

RULES of NORTH LANCASHIRE SWIMMING AND WATER POLO ASSOCIATION
As at 1st January 2016

Introduction

Whenever in these rules the letters **ASA** appear they shall mean Amateur Swimming Association; the word **Region** shall mean the Amateur Swimming Association North West Region; the word **County** shall mean the Lancashire County Water Polo and Swimming Association, the word **Association** shall mean the North Lancashire Swimming and Water Polo Association. Words importing the masculine gender shall include the feminine. Words of the plural number shall include the singular and words of the singular number shall include the plural. The term **Swimmer** shall include synchronised swimmer, diver and water polo player unless the context indicates to the contrary.

1 NAME

1.1 The Association shall be called the North Lancashire Swimming and Water Polo Association.

2 DEFINITION

2.1 The Association shall be based on the area within a 50mile radius of County Hall Preston

3 AIMS

3.1 The Aims of the Association shall be to: -

- 3.1.1 Carry out the aims and objectives of the ASA, the ASA North West Region and the Lancashire County Water Polo and Swimming Association, as directed and required, within its jurisdiction.
- 3.1.2 Obey and enforce the laws, rules, regulations and rulings of the ASA, the ASA North West Region and the Lancashire County Water Polo and Swimming Association within its jurisdiction.
- 3.1.3 Manage the sport of swimming throughout the Association.
- 3.1.4 Promote and encourage the knowledge and the practice of the disciplines of Swimming, Water Polo, Diving and Synchronised Swimming by means of championships and competitions.
- 3.1.5 Develop the sport of swimming in each aquatic discipline in all ways possible.
- 3.1.6 Produce and implement policies to carry out other activities relevant to the Association.
- 3.1.7 Raise public awareness of the sport and stimulate public opinion in favour of providing suitable accommodation and facilities.

4 OBJECTIVES

4.1 In the furtherance of the aims of the Association the following objectives shall be undertaken: -

- 4.1.1 The Association is committed to treat everyone equally within the context of its activity. This shall be, for example, regardless of age, sex, ethnic origin, religion, disability or political persuasion.
- 4.1.2 All persons, clubs, associations, organisations and leagues affiliated to the Association shall consent to be bound whilst engaged in any Association activity by the Laws, Rules, Regulations and Technical Rules and Policies of the ASA and shall be subject to all the constraints and privileges of The Amateur Swimming Association Judicial Laws, Rules Regulations and procedures..
- 4.1.3 The Association shall in accordance with ASA Laws and Regulations adopt the ASA Child Safeguarding Procedures; and shall recognise that the welfare of children is everyone's responsibility and that all children and young people have a right to have fun, be safe and be protected from harm.
- 4.1.3 The Association shall implement the ASA Equal Opportunities Policy.

4.2

4.2 The business affairs of the Association shall at all times be conducted in accordance with the Laws, Regulations and Technical Rules of the ASA and in particular:--

Adopted at the Annual Council meeting of the Association on 7.12.2015

- 4.2.1 All members of the Association shall be members of a club, body, organisation, association or league affiliated to the Association.
- 4.2.2 All competing members shall be members of the club or other organisation they represent and shall be eligible competitors as defined in the Amateur Swimming Association Laws, Rules and Regulations.
- 4.2.3 All competitors shall comply with the Championship conditions of the Association and the ASA when competing.

4.3 To promote and develop each aquatic discipline through the implementation of: -

4.3.1 An Association Development Plan.

4.3.2 Partnership agreements with appropriate bodies, organisations and external agencies.

4.4 By virtue of the affiliation of the Association to the ASA and to the North West Region the Association and all members of the Association shall acknowledge that they are subject to the laws regulations and constitutions of :-

4.4.1 The Lancashire County Water Polo and Swimming Association;

4.4.2 The Amateur Swimming Association North West Region;

4.4.2 The Amateur Swimming Association; to include the ASA/IOS Code of Ethics;

4.4.3 British Swimming to include in particular the British Swimming Doping Control Rules and Protocols and British Swimming Disciplinary Code;

4.4.4 FINA, the world governing body for the sport of swimming and all its disciplines, together with the Governing Body Rules.

4.5 In the event that there shall be any conflict between any rule or by-law of the Association and any of the Governing Body Rules then the relevant Governing Body Rules shall prevail.

5 POWERS and RESPONSIBILITIES of the ASSOCIATION

5.1 In general the Association shall: -

5.1.1 Manage the sport of swimming throughout the Association subject to the strategic direction of the ASA, the Region and the County.

5.1.2 Observe, obey, and enforce the Laws, Rules and Regulations and the Judicial Laws and Regulations as well as the technical rules for the swimming disciplines of FINA and the ASA, the Region and the County.

5.1.3 Follow and implement the resolutions, decisions and rulings of the Council, the Management Boards, Executive Committees and Management Committees of the ASA, the Region and the County as required and ensure they are followed within its jurisdiction.

5.1.4 Be accountable to the ASA, the Region and the County for the proper discharge of its duties and functions.

5.1.5 Produce, maintain and implement such plans based on strategic criteria set by ASA, the Region and the County and in such form as the ASA, the Region and the County may from time to time require.

5.1.6 Make available to the ASA, the Region and the County such information and reports as they may require, at a time and in a format specified by the ASA, the Region or the County.

5.1.7 Elect the requisite number of delegates to the County Council Meeting and any Special Council Meeting and to any other body, organisation or Association to which the Association is affiliated as required.

5.1.8 Produce and issue as required Constitutional Rules for the Association and operate on the basis of an appropriate constitution which shall: -

5.1.8.1 Be issued and reviewed from time to time by the ASA and the Region.

5.1.8.2 Contain any mandatory provisions in respect of any parts of the governance and administration of the Association received from the ASA and/or the Region and/ or the County.

5.1.8.3 Contain recommended provisions in respect of the other parts of the governance of and administration and any other matter appertaining to the Association received from the ASA, the Region and the County.

5.2 In relation to its Administration and Finance the Association shall: -

5.2.1 Determine the uses to which its funds are allocated within the strategic criteria set by the ASA, the Region, the County and the Association.

- 5.2.2 As required, set up and implement a Business Plan including a budget indicating the source of the required funding and how it will be spent, based on the strategic criteria set by the ASA, the Region, the County and the Association.
 - 5.2.3 As required, set up and implement a Development Plan based on the strategic criteria set by the ASA, the Region, the County and the Association.
 - 5.2.4 Have the authority to set the competition fees for each discipline, based on any recommendation received from each discipline sub- committee. 5.2.5 Administer, as required, the operation and membership process and the collection and transfer, where applicable, of fees for the Association.
- 5.3 In relation to its Accountability the Association shall: -
- 5.3.1 As required, from time to time, submit its Business and Development Plans to the County Association and the Region or its nominated agent(s) for information and approval.
 - 5.3.2 Keep accounts showing its income and expenditure against the budget set in its Business Plan and a balance sheet.
 - 5.3.3 As required report to the County and/or the ASA North West Regional Management Board, in such a form as it may from time to time require, on its:-
 - 5.3.3.1 Activities and any issues arising there from.
 - 5.3.3.2 Financial Statements.
 - 5.3.3.3 Performance against its Development Plan.

6 AFFILIATION and MEMBERSHIP

- 6.1 The total membership of the Association shall not normally be limited. If, however the Executive Committee considers that there is good reason to impose any limit from time to time the Executive Committee shall put forward appropriate proposals for consideration at an Annual or a Special meeting of the Council of the Association. The members of Council shall have the right to recommend to the Executive Committee that limits should be placed on or removed from total membership, or any category of membership.
- 6.2 The Association shall affiliate:
 - 6.2.1 Those clubs who are affiliated to the ASA and to the ASA North West Region who have their headquarters within a 50-mile radius of County Hall Preston.
 - 6.2.2 Associated organisations affiliated to the ASA and to the Region.
 - 6.2.3 Corporate organisations.
 - 6.2.4 Local Associations and Leagues.
- 6.3 Applications for affiliation shall be limited to one application per year from any individual club, body, association, organisation or league. The application must be proposed and seconded by two different affiliated clubs or other organisations and provide such information as requested by the Association. The notice of the application shall be circulated to all affiliated clubs and other organisations by the secretary at least 21 days prior to the Executive meeting at which the application is to be considered. The election to membership shall be approved by a majority of two thirds of those present and voting.
- 6.4 The membership of the Association shall consist of:
 - 6.4.1 Those clubs who are affiliated to the ASA and to the Amateur Swimming Association North West Region who have their headquarters within a radius of 50 miles from County Hall Preston.
 - 6.4.2 Individual position holders consisting of; Life Members, Association Officers and other designated position holders, as decided, from time to time, by the Executive Committee. All holders of individual positions shall be members of an Affiliated Club, League, Body, Association or Organisation and shall be not less than 18 years of age.
 - 6.4.3 Individuals granted temporary membership by the ASA by virtue of their participation in a specific event organised by the Association in conjunction with a club, body, association or organisation under the provisions of ASA Law on temporary membership.
 - 6.4.4 Persons who hold Individual positions within the Association, shall be members of an affiliated club and shall be not less than 18 years of age.
 - 6.4.5 Individuals granted Honorary Membership of the Association. Such members shall be

members of an affiliated club and hence of the ASA.

- 6.5 The Association shall not refuse an application for membership on discriminatory grounds, whether in relation to ethnic origin, age, sex, religion, disability, political persuasion or sexual orientation. The Association may refuse membership only for good and sufficient cause, such as conduct and character likely to bring the Association or the sport into disrepute or being able to achieve the required performance entry standards laid down and provided by the Association to the applicant for membership.
- 6.6 The Association shall be required to give reasons for the refusal of an application for membership. Any Organisation refused membership may seek a review of this decision before a Review Panel appointed by the Executive Committee comprised of not less than three members, who may or may not be members of the Committee. The Review Panel shall wherever practicable include one independent member. The Organisation refused membership shall be entitled to make representations to the Review Panel. The procedures for review shall be at the discretion of the Review Panel whose decision shall be final and binding.
- 6.7 All memberships shall be renewed on an annual basis through the process of reapplication not later than 31st January each year.

7 SUSPENSION and RESIGNATION

- 7.1 Any club not having paid its annual return of membership to the ASA and suspended by the ASA shall not be allowed to take part in any activities of the Association for the period of the suspension in accordance with ASA laws and Regulations.
- 7.2
- 7.2 Any affiliated organisation not having paid its liabilities to the Association by 30th June shall be deemed to have resigned from membership of the Association.
- 7.3 Where the membership of a Club or other organisation is terminated in accordance with Rule 7.2 the Club or organisation shall be informed in writing or by electronic means that the Club or organisation is no longer a member of the Association.
- 7.4
- 7.4 A club wishing to resign from the Association shall give notice to that effect before 1st January to the Hon Secretary or it shall be held responsible for its Association affiliation fee for the current year.

8. EXPULSION and OTHER DISCIPLINARY ACTION

- 8.1 If a complaint is to be made or is received by the Association expressing dissatisfaction with the actions or behaviour of an individual person, member, club, body, organisation, association or league it shall be submitted to the Amateur Swimming Association for consideration under the Judicial Laws *and Regulations* of the Amateur Swimming Association.
- 8.2 The Association shall comply with the requirements and procedures of ASA Law for handling all internal disputes as the same may be revised from time to time.
- 8.3 For a breach of its own rules the Association
- 8.3.1 Executive Committee shall have the power to expel an individual member, club, body, organisation, association or league when, in its opinion, it would not be in the interests of the Association to retain the membership of the individual member, club, body, organisation, association or league. The Association in exercising this power shall comply with the provisions of Rule 8.4 and 8.5 below. 8.
- 3.2 Officers or any other person to whom the Executive Committee shall delegate this power, may temporarily suspend or exclude a member from particular activities of the Association, when in their opinion, such action is in the interests of the Association. Where such action is taken the incident or matter will be dealt with in accordance with

Rule 8.4 and Rule 8.5 below.

8.4 Upon expulsion the former member shall not be entitled to have any part of the annual membership fee or any other fees refunded and must return any Association trophy or trophies held forthwith.

8.5 A member may not be expelled or, subject to Rule 9.6 below, be made the subject of any other penalty unless the panel hearing the dispute shall by a two thirds majority vote in favour of the expulsion, or other penalty imposed upon the member.

8.6 The Officials in charge of a particular event shall be responsible for the discipline at that event. If any further action is required, this is to be referred to the Internal Disputes procedures as laid down in the ASA Judicial Laws and Regulations.

9. FINANCE

9.1 The financial year of the Association shall be the period commencing on 1st October and ending on 30th September. Any change to the financial year shall require the approval of the Council.

9.2 The Executive Committee shall, as they see fit, decide the amount of the annual affiliation fee and any membership fees for the next operating year.

9.3 The annual affiliation fee for each club, body, organisation, association or league shall be due on joining the Association and thereafter on 1st January of each year.

9.4 All monies payable to the Association shall be received by the Hon. Treasurer and deposited in a bank account in the name of the Association. No sum shall be drawn from the account except by cheque or by electronic means or online and sanctioned by two of the three designated signatories as decided by the Executive Committee.

9.5 The income and property of the Association shall be applied only in the furtherance of the aims and objectives of the Association and no part thereof shall be paid by way of bonus, dividend or profit to any members of the Association or to an external agency.

9.6 The Hon. Treasurer shall record the financial transactions of the Association in such a manner, as the Executive Committee think is appropriate.

9.7 The Executive Committee shall have the power to authorise the payment of costs incurred in the running of the affairs of the Association and remuneration and expenses to any officer, member, employee or other such person for services rendered to the Association.

10 GOVERNANCE

10.1 There shall be three levels of government of the Association.

10.1.1 The Council

10.1.2 The Executive Committee.

10.1.3 The Sub Committees and other Committees, Officers and Association Advisors or Co-ordinators if appointed.

10.2 A person who is not a member of a club, body, association, organisation or league affiliated to the Association shall not be permitted to be nominated, elected or appointed as a delegate, Executive Committee member, Officer, Co-ordinator, Advisor or to any other position which carries the right to vote at any level of government of the Association.

11 OFFICERS

11.1 The Officers of the Association shall be the President, the Vice President, the Honorary Secretary and the Honorary Treasurer.

12 COUNCIL

12.1 The Council of the Association shall consist of: -

- 12.1.1 Life Members.
- 12.1.2 Past Presidents.
- 12.1.3 President.
- 12.1.4 Vice President.
- 12.1.5 Hon. Secretary.
- 12.1.6 Hon. Treasurer.
- 12.1.7 Hon. Age Group & Championship Secretary
- 12.1.8 Hon. Swimming League Secretary
- 12.1.9 Hon. Water Polo Secretary
- 12.1.10 Welfare Officer.
- 12.1.11 Publicity Officer
- .
- 12.1.12 Hon. Medical Adviser.
- 12.1.13 Hon. Legal Adviser.
- 12.1.14 The delegates of affiliated clubs, bodies, associations, organisations or leagues.

11.2 Representation to Council

- 11.2.1 Clubs
Each club affiliated to the Association shall be entitled to representation at Council by one delegate.

11.3 Delegates

- 11.3.1 A delegate shall be appointed by the club, body, association, organisation or league they represent.
- 11.3.2 The Secretary of the club, body, organisation, association or league, or other person authorised so to do, shall notify the Hon. Secretary of the Association that the delegate is a bona fide member of the club, body, organisation, association or league and has been duly appointed a delegate to any Meeting of the Council.
- 11.3.3 A delegate shall only be permitted one vote, irrespective of the number of clubs, associations, bodies or organisations they may represent.
- 11.3.4 Proxy voting shall not be allowed at any Meeting of the Council.

13 RESPONSIBILITIES of COUNCIL

13.1 The Council shall have the responsibility to:

- 13.1.1 Deal with all matters of governance according to the rules of the Association.
- 13.1.2 Oversee the work of the Executive Committee and to receive its reports and accounts.
- 13.1.3 Abide by the standing orders for its conduct.
- 13.1.4 Consider and decide on any proposed additions or alterations to, or deletions from the constitutional rules.
- 13.1.5 Keep full and accurate minutes of its meetings.

13.2 The Council shall at the Annual Council Meeting appoint from time to time:

- 13.2.1 One or more independent Financial Examiners, as required, who shall not be members of the Executive Committee or members of the family of a member of the Executive Committee.

13.3 At the Annual Council Meeting elect the following, each of whom shall be a member of a club, body, organisation, association or league affiliated to the Association: -

- 13.3.1 The President. (this is a two-year post requiring biennial election)
- 13.3.2 The Vice President. (this is a two-year post requiring biennial election)
- 13.3.3 Life Members.
- 13.3.4 The Honorary Secretary.
- 13.3.5 The Honorary Treasurer.
- 13.3.6 The Honorary Age Group & Championship Secretary.
- 13.3.7 The Honorary Swimming League Secretary
- 12.3.1 13.3.8 The Honorary Water Polo Secretary.

- 13.3.9 A Publicity Officer.
- 13.3.10 An Hon. Medical Adviser.
- 13.3.11 An Hon. Legal Adviser.

13.4 The Council may: -

- 13.4.1 Discuss any matters that are relevant and pass resolutions and orders concerning them.
- 13.4.2 Appoint a special committee to consider and report upon any matter. The number of members of the committee and a quorum shall be determined by the Council. The President shall be an *ex officio* member of any such committee unless the Council dictates otherwise.
- 13.4.3 On the recommendation of the Executive Committee, elect as a Life Member, an individual whose services to the Association would justify such recognition.
- 13.4.4 13.4.4 At an Annual Council Meeting or at a Special Council Meeting, delegate the whole, or any part of its powers, to the Executive Committee.

14 MEETINGS OF COUNCIL

14.1 Chairman

- 14.1.1 The Chairman at all meetings of the Council shall be the President if he is present. If the Chairman is absent or unable to act or declines to act the, the Vice President shall act as the chairman for the meeting. If the Vice President is not able to act as chairman for the meeting the most immediate Past President shall act as chairman. If a chairman is still not available, the Council shall elect a chairman from its members present.
- 14.1.2 The Chairman shall: -
 - 14.1.2.1 Have unlimited authority upon every question of order.
 - 14.1.2.2 Be, for the purpose of the Council meeting, the sole interpreter of the rules governing the Council.
 - 14.1.2.3 Have a deliberative and a casting vote.

14.2 Secretary

- 14.2.1 The Hon. Secretary shall be responsible for providing each affiliated club, body, association, organisation or league and each member of the Council and Executive Committee notice by written or electronic means: -
 - 14.2.1.1 of the date, time and place of any meeting of Council or of a Special Council Meeting and in the case of the Annual Council meeting the closing date for receipt of any resolutions, proposals or nominations to be considered there at not less than two months before the date of the meeting.
 - 14.2.1.2 of the resolutions to be proposed at least fourteen days before the date of the Annual Council Meeting or of a Special Council Meeting.
 - 14.2.1.3 in the case of the Annual Council Meeting a copy of the Annual Report, a list of the nominees for Officers and the Executive Committee posts and a copy of the examined accounts.
- 14.2.2 The Hon. Secretary, or in the absence of the Hon. Secretary a member of, and selected by, the Executive Committee, shall take the minutes of the meeting.

14.3 Quorum

- 14.3.1 The quorum for any meeting of the Council shall be eight members entitled to attend and vote at the meeting, which must contain not less than two Officers of the Association.
- 14.3.2 Having called a Council Meeting, it may only proceed to business if the correct quorum of members is present within 30 minutes after the time fixed for the meeting; otherwise, the meeting shall be adjourned to the same time in the following week save that the adjourned meeting may proceed to business whatever the number of members present.
- 14.3.3 At the reconvened meeting the same agenda as published for the initial meeting shall

be used.

14.4 Motions

- 14.4.1 A proposal for consideration at the Annual Council Meeting which does not embody a proposal to change a Constitutional Rule of the Association, may be submitted: -
 - 14.4.1.1 By the Executive Committee
 - 14.4.1.2 By a member of Council
 - 14.4.1.3 By a club, body, association, organisation or league affiliated to the Association.
- 14.4.2 Nominations forms for the election of the President or to any other office shall be returned to the Hon. Secretary, not later than twenty-eight days prior to the Annual Council Meeting. The nomination form shall contain the signatures of the nominee, the proposer and the seconder.
- 14.4.3 In all cases where multiple nominations are received for the same office and it is necessary to hold a ballot, the Hon Secretary shall call for a *Curriculum Vitae* (CV) for each person involved in the ballot. The CV to be circulated with the papers for the Annual Council meeting.
- 14.4.4 Nominations for election to the position of Life Members shall be made to the Annual Council Meeting by the Executive Committee.
- 14.4.5 Proposals and resolutions received in accordance with this section shall be submitted in writing to the Hon. Secretary no later than twenty-eight days prior to the Annual Council Meeting.
- 14.4.6 Proposals and resolutions received in accordance with this section shall be sent to clubs, bodies, organisations, associations and leagues entitled to be represented at the Annual Council Meeting not less than twenty-one days before the meeting of Council.
- 14.4.7 A motion of which due notice has not been given may not be discussed or voted upon unless sanctioned by the Chairman and two-thirds of the members present and voting and provided it does not involve a change to the Constitutional Rules of the Association.
- 14.4.8 Approval of the Annual Report other than those items where due notice has been given to amend, add or reject, shall be proposed en-block by the Chairman and put to the vote without debate.

14.5 Procedures at Council Meetings

- 14.5.1 All business for an Annual Council Meeting or of a Special Council Meeting shall be printed on the agenda and no other motion shall be discussed therein except: -
 - 14.4.1.1 To record the name of the Chairman of the meeting, if other than the President.
 - 14.4.1.2 To record the name of the Secretary of the meeting, if other than the Hon. Secretary.
 - 14.4.1.3 For adjournment.
 - 14.4.1.4 For leave to withdraw a motion.
 - 14.4.1.5 For a vote of thanks.
 - 14.4.1.6 For permission to withdraw.
- 14.5.2 Every motion shall be proposed and seconded.
- 14.5.3 Resolutions that emanate from the Executive Committee shall be proposed by a member of the Executive Committee while those that emanate from a standing order or other committee shall be proposed by the Secretary of that committee. If the committee secretary is not a member of Council the proposal shall be made formally from the Chair and immediately afterwards the committee secretary, or a substitute, shall be allowed to speak in support of the resolution.
- 14.5.4 Any amendment shall be disposed of before another amendment is considered. The Chairman may accept, without notice, verbal amendments that do not affect substantially the nature of the proposal under discussion.
- 14.5.5 A proposal to change the Constitutional Rules of the Association shall be carried only if at least two-thirds of those present and voting are in favour. All other proposals, including amendments to proposals whether to change a Constitutional Rule of the Association or otherwise, shall require a simple majority of those members present and voting.

- 14.6 Voting
- 14.6.1 Unless the Chairman directs otherwise, voting on all motions or amendments shall be by a show of hands or delegates cards.
- 14.6.2 Each member present and entitled to vote, with the exception of the Chairman, or acting Chairman for that meeting, shall have one vote and a simple majority shall pass any resolution. In the event of an equality of votes the Chairman, or the acting Chairman for that meeting, shall have a casting vote.
- 14.6.3 Voting on elections shall be by secret ballot and any ballot paper containing more votes than the number required shall be void.
- 14.6.4 Completed voting papers shall be collected by the tellers as directed by the Chairman.
- 14.6.5 The Chairman shall appoint two tellers to count the votes from persons present at the meeting who shall not be members of Council.
- 14.6.6 The result of each ballot shall be announced by the Chairman during the meeting and the Chairman shall indicate the number of votes cast for each candidate and the number of spoiled ballot papers.
- 14.6.7 Any discrepancy or irregularity found after the conclusion of the meeting shall be dealt with by the Executive Committee which may disqualify votes with the validity of which it is not satisfied. The revised result and the reasons for the disqualification of any vote shall be published and circulated to affiliated clubs.
- 14.7 Changes to Association Constitutional Rules
- 14.7.1 Any proposal to change a Constitutional Rule of the Association shall only be considered at the Annual Council Meeting or at a Special Council Meeting called for that purpose. The Council shall consider and decide only the principles and intention of the proposal. The Executive Committee shall appoint a group of people to draft the wording of the changes to the Rules to implement the principles and intentions approved by Council. The Executive Committee shall approve the changes to the Rules and submit them where necessary to the Region for its consideration and approval.
- 14.7.2 Any changes to the Constitutional Rules of the Association shall become effective upon approval by the ASA North West Region Management Board or at a specified later date as determined by the Council.
- 14.7.3 A proposal to change a Constitutional Rule of the Association shall only be considered at a meeting of the Council if it has been: -
- 14.7.3.1 Made by the Executive Committee at a meeting before 30th September and appears in the minutes of that meeting;
- 14.7.3.2 Made by a committee appointed by the Council or the Executive Committee and appears in the minutes of that committee that have been approved by the Executive Committee before 30th September
- 14.7.3.3 Made by a club, body, organisation, association or league affiliated to the Association and has reached the Association Honorary Secretary by 1st November;
- 14.7.3.4 Made as a matter of urgency, approved by the Executive Committee, sent to the clubs, bodies, organisations, associations or leagues affiliated to the Association at least twenty-one days before the Council Meeting and approved as a suitable matter for consideration by Council by at least two-thirds of the delegates voting;
- 14.7.3.5 Mandated by a change to either ASA Law or the Rules of the ASA North West Region:
- 14.7.3.6 Included in the resolution or request for a Special Meeting of Council;
- 14.7.3.7 Referred to the Executive Committee], unless emanating from it. The Executive Committee shall indicate its support or opposition and may propose amendments, which shall be included on the agenda of the Council Meeting.
- 14.7.3.8 Included on the agenda of the Council Meeting.
- 14.7.4 Every proposal to change a Constitutional Rule of the Association and/or amend it, shall be proposed and seconded separately and shall be open for discussion by any delegate with or without prior indication of intent.
- 14.7.5 An amendment to any proposal to change a Constitutional Rule of the Association may be proposed by any member of Council, supported by another member as a seconder,

and shall reach the Honorary Secretary of the Association by 1st November for consideration at the Annual Council Meeting, or 21 days prior to a Special Council Meeting, as the case may be.

14.7.6 A schedule of all such amendments shall be sent to the clubs, bodies, associations, organisations and leagues entitled to be represented at Council at least 14 days prior to the date of the Council at which they are to be considered.

14.7.7 If any addition, alteration or deletion from either an ASA Law or a Rule of the ASA North West Region causes an Association Rule to conflict with it, the Executive Committee shall be authorised to change the Association Rule to conform to it. Any such changes shall be notified to the next Annual Council Meeting following the change of Rule.

14.8 Annual Meeting of Council

14.8.1 The Annual Council Meeting of the Association shall be held on the first Monday in December each year.

14.8.2 The Executive Committee shall fix the date, the time and the venue of the Annual Council Meeting, which shall be notified to clubs, bodies, organisations, associations and leagues with the notice convening the meeting.

14.8.3 The purpose of the Annual Council Meeting is to transact the following business: -

14.8.3.1 To receive and comment on the Annual Report of the activities of the Association during the previous year as presented by the President;

14.8.3.2 The Annual Report shall include the reports of the Executive Committee, the Hon Age Group & Championship Secretary, the Hon.Swim League Secretary, the Hon Water Polo Secretary and of any Standing or other committee, as decided by the Executive Committee and responsible for the activities of the Association during the previous year;

14.8.3.3 To receive and consider, the accounts of the Association for the previous year, the report on the accounts by the independent Financial Examiners and the Hon. Treasurer's report as to the financial position of the Association:

14.8.3.4 To elect the President and the Vice President, who shall each serve a term of office of 2 years and are not eligible for re-election, and the Honorary Officers who shall retire from office at the Annual Council Meeting each year, but shall be eligible for re-election.

14.8.3.5 To elect Life members as required.

14.8.3.6 To appoint the independent Financial Examiners.

14.8.3.7 To elect the Association Officers.

14.8.3.8 To appoint Association co-ordinators or advisers.

14.8.3.9 To decide on changes to the Constitutional Rules and other resolutions.

14.8.3.10 To decide on any other resolution that may be duly submitted in accordance with Rule 14.4 and Rule 14.7.

14.8.4 Only in the event of exceptional circumstances shall a General Meeting of Council be postponed by the Executive Committee once the date, time and venue has been fixed and advised to members. A postponed General Meeting of Council shall normally be reconvened on a date within one month of the original date and a minimum of 7 days' advance notice given to the members of the rescheduled date, time and venue. At this meeting the same agenda as originally issued shall be used.

14.8.5 If the meeting commences but is adjourned for want of time or for other good reasons the members present at the meeting will be notified there and then of the adjourned date if practicable. If not and the matter is adjourned for more than 14 days all members shall receive 7 days' notice in writing or by electronic means of the adjourned meeting; otherwise only those who attended the original meeting will be notified of the date.

14.8.6 Any adjourned meeting must be re-convened and business completed within 2 months of the adjournment.

14.8.7 In any event no more than 15 months shall elapse between any two consecutive Annual Council Meetings.

14.9 Special Meetings of Council

14.9.1 The Executive Committee shall call a Special Meeting of Council at any time in response to: -

14.9.1.1 A resolution of the Council carried at any meeting of the Council:

14.9.1.2 An order of the Executive Committee:

- 14.9.1.3 A requisition in writing, received by the Hon Secretary, signed on behalf of not less than 6 different clubs, bodies, organisations, associations or leagues. Each signatory to the request to be an officer of the club, body, organisation, association or league. The request shall state the purpose for which the meeting is required and the resolutions proposed.
- 14.9.2 The Hon. Secretary shall notify the members of the arrangements for holding a Special Meeting of Council within twenty eight days of the receipt of a requisition to call the meeting.
- 14.9.3 Not less than fourteen days' notice of a Special meeting shall be given to all affiliated clubs, bodies, organisations, associations and leagues. The notice shall specify the object of the meeting. The date, venue and time of such a meeting shall be at the discretion of the Executive Committee.
- 14.9.4 No business shall be discussed at such a meeting other than that prescribed by the Council, the Executive Committee or that stated in the request for the meeting, as the case may be.

15 HON TRUSTEES

- 15.1 The Trustees of the Association shall be the President, the Hon Secretary and the Hon Treasurer during their respective terms of Office.
- 15.2 Any trophies of the Association, not being competed for shall be lodged with the Trophy Controller, or other such person as nominated by the Executive Committee, for safe keeping.
- 15.3 The Trustees shall be empowered to carry out all necessary actions in connection with the property and assets of the Association considered appropriate or as directed by the Executive Committee or the Council.

16 EXECUTIVE COMMITTEE

16.1 Membership

- 16.1.1 The Executive Committee shall comprise the following,
 - 16.1.1.1 Life Members.
 - 16.1.1.2 Past Presidents.
 - 16.1.1.3 President.
 - 16.1.1.4 Vice President.
 - 16.1.1.5 Hon. Secretary.
 - 16.1.1.6 Hon. Treasurer.
 - 16.1.1.7 Hon. Age Group & Championship Secretary.
 - 16.1.1.8 Hon. Swimming League Secretary
 - 16.1.1.9 Hon. Water Polo Secretary.
 - 16.1.1.10 One delegate from each club affiliated to the Association
 - 16.1.1.11 Members appointed by the Council.
- 16.1.2 All members of the Executive Committee must be members of an affiliated club, association, organisation or league and must be not less than eighteen years of age.
- 16.1.3 The Executive Committee members, with the exception of the Life Members, Past Presidents, the appointed members and the club delegates shall be proposed and seconded and elected by ballot at the Council Meeting each year and shall remain in office until their successors are elected at the next Annual Council Meeting. Retiring members of the Executive Committee shall be eligible for re-election.
- 16.1.4 In addition to the members so elected The Executive Committee shall have the authority to co-opt a maximum of three further members of the Association, who shall serve until the next Annual Council Meeting. Co-opted members shall not be entitled to vote at meetings of the Executive Committee and shall not be counted in establishing whether a quorum is present. Co-opted members shall not be less than eighteen years of age.
- 16.1.5 The Executive Committee may fill a vacancy occurring by resignation or by any other means.
- 16.1.6 The Executive Committee shall have the authority to invite such other persons as

deemed necessary for any specific purpose to a meeting of the Executive Committee who may speak but not vote and shall not be counted in determining if a quorum is present.

16.2 Meetings

- 16.2.1 Meetings of the Executive Committee shall be held not less than four times per year save where the Executive Committee itself shall, by a simple majority, resolve not to meet but there shall be not less than two meetings of the Executive Committee per year.
- 16.2.2 The President and the Hon Secretary shall have discretion to call further meetings of the Executive Committee if they consider it to be in the interests of the Association.
- 16.2.3 The Hon Secretary shall give all members of the Executive Committee not less than seven days' notice, in writing, or by electronic means of an Executive Committee meeting.
- 16.2.4 The President, or in the absence of the President, the Vice President or in their absence, a member of the Executive Committee shall act as Chairman of the meetings of the Executive Committee.
- 16.2.5 Decisions of the Executive Committee shall be made by a simple majority of the votes cast. Each member present, with the exception of the President, or the acting Chairman for that meeting, shall have one vote. In the event of equality of votes the President, or the acting Chairman for that meeting, shall have a casting vote.
- 16.2.6 The Hon Secretary, or in the absence of the Hon Secretary a member of the Executive Committee, shall take the minutes of the meeting.

16.3 Quorum

- 16.3.1 The quorum for an Executive Committee meeting shall be eight members entitled to attend and vote at the meeting to include not less than two Officers.
- 16.3.2 In the event that a quorum is not present within thirty minutes of the published starting time, a meeting shall stand adjourned but shall normally be reconvened on a date within one month of the original date or in exceptional circumstances on a date and time as may be determined by the Chairman and a minimum of seven days' advance notice given to the members of the rescheduled date, time and venue. If a quorum is not present at the adjourned meeting, then those Committee members attending may act for the purpose of calling a Special General Meeting of the membership.
- 16.3.3 At the reconvened meeting the same agenda as published for the initial meeting shall be used.

16.4 Powers and Responsibilities

- 16.4.1 The responsibilities of the Executive Committee shall include but not be limited to:
 - 16.4.1.1 Determine the strategies of the Association within the overall policies and plans agreed by the Council and published by the ASA, the Region and the County.
 - 16.4.1.2 Carry out any other specific duty given to it by the Council:
 - 16.4.1.3 Have day to day management of the affairs of the Association including, but not being limited to, the oversight of the production of any plans of the Association for the approval of Council and for submission to the ASA, to the Region and to the County as required, together with their implementation, monitoring and evaluation.
 - 16.4.1.5 Appoint any officers, officials, co-ordinators and members of the Sub and other committees, not elected by the Council.
 - 16.4.1.6 Monitor and evaluate the work of the Sub Committees and other committees and any other person appointed to a specific task within the Association, including the production of full and accurate minutes of their meetings and reports of their activities:
 - 16.4.1.7 Maintain appropriate channels of communication with the clubs, organisations, associations, leagues and individuals.
- 16.4.2 The Executive Committee shall:
 - 16.4.2.1 Determine any question arising as to the correct interpretation of any of these rules, or any other question not herein provided for:
 - 16.4.2.2 Set the affiliation fee in line with the budget:
 - 16.4.2.3 Set the level of competition and championship fees in line with the budget:
 - 16.4.2.4 Determine who shall be the authorised signatories of the accounts of the Association.

- 16.4.2.5 Ensure that full and accurate minutes of its meetings are kept:
- 16.4.2.6 At its first meeting after the Annual Council Meeting appoint Association Representatives, who shall be members of a club affiliated to the Association, to: -
 - 16.4.2.6.1 County Association Council Meetings.
 - 16.4.2.6.2 Inter Association Meetings
 - 16.4.2.6.2 External Partnerships as required.
- 16.4.2.7 At its first meeting after the Annual Council Meeting appoint the members of the Sub Committees for Swimming and Water Polo, each of whom shall be a member of a club affiliated to the Association who must be not less than 18 years of age.
- 16.4.2.8 From time to time as required appoint
 - 16.4.2.8.1 Association Co-ordinators as follows, each of whom shall be a member of a club affiliated to the Association and shall not be less than eighteen years of age:
 - 16.4.2.8.1.1 Media and Publicity
 - 16.4.2.8.1.2 Hon. Trophy Controller
 - 16.4.2.8.1.3 Development Officer
 - 16.4.2.8.2 A Welfare Officer who shall:
 - 16.4.2.8.2.1 be not less than 18 years of age
 - 16.4.2.8.2.2 have an appropriate background and who is required to undertake appropriate training in accordance with ASA Child Safeguarding courses.
 - 16.4.2.8.2.3 have a right to attend meetings of the Executive Committee without the power to vote and shall not be counted in determining if a quorum is present.
 - 16.4.2.8.2.4 not be an Officer, an Executive Committee member, another Association Co-ordinator, a Team manager or a member of the family of an officer, Executive Committee member, Co-ordinator or Team Manager.
 - 16.4.2.8.2.5 report to the Executive Committee on all aspects of welfare concerning members of the Association.
- 16.4.2.9 Have the power to authorise the payment of remuneration, expenses or grant for services to the Association received from any: -
 - 16.4.2.9.1 Officer, Committee member or official of the Association
 - 16.4.2.9.2 Other person or persons as decided by the Executive Committee or Council:
 - 16.4.2.9.3 External agents as part of a partnership agreement.
- 16.4.2.10 Draw up and implement with immediate effect, a change of the Constitutional Rules of the Association if they are in conflict with any addition, alteration to, or deletion from, an ASA Law, a Rule of the Region or the County.
- 16.4.2.11 Determine the terms of reference of any sub-committee or working group.
- 16.4.2.12 Be accountable to the Council of the Association and report to it at such times and in such a form as it may require:

16.5 The Executive Committee may:

- 16.5.1 Fill any vacancy occurring on the Executive Committee after due notice.
- 16.5.2 Contract and set up partnership agreements with outside agencies in support and furtherance of the aims and objectives of the Association:
- 16.5.3 Appoint a special committee to consider and report on any matter, the number of and appointment of the members of the committee and a quorum to be determined by the Executive Committee.

- 16.5.4 Discharge, by a two thirds majority of those present and voting, for any breach of, and under the provisions of, the ASA Code of Conduct for Volunteers, any volunteer person from any elected or appointed office or position and replace them:
 - 16.5.5 At its discretion, discharge any Sub or other committee and elect a new one in its place.
 - 16.5.6 From time to time appoint from among its members such other committees or working groups as it may consider necessary and may delegate to them such of the powers and duties as the Executive Committee may determine.
- 16.6 The Executive Committee shall be governed by the following standing orders: -
- 16.6.1 If the President is unable or unwilling to act as Chairman at a meeting then the Vice President shall act as Chairman. If the vice President is unwilling or unable to act as Chairman at a meeting, then the members present at the meeting shall elect a Chairman from their members and he shall be entitled to act in all respects as if he were the Chairman.
 - 16.6.2 The Chairman shall have unlimited authority upon every question of order at each meeting of the Executive Committee and for the purpose of any meeting, shall be the sole interpreter of the rules governing the Executive Committee.
 - 16.6.3 The minutes of the previous meeting as circulated shall be considered as the first substantive item on the agenda.
 - 16.6.4 The minutes of Sub or other committees and reports of officers or other individuals shall not be considered unless they have been circulated with the agenda, unless the Chairman and the members of the Executive Committee agree by a two thirds majority that it will not prejudice the good governance of the Association to do so.
 - 16.6.5 Every motion shall be proposed and seconded.
 - 16.6.6 Any amendment shall be disposed of before another amendment is considered. The Chairman may accept, without notice, verbal amendments that do not affect substantially the nature of a proposal under discussion.
 - 16.6.7 All proposals, including amendments to proposals shall require a simple majority of those members voting unless otherwise specified in these rules.
 - 16.6.8 The Chairman shall have a deliberative and a casting vote.
 - 16.6.9 Unless the Chairman decides otherwise, voting on all motions or amendments shall be by a show of hands.
 - 16.6.10 Meetings of the Executive Committee shall not be open to the public.
 - 16.6.11 The minutes of the Executive Committee shall be circulated to each member of the Executive Committee only.
 - 16.6.12 The members of the Executive Committee shall be indemnified by the members of the Association against all liabilities properly incurred by them in the management of the affairs of the Association.

17 INDEPENDENT FINANCIAL EXAMINERS

- 17.1 One or more independent Financial Examiners shall be appointed at the Annual Council Meeting. They shall examine the annual statement of the accounts and the balance sheet and shall certify the same before they are circulated to affiliated members.

18 SUB COMMITTEES

- 18.1 Sub committees shall be formed for, Swimming, and Water Polo and an Emergency committee
 - 18.1.1 Composition
Each Sub-committee shall consist of members as indicated in its terms of reference.
 - 18.1.2 *Ex officio* Members
The President, the Vice President, the Hon. Secretary and Hon. Treasurer of the Association shall be *Ex officio* members of all Sub and other Committees, or as otherwise specified by the Council, or in the terms of reference of such a committee.
 - 18.1.3 Appointment
The Executive Committee shall appoint the members of each Sub-committee.
- 18.2 Provisions applicable to Sub and other Committees
 - 18.2.1 Standing Orders

- 18.2.1.1 The meeting of every committee shall be private and no report of its proceedings shall be made to any outside body.
 - 18.2.1.2 In case of emergency, any action or decision taken by any Sub or other committee must have prior approval of the President, the Hon. Secretary and the Hon. Treasurer.
 - 18.2.1.4 Except in cases of emergency no decisions of any Sub or other committee shall be binding upon the Executive Committee until considered and voted upon by the Executive Committee.
 - 18.2.1.5 All Sub and other committees and working groups shall periodically report their proceedings to the Executive Committee and shall conduct their business in accordance with the directions of the Executive Committee.
- 18.2.2 Quorum
- 18.2.2.1 The quorum for each Standing Committee or other Committee shall be as laid down in the terms of reference for that Committee. Any ex officio co-opted or invited members shall not be taken into account when determining the quorum of a committee but those with a vote, attending a meeting, shall be included in the number of member's present required to satisfy the quorum.
 - 18.2.2.2 In the event that a quorum is not present within thirty minutes of the published starting time, a meeting shall stand adjourned but shall normally be reconvened on a date within one month of the original date or in exceptional circumstances on a date as may be determined by the Chairman and a minimum of seven days' advance notice given to the members of the rescheduled date, time and venue.
 - 18.2.2.3 If a quorum is not present at the adjourned meeting then those Committee members attending may act for the purpose of calling on the Executive Committee for a new committee to be appointed.
 - 18.2.2.4 At the rescheduled meeting the same agenda as originally issued shall be used.
- 18.2.3 Co-option
- Any Sub or other committee shall have the power to co-opt members, for any special purpose, without the power to vote.
- 18.2.4 Invitations
- A Standing Committee shall have authority to invite to meetings of that Committee such other persons as deemed necessary for any specific purpose who may speak but not vote and shall not be counted in determining if a quorum is present.
- 18.2.5 Substitutes
- In the absence of the Chairman and/ or the Hon. Secretary of a Sub or other Committee, a member of the Committee chosen by a majority of the members present and voting shall act as the Chairman or Hon. Secretary as required, for that meeting.
- 18.2.6 Committee Chairman
- 18.2.6.1 At its first meeting after the Annual Council Meeting each Sub or other Committee shall elect, except where otherwise appointed, a Chairman from amongst its own members.
 - 18.2.6.2 The Association President, if present, shall have the right to act as Chairman.
 - 18.2.6.3 A Chairman shall have a deliberative and casting vote.
- 18.2.7 Committee Secretary
- 18.2.7.1 At its first meeting after the Annual Council Meeting each Sub Committee shall elect, except where otherwise appointed, an Hon. Secretary from amongst its own members.
 - 18.2.7.2 The Hon. Age Group & Championship Secretary shall be a member of the Swimming Committee and shall act as the Secretary to the Committee.
 - 18.2.7.3 The Hon. Water Polo Secretary shall be a member of the Water Polo Committee and shall act as the Secretary to the Committee.
- 18.2.8 Minutes
- Each Sub Committee shall keep full and accurate minutes of its meetings. The minutes of all such meetings or a report of the activities and business conducted by the Committee, as decided by the Executive Committee, shall be submitted for approval to the Executive Committee.

- 18.2.9 Duties and Responsibilities of a Sub Committee
Unless stated otherwise the duties of a Sub Committee shall include but not be limited to:
- 18.2.9.1 Managing the Championships and Competitions of the Association for the discipline concerned.
 - 18.2.9.2 Appoint Officials for the Association Championships and other competitions as necessary.
 - 18.2.9.3 Select Association representatives and nominate competitors and officials for representative teams as required.
 - 18.2.9.4 To make recommendations to the Executive Committee as required for Association awards.
 - 18.2.9.5 Review the relevant section of the Development Plan of the Association on a regular basis and make periodic reports to the Executive Committee on the progress made against the Development Plan for the discipline.
 - 18.2.9.6 Advise the Executive Committee on all matters relating to the discipline.
 - 18.2.9.7 Deal with any matters referred to it by the Executive Committee.
 - 18.2.9.8 Report to the Executive Committee at such times and in such a form as it may require.
 - 18.2.9.9 Encourage and supervise activities in the Association for the improvement of the discipline concerned.
 - 18.2.9.10 Take such other action to further the discipline of swimming within the Association as deemed appropriate.

19 SWIMMING COMMITTEE

19.1 Composition

The Swimming Committee shall consist of:-

- 19.1.1 The Officers
- 19.1.2 Four elected members.
- 19.1.3 The Hon. Age Group & Championship Secretary
- 19.1.4 The Hon. Swimming League Secretary

19.2 Quorum

Four members shall form a quorum provided that they represent more than one member club. .

20 DEVELOPMENT COMMITTEE

20.1 Composition

The Development Committee shall consist of:-

- 20.1.1 The Officers
- 20.1.2 Four elected members.

20.2 Quorum

Four members shall form a quorum provided that they represent more than one member club..

21 WATER POLO COMMITTEE

21.1 Composition

The Water Polo Committee shall consist of: -

- 21.1.1 The Officers
- 21.1.2 Three elected members
- 21.1.3 The Hon. Water Polo Secretary

21.2 Quorum

Three members shall form a quorum.

22 EMERGENCY COMMITTEE

22.1 Composition

The Emergency Committee shall consist of: -

22.1.1 The Officers

22.1.2 The Hon. Age Group & Championship Secretary or the Hon Water Polo Secretary as appropriate

22.1.3 Three elected members

22.2 Quorum

Three members shall form a quorum.

23 CHAMPIONSHIP CONDITIONS

23.1 The championship conditions for all the Association events shall not be considered part of the Constitutional Rules for the purpose of these rules. The championship and competition conditions will be considered by the relevant Sub-committee and referred to the Executive Committee, which shall have full power to approve any changes.

24 INTERPRETATION OF RULES

24.1 In the event of any question arising as to the correct interpretation of the Constitution or the Rules of the Association or any other question not herein provided for, such question shall be referred to the Executive Committee whose decision shall be final.

24

25 DISSOLUTION

25.1 A resolution to dissolve the Association shall only be considered at a Council Meeting and shall be carried by a majority of at least three-quarters of the members present and entitled to vote.

25.2 The dissolution shall have effect from the date of the resolution and the members of the Executive Committee shall be responsible for the winding up of the assets and liabilities of the Association.

25.3 Any property remaining after the discharge of the debts and liabilities of the Association shall be given to a charity or charities (or other non-profit making organisation) having aims and objectives similar to those of the Association for the furtherance of such aims and objectives as determined by the last Executive Committee.