

**MANCHESTER AND DISTRICT SWIMMING AND WATER POLO ASSOCIATION
CONSTITUTIONAL RULES**

1. NAME

- 1.1 The name of the Association shall be the Manchester and District Swimming and Water Polo Association, hereinafter called the Association.

2. DEFINITION

- 2.1 The Manchester and District Association shall be based on an area defined by a geographical radius of 15 miles from the Manchester Royal Exchange.

3. AIMS

- 3.1 The aims of the Association shall be to:-

- 3.1.1 Carry out the aims and objectives of the Amateur Swimming Association (hereinafter called ASA), the Amateur Swimming Association North West Region and the Lancashire County Water Polo and Swimming Association that fall within its jurisdiction.
- 3.1.2 Obey and enforce the laws and rules, regulations and rulings of the Amateur Swimming Association, the Amateur Swimming Association North West Region and the Lancashire County Water Polo and Swimming Association.
- 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, Diving and Water Polo by means of championships and competitions.
- 3.1.5 Develop the sport of swimming in each aquatic discipline in all possible ways.
- 3.1.6 Produce and implement policies to carry out other activities relevant to the Association.

4. OBJECTS

- 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 their activity regardless of age, sex, ethnic origin, religion or political persuasion.
- 4.1.2 The Association shall implement the ASA equal opportunities policy.
- 4.1.3 All persons, clubs, associations, organisations and leagues affiliated to the Association shall consent to be bound, whilst engaged in any Association activity by the ASA Code of Ethics, the ASA Laws relating to Child Protection and those parts of the ASA Judicial Laws and procedures necessary for their implementation.
- 4.1.4 All persons, clubs, associations, organisations and leagues affiliated to the Association whilst engaged in activities under the jurisdiction of the Association shall be subject to all the constraints and privileges of the ASA Judicial Laws.

- 4.2 The Association shall be affiliated to the Lancashire County Water Polo and Swimming Association (and shall adopt and conform to the rules of that Association) and such other bodies as the Association may determine from time to time.

- 4.3 The business and affairs of the Association shall at times be conducted in accordance with the Laws and Regulations of the ASA and the Judicial and Technical Rules of the Amateur Swimming Association ("ASA Laws") and in particular:

- 4.3.1. All members of the Association shall be members of a club, body, organisation, association or league affiliated to the Association.
- 4.3.2. All competing members shall be eligible competitors as defined in ASA Laws.
- 4.3.3. All competitors shall comply with the Championship conditions of the Association and the ASA.
- 4.3.4. Members of the Association shall, in accordance with ASA Laws, comply with the ASA Child Protection Procedures.

- 4.4 To promote and develop the aquatic disciplines through the implementation of Partnership agreements with appropriate bodies, organisations and external agencies.

- 4.5 By virtue of the affiliation of the Association to Lancashire County Water Polo and Swimming Association the Association and all members of the Association acknowledge that they are subject to the laws and rules of:
- 4.5.1 Lancashire County Water Polo and Swimming Association.
 - 4.5.2 ASA North West Region
 - 4.5.3 The Amateur Swimming Association (to include the ASA/IoS Code of Ethics).
 - 4.5.4 British Swimming (to include in particular the British Swimming Doping Control Rules and Protocols and British Swimming Disciplinary Code).
 - 4.5.5 FINA, the world governing body for the sport of swimming in all its disciplines' (together "the Governing Body Rules").
- 4.6 In the event there shall be a conflict between any rule or by-law of the Association and any of the Governing Bodies then the relevant Governing Body Rule 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 ASA North West Region and the Lancashire County Water Polo and Swimming Association.
 - 5.1.2. Observe, obey and enforce the laws, the judicial laws and the technical rules of the ASA, the ASA North West Region and the Lancashire County Water Polo and Swimming Association within its jurisdiction.
 - 5.1.3. Follow and implement the resolutions and rulings of the ASA Council, the ASA Board, the decisions of the ASA North West Region and of the Lancashire County Water Polo and Swimming Association and ensure they are followed within its jurisdiction.
 - 5.1.4. Be accountable to the ASA, the ASA North West Region and the Lancashire County Water Polo and Swimming Association for the proper discharge of its duties and functions.
 - 5.1.5. Produce, maintain and implement such plans based on strategic criteria set by the ASA, the ASA North West Region and the Lancashire County Water Polo and Swimming Association and in such form as they may from time to time require.
 - 5.1.6. Make available to the ASA, the ASA North West Region and the Lancashire County Water Polo and Swimming Association such information and reports as they may require, at a time and in a format specified.
 - 5.1.7. Elect the requisite number of delegates to the Lancashire County Water Polo and Swimming Association 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 ASA North West 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, the ASA North West Region and/or the Lancashire County Water Polo and Swimming Association.
 - 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 ASA North West Region and the Lancashire County Water Polo and Swimming Association.
- 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 ASA North West Region, the Lancashire County Water Polo and Swimming Association 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 ASA North West Region, the Lancashire County Water Polo and Swimming Association 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 ASA North West Region, the Lancashire County Water Polo and Swimming Association and the Association.

