

Policy Statements

66. Branch Policy Statement

The Branch regards Health, Safety & Welfare as being of the utmost importance in all its operations and activities and recognises the need to ensure that a healthy & safe environment is provided and maintained for all its members and guests involved with Branch activities. It is therefore the Branch's policy that any dives or social events that the Committee or individual Branch Members or groups of Branch Members

organise shall be conducted in a manner that provides a safe and encouraging environment in which all members and guests may participate.

Recreational diving conducted within a club governed by membership rules is not covered by the Health & Safety at Work legislation; however, the Committee and the Branch Members have a duty of care to ensure all participants' safety during any dive organised by the Branch or a Branch Member and during any of the Branch's social activities.

67. Risk Assessments

The Branch Committee, Branch Officers and other Branch Members organising events, be they diving or social, shall carry out a risk assessment covering not only the participants but also the general public.

68. Welfare of the Vulnerable

The Branch Committee will ensure that reasonable precautions are taken to ensure the safety and wellbeing of young children, juveniles and vulnerable adults (including intimidation) who participate in Branch activities.

Accordingly, it is a Branch policy that people convicted of criminal acts of a sexual or violent nature against or otherwise involving children, juveniles or vulnerable adults may not become or remain a member of the Branch, and in this regard the Committee shall take reasonable precautions that any such persons shall not be permitted contact with Branch members at any time.

Branch Welfare Officer

The Branch Welfare Officer has the main responsibility for managing child and vulnerable adult protection issues within the Branch. This position shall be appointed by the Committee from any suitable Branch Member who wishes to be considered for the role. Although they will not be part of the Branch Committee, they will be required to report regularly to the Committee and to implement guidelines laid down by the BS-AC. In addition, they will be required to report any cases arising and branch actions taken to the BS-AC Welfare Officer after consultations with the Committee.

Disciplinary & Grievance Procedures

69. Temporary suspension from participation:

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

Suspension and loss of membership:

(a) The Committee shall have the power by a two-thirds majority of all serving voting members to suspend the membership of any member of the Branch. 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 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 suspension shall be made fully known and he shall be given the opportunity to answer fully the charges against him. 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 he shall thereupon be deemed to have resigned his membership in the Branch. The member affected shall have the right to appeal from the decision of the Committee to the next General Meeting of the Branch. In that regard, refer to Section "Appeal (disciplinary)".

(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 shall be entitled to hear and respond to the charges levied against him. When the Chairman or nominated 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 membership in the Branch, and he 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.

Appeal (disciplinary)

Any member aggrieved by a Committee Disciplinary decision may appeal to the Branch Secretary by notice in writing within 7 days of the decision being advised. The appeal must be supported in writing by a minimum of 7 full Branch members, whereupon the Branch Committee shall appoint a date to hold an EGM. As a result of such EGM, the Committee decision may only be reversed by a majority vote of 2/3rds of those full/abated Branch members entitled to vote who must be present at the EGM meeting. Proxy votes shall not be accepted for this purpose.

If the aggrieved member requires an extension of time to seek the support of 7 full Branch members, then he/she must inform the secretary in writing of his/her intention to appeal within 7 days of the committee decision, an extension of time would be granted of up to 21 days from the date of the committee's original decision.

Period of Appeal (disciplinary)

If the committee has decided to withdraw a person's membership, and the member wishes to appeal, the member will not be permitted to attend the clubhouse or any club functions until the appeal has been resolved.

Informal Procedure

Minor misdemeanours (namely, those in respect of which no disciplinary action is intended to be taken by the Branch) will be dealt with informally by the Branch Officers.

Members' Grievance Procedures

The Branch recognises the importance of maintaining good relations between all members. It therefore seeks to maintain an atmosphere in which problems can be openly discussed and resolved, and aims to encourage open communications. The

Branch also believes that it is in everyone's best interest to ensure that all Branch members' grievances are dealt with quickly and fairly and that the grievance procedure should only be sought when all informal channels of communication have been exhausted.

General Grievances

If any member has a grievance that is not the result of a disciplinary matter, they may approach any member of the committee (ideally the committee member or officer associated with problem involved) and request that the issue be discussed at the next committee meeting. The committee shall then be required to discuss the matter and report the result of their meeting to the member. If the member is subsequently unhappy with the outcome of the committee's decision, the member should then follow the same procedure for calling an Extraordinary General Meeting as outlined in section headed, above: Appeal (disciplinary).

Policy

- a) The Branch shall try to resolve, as quickly as possible, any grievance that a Branch member may have.
- b) The timing and location of any meeting to discuss that grievance should be reasonable.
- c) The Committee undertakes to consider all grievances fairly and comprehensively and to come to an unbiased decision.
- d) The Committee undertakes to inform any aggrieved person of their decision promptly and in writing.

End of Rules