- 5.2.4. Have the authority to set the Association affiliation and membership fees due from each of the clubs, bodies, associations and organisations affiliated to it.
 - 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 any Business and Development Plans that may have been produced, to the Lancashire County Association and the ASA North West Region or its nominated agent(s) for information and approval.
 - 5.3.2. Keep accounts showing its income and expenditure and a balance sheet.
 - 5.3.3. As required report to the Lancashire County Water Polo and Swimming Association and/or the ASA North West Regional Management Board, in such a form as it may from time to time require on:
 - 5.3.3.1. Its activities and any issues arising there from.
 - 5.3.3.2 Its Financial Statements.

6. AFFILIATION AND MEMBERSHIP

- 6.1. The total membership of the Association shall not normally be limited. If however the Council considers that there is a good reason to impose any limit from time to time the Council shall put forward appropriate proposals for considerations at an Annual or a Special meeting of the Council of the Association. The members of the Council shall have the right to recommend that limits should be placed on or removed from total membership, or any category of membership.
- 6.2. Applications for affiliation can be made by any club, body, association, organization or league affiliated to the ASA North West Region and to either Lancashire County Water Polo and Swimming Association or Cheshire County Water Polo and Swimming Association or Derbyshire Amateur Swimming Association, which has its headquarters or a catchment area which falls partly or wholly within a radius of 15 miles of the Manchester Royal Exchange.
- 6.3 An application for affiliation shall be limited to one application per year from any individual club, body, association, organization or league. The application must be proposed and seconded by two different organisations affiliated to the Association who must provide such supporting information as requested by the Association. The Secretary shall circulate the notice of the application to all affiliated organisations at least 21 days prior to the Council meeting at which the application is to be considered. Election to membership shall be approved by at least a majority of two thirds of those present and voting.
- 6.4. The Association shall affiliate:
 - 6.4.1. Those clubs, bodies, organisations, associations and leagues who are affiliated to the ASA and to the ASA North West Region who satisfy the conditions of Rule 6.2.
 - 6.4.2. Individuals granted temporary membership by virtue of their participation in a specific event organised by the Association in conjunction with a club, body, association, organisation or league under the conditions of ASA law on temporary membership.
 - 6.4.3. Individuals holding named positions within the Association. The holders of individual named positions shall be members of an affiliated organisation and shall be not less than 18 years of age.
 - 6.4.4. Individuals who have been granted life membership or honorary membership of the Association. Such members must be members of an affiliated club
- 6.5. The Annual Council meeting may, as it thinks fit, elect Life Member for services rendered to the Association on a recommendation received from a General Council meeting.

7. SUSPENSION AND RESIGNATION

- 7.1. Any club, body, organisation, association or league not having paid its return of club membership to the ASA, or paid its liabilities to any other National Governing Body, to the ASA North West Region, to its County Association and to the Association by the 31st March shall be suspended with immediate effect by the Council, from all Association activities, until such time as those liabilities are discharged. The Secretary of the Association shall notify the club, body, organisation, association or league in

writing.

- 7.2. A member of a club, body, organisation, association or league which has not paid its liabilities to the ASA, to the ASA North West Region, to its County Association and to the Association by the appropriate date shall not be allowed to compete during the period of the suspension in any open competition in the name of that club or organisation.
- 7.3. Any club, body, organisation, association, or league not having paid its liabilities to the ASA, to the ASA North West Region, to its County Association or to the Association by 1st June shall be deemed to have resigned.
- 7.4. Where the membership of a club, organisation, association, or league shall be terminated in accordance with Rule 7.3 above the Club or other organisation shall be informed in writing that the club or other organisation is no longer a member of the Association.
- 7.5. Any club, body, organisation, association or league resigning from affiliation of the ASA and the ASA North West Region shall be deemed to have resigned from membership of the Association.
- 7.6. A club, body, organisation, association, or league wishing to resign from the Association shall give notice in writing to that effect before 31st March to the Secretary or it shall be held responsible for its Association affiliation fee for the subsequent year.
- 7.7. A member's resignation shall only take effect when agreed by the Council and there is no outstanding financial commitment or disciplinary action against the club or other organisation.

8. EXPULSION AND OTHER DISCIPLINARY ACTION

- 8.1. The Association shall have the power to expel an individual member or affiliated organisation when, in its opinion, it would not be in the interests of the Association for them to remain a member. The Association in exercising this power shall comply with the provisions of Rules 8.3 and 8.4 below.
- 8.2. Upon expulsion the former member shall not be entitled to have any part of any fees incurred in being a member refunded and must return any Association trophies held forthwith
- 8.3. In the case of an internal dispute between an individual member, club or other affiliated organisation, when referred to the Association for consideration the Association shall adopt and comply with the requirements and procedures of ASA Law and Regulations for handling all internal disputes as may be revised from time to time.
- 8.4. An individual member, club or other affiliated organisation may not be expelled, or be subject to Rule 8.5 below, or be made the subject of any other penalty or sanction unless the panel hearing the dispute shall by a two-thirds of those present and voting, vote in favour of the expulsion or other penalty imposed upon the member.
- 8.5. The Officers of the Association, or any person to whom the Council shall delegate this power, may temporarily suspend or exclude an individual member or affiliated organisation from particular activities when in their opinion, such action is in the interests of the Association. Where such disciplinary action is taken it shall be dealt with in accordance with ASA Laws and procedures.
- 8.6. The Officials in charge of a particular activity or event shall be responsible for the discipline. If further action is required this is to be referred to the Disciplinary Sub Committee. The Disciplinary Sub Committee to be five members, appointed by the Council, of which three members must be present at the Disciplinary hearing.
- 8.7. For a breach of its own rules the Association may:
 - 8.7.1. Apply sanctions to an individual member or affiliated organisation relating to activities wholly within its own jurisdiction up to and including suspension from any or all of them.
 - 8.7.2. Expel, disqualify or apply any other penalty or sanction upon any individual member or affiliated organisation by the approval of two-thirds of those present and voting at any special meeting, provided:

- 8.7.2.1. It informs the individual member or the affiliated organisation of the alleged offence;
- 8.7.2.2. Notice of potential penalties is given on the notice calling the meeting.
- 8.7.2.3. The accused is invited to attend to speak, to call witnesses and to question witnesses called against them. Another person to assist in presenting the defence may accompany the member.
- 8.7.2.4. Not less than 14 days notice of the meeting is given to the accused by the Secretary, in writing, stating the time, date and venue of the meeting and the details of the alleged offence.

- 8.8. An individual member or an affiliated organisation has a right of appeal against the decision of a disciplinary hearing to the ASA North West Region.
- 8.9. If the alleged offence is a breach of ASA Law; the Association shall not deal with it, but shall make a complaint to the ASA under the Judicial Laws and Rules of the ASA.
- 8.10. If a complaint is to be made or is received by the Association expressing dissatisfaction with the actions or behaviour of an individual member or an affiliated organisation, it shall be submitted to the ASA for consideration under the Judicial Laws of the ASA.

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 Annual Council.
- 9.2. The Annual Council shall, as it sees fit, decide the amount of the annual affiliation fee and any membership and competition or any other 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 31st March of each year.
- 9.4. All monies payable to the Association shall be received by the Treasurer and deposited in a bank account in the name of the Association. No sum shall be drawn from the account except by cheque signed by two of the four designated signatories who shall be the Secretary, Treasurer and two other nominated officials.
- 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 Treasurer shall record the financial transactions of the Association in such a manner, as the Council think is appropriate.
- 9.7. The Council shall have the power to authorise the payment of remuneration and expenses to any officer, member, employee or other such person for the services rendered to the Association.
- 9.8. The members of Council 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,

10. GOVERNANCE

- 10.1. There shall be three level of governance of the Association
 - 10.1.1. The Annual Council
 - 10.1.2. The Council
 - 10.1.3. The Standing Technical Committees and Working Groups
- 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, council member, committee member, Officer, Co-ordinator, Advisor or to any other position that carries the right to vote at any level of governance.

11. OFFICERS

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

12. COUNCIL

12.1. The Council of the Association shall consist of:

- 12.1.1. The President
- 12.1.2. Immediate Past President
- 12.1.3. President Elect
- 12.1.4. The Life Members of the Association
- 12.1.5. Vice Presidents of the Association
- 12.1.6. The Secretary
- 12.1.7. The Treasurer
- 12.1.8. The Water Polo Secretary
- 12.1.9. The Swimming Secretary
- 12.1.10. The Age Group and Championship Secretary
- 12.1.11. The Diving Secretary
- 12.1.12. The Minute Secretary
- 12.1.13. The Publicity Officer
- 12.1.14. The Welfare Officer
- 12.1.15. The Equity Officer
- 12.1.16. The Volunteer Officer
- 12.1.17. The delegates of affiliated clubs and other organisations
- 12.1.18. The Medical Advisor

12.2. Representation to Council

12.2.1. Each club and other organisation affiliated to the Association shall be entitled to representation at Council by one delegate.

12.3. Delegates

- 12.3.1. A delegate shall be appointed by the club, body, association, organisation or league they represent.
- 12.3.2. The Secretary of the club, body, organisation, association or league, or other person authorised so to do, shall notify the Secretary of the Association that the delegate is a bona fide member of that club, body, organisation, association or league and has been duly appointed a delegate to any Meeting of the Council.
- 12.3.3. A delegate shall only be permitted one vote, irrespective of the number of clubs, associations, bodies or organisations they may represent.
- 12.3.4. 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 Officers, other appointed positions and working groups and to receive their reports and accounts.
- 13.1.3. Abide by the standing orders for its conduct.
- 13.1.4. Consider and make recommendations to the Annual Council meeting on any proposed additions or alterations to, or deletions from the constitutional rules.
- 13.1.5. Keep full and accurate minutes of its meetings.
- 13.1.6. Determine the time, date and venue of the Annual Council Meeting.
- 13.1.7. Publish an Association Handbook and shall make three copies available to each affiliated club, and one copy available to each other affiliate organisation, council officer, life member, any relevant advertiser and Local History library.

13.2 The Council may:

- 13.2.1. Discuss any matters that are relevant and pass resolutions and orders concerning them.
- 13.2.2. Appoint a special committee, working group or individual to consider and report upon any

matter. The number of members of the committee or working group and the quorum shall be determined by the Council. The Officers shall be ex officio members of any such committee or working group unless the Council dictates otherwise.

- 13.2.3. Make a recommendation to the Annual Council meeting to elect as a Life Member an individual whose services to the Association would justify such recognition.
- 13.2.4. If two-thirds of those present and voting are in favour of a motion to the effect that a club, body, organisation, association or league affiliated to the Association has rendered itself unworthy to continue to be affiliated to the Association invoke the provisions of Rule 8 to seek approval to expel the club from membership of the Association.
- 13.2.5. At the Annual Council meeting or at any other Council meeting delegate the whole, or any part of its powers, to a sub committee, working group or an individual.

14. MEETINGS OF THE COUNCIL

14.1. Frequency of meetings

- 14.1.1 Council meetings, with the exception of the Annual General Meeting and any Special meeting of Council, shall be held not less than once per month, save where the Council itself shall by a simple majority resolve not to meet.
- 14.1.2. The Council shall decide the time, date and venue of all meetings.
- 14.1.3. The President and the Secretary shall have discretion to call further meetings of the Council if they consider it to be in the interests of the Association.

14.2. Chair

- 14.2.1. The Chair at all meetings of the Council shall be the President if he is present. If the President is absent, or unable to act or declines to act the President Elect shall act as the Chair for the meeting. If the President Elect is not able to act as chair for the meeting the most immediate Past President shall act as chair. If a chair is still not available the Council shall elect a Chair from its members present.
- 14.2.2. The Chair shall:
 - 14.2.2.1. Have unlimited authority upon every question of order.
 - 14.2.2.2. Be, for the purpose of the Council meeting, the sole interpreter of the rules governing the Council.

14.3 Secretary

- 14.3.1. The Secretary, or in the absence of the Secretary a member of, and selected by the Council, shall take the minutes of the meeting.

15. ANNUAL MEETING OF THE COUNCIL

15.1 The Annual Council meeting of the Association shall be held in January.

15.2. The notice providing the time, date and venue of the Annual Council Meeting and the closing date for the Secretary to receive any nominations for office, resolutions or proposals for consideration at the Annual Council meeting shall be sent to clubs and all other affiliated organisations not less than two months before the date of that meeting. The closing date for any nominations, proposals and resolutions to be considered at the Annual Council meeting shall be not less than 21 days before the date of the Annual Council meeting.

15.3. The Secretary shall be responsible for providing each affiliated club, body, association, organisation or league and each member of Council at least fourteen days before the date of the meeting a written copy of the agenda for the meeting together with the resolutions to be proposed, a copy of the Annual Report, a list of the nominees for the Officers posts and a copy of the examined accounts.

15.4 The purpose of the Annual Council meeting is to transact the following business:

- 15.4.1. To receive and comment on the Annual Report of the Activities of the Association during the previous year as presented by the Secretary.
- 15.4.2. To receive and consider the accounts of the Association for the previous year, the report on the accounts by the independent Financial Examiner and the Treasurers report as to the financial position of the Association.

- 15.4.3. To elect the following, each of whom shall be a member of a club, body, organisation, association, or league affiliated to the Association and shall be not less than 18 years of age:
 - 15.4.3.1. The President.
 - 15.4.3.2. President Elect
 - 15.4.3.3. Life Members (as appropriate)
 - 15.4.3.4. Not more than ten Vice Presidents
 - 15.4.3.5. The Secretary
 - 15.4.3.6. The Treasurer
 - 15.4.3.7. The Water Polo Secretary
 - 15.4.3.8. The Swimming Secretary
 - 15.4.3.9. The Swimming Championship Secretary
 - 15.4.3.10. The Age Group Secretary
 - 15.4.3.11. The Diving Secretary
 - 15.4.3.12. The Minute Secretary
 - 15.4.3.13. The Publicity Officer
 - 15.4.3.14. Two members to the Emergency Committee
 - 15.4.3.15. Two members to the Age Group and Swimming Championship Committee
 - 15.4.3.16. Two Members to the Water Polo Committee
 - 15.4.3.17. The Trophy Controller(s)
- 15.4.4 To appoint the following, each of whom shall be a member of a club, body, organisation, association or league affiliated to the Association or hold professional qualifications and shall be not less than 18 years of age.
 - 15.4.4.1. An independent Financial Examiner, who shall not be a member of the Council or a member of the family of a member of the Council.
 - 15.4.4.2. A Welfare Officer, who shall not hold any other office on the Council and shall not be a member of the family of a Council member or an Officer.
 - 15.4.4.3. A Volunteer Co-ordinator
 - 15.4.4.4. A Legal Advisor
 - 15.4.4.5. A Medical Advisor
 - 15.4.4.6. A delegate to the Lancashire County Water Polo and Swimming Association and to other organisations to which the Association is affiliated, as required.
- 15.4.5. To decide on changes to the Constitutional Rules.
- 15.4.6. To decide on any other resolutions that may be duly submitted in accordance with Rule 17.1 and Rule 17.3.

16. SPECIAL MEETINGS OF THE COUNCIL

- 16.1. A Special Meeting of the Council shall be called at any time by:
 - 16.1.1. a resolution of the Council carried at any meeting of the Council;
 - 16.1.2. an order of the Annual Council meeting;
 - 16.1.3. a requisition in writing, received by the Secretary, signed by not less than eight different clubs, bodies, associations, organisations or leagues. Each signatory to the request must be an officer of the club, body, association, organisation or league. The request shall state the purpose for which the meeting is required and the resolutions proposed.
- 16.2. The Secretary shall call a Special Meeting of Council to take place within twenty-eight days of the receipt of a requisition to call the meeting.
- 16.3. The Secretary shall give not less than fourteen days notice of a Special meeting to all affiliated clubs, bodies, associations, organisations and leagues. The notice shall specify the time, date and venue of the meeting along with the object of the meeting and any resolutions or proposals to be considered at the meeting. The date, time and venue of the meeting shall be at the discretion of the Officers of the Association.
- 16.4. No business shall be discussed at such a meeting other than that prescribed by a meeting of the Council, the Annual Council meeting or that stated in the request for the meeting, as the case may be.

17. PROCEDURES AT COUNCIL MEETINGS

- 17.1. Presentation of Proposals and Resolutions:

- 17.1.1. The relevant Officer shall propose any Resolutions that emanate from the Council.
 - 17.1.2. Resolutions that emanate from a Sub Committee, working group or a delegate shall be proposed by a member of the sub committee, working group or the delegate while those that emanate from a standing order shall be proposed by a member of Council.
 - 17.1.3. If the proposer is not a member of Council the proposal shall be made formally from the Chair and immediately afterwards the proposer shall be allowed to speak in support of the resolution.
 - 17.1.4. Any amendment shall be disposed of before another amendment is considered.
 - 17.1.5. The Chair may accept, without notice, verbal amendments that do not affect substantially the nature of the proposal under discussion.
 - 17.1.6. All nominations, resolutions and proposals are to be given to the Secretary in writing.
- 17.2 Business of the Meeting
- 17.2.1. 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:-
 - 17.2.1.1 To record the name of the Chair of the meeting, if other than the President.
 - 17.2.1.2. To record the name of the Secretary of the meeting, if other than the Secretary.
 - 17.2.1.3 For adjournment.
 - 17.2.1.4. For leave to withdraw a motion.
 - 17.2.1.5. For a vote of thanks.
 - 17.2.1.6. For permission to withdraw.
- 17.3 Motions
- 17.3.1. Every motion shall be proposed and seconded.
 - 17.3.2. A proposal to change 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 to change a Constitutional Rule of the Association or otherwise, shall require a simple majority of those members present and voting.
 - 17.3.3. 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.
 - 17.3.3.1. By a member of Council
 - 17.3.3.2. By a club, organisation, association or league affiliated to the Association.
 - 17.3.4. In all cases where multiple nominations are received for the same office a secret ballot will be held at the Annual Council Meeting.
 - 17.3.5. Nominations for election to the position of Life Member shall be made to the Annual Council Meeting by a proposer and seconder on the recommendation of Council.
 - 17.3.6. A motion of which due notice has not been given may not be discussed or voted upon unless sanctioned by the Chair and two-thirds of the members present and voting and provided it does not involve a change to the constitutional Rules of the Association.
 - 17.3.7. 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 Chair and put to the vote without debate.
- 17.4. Voting
- 17.4.1. Voting on elections shall be by select ballot and any ballot paper containing more votes than the number required shall be void.
 - 17.4.2. Completed voting papers shall be collected by the tellers as directed by the Chair.
 - 17.4.3. The result of each ballot shall be announced by the Chair during the meeting and the Chair shall indicate the number of votes cast for each candidate and the number of spoiled ballot papers.
 - 17.4.4. Any discrepancy or irregularity found after the conclusion of the meeting shall be dealt with by the Council which may disqualify votes with 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.
 - 17.4.5. Unless the Chair directs otherwise, voting on all motions or amendments shall be by a show of hands or delegates cards.
 - 17.4.6. Each member present and entitled to vote, with the exception of the Chair, or acting Chair for that meeting, shall have one vote and a simple majority shall pass any resolution.
 - 17.4.7. In the event of an equality of votes the Chair, or acting Chair for that meeting, shall have a casting vote.

17.5. Quorum

- 17.5.1. The quorum for the Annual Council Meeting or a Special Meeting of Council shall be 20 people entitled to attend and vote at the meeting, which must include not less than one officer of the Association.
- 17.5.2. The quorum for a Council Meeting shall be 10 people entitled to attend and vote at the meeting, which must include not less than one officer of the Association.

18. CHANGES TO ASSOCIATION CONSTITUTIONAL RULES

- 18.1. 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 Council shall appoint a group of people to draft the wording of the changes to the Rules to implement the principles and intentions approved by the Council.
- 18.2. The Council shall approve the changes to the Rules and submit them where necessary to the ASA North West Region for its consideration and approval.
- 18.3. 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.
- 18.4. A proposal to change a Constitutional Rule of the Association shall only be considered at a meeting of the Annual Council if it has been:-
 - 18.4.1. Recommended by the Council at a meeting before 1st November and appears in the minutes of that meeting.
 - 18.4.2. Submitted in writing, by a club, organisation, association or league affiliated to the Association and has reached the Association Honorary Secretary not less than 21 days before the date of the Annual Council meeting in accordance with Rule 15.2.
 - 18.4.3. Made as a matter of urgency, approved by the Council, sent to the clubs, organisations, associations and leagues affiliated to the Association at least ten days before the Council Meeting and approved as a suitable matter for consideration by Council by at least two-thirds of the delegates voting.
 - 18.4.4. Mandated by a change to either ASA Law or the Rules of the ASA North West Region.
 - 18.4.5. Included in the resolution or request for a Special Meeting of Council.
 - 18.4.6. Referred to the Annual Council or Special Council, unless emanating from it. The Council shall indicate its support or opposition and may propose amendments, which shall be included on the agenda of the Annual Council or Special Council Meeting.
 - 18.4.7. Included on the agenda of the Annual Council or Special Council Meeting.
- 18.5. 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.
- 18.6. 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.
- 18.8. 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 Council shall be authorised to change the Association Rule to conform to it. Any such change shall be notified to the next Annual Council Meeting following the change of Rule.

19. INDEPENDENT FINANCIAL EXAMINERS

- 19.1. An independent Financial Examiner shall be appointed at the Annual Council Meeting who shall examine the statement of accounts and the balance sheet each the year and shall certify the same before they are presented to the membership.
- 19.2. The. Financial Examiner shall, if appropriate, present a report to the Annual Council meeting on the

financial affairs of the Association and may make recommendations for further action.

20. STANDING COMMITTEES

20.1. Standing Committees shall be formed for Emergency purposes, for Age Group and Swimming Championships and for Water Polo.

20.2. Composition

Each standing committee shall consist of the members as indicated in its terms of reference.

20.3. Ex-officio Members

The President, the President Elect, the Secretary and the Treasurer of the Association shall be Ex-officio members of all Standing or other Committees, or as otherwise specified by the Council, or in the terms of reference of such a committee.

20.4. The Annual Council Meeting shall appoint the members of each Standing Committee.

20.5. Provisions applicable to Standing and other Committees

20.5.1. Standing Orders

20.5.1.1. The meeting of every committee shall be private and no report of its proceedings shall be made to any outside body.

20.5.1.2. In case of emergency any action or decision taken by any Standing or other committee must have prior approval of the President, the Secretary and the Treasurer.

20.5.1.3. Except in cases of emergency no decisions of any Standing or other committee shall be binding upon the Council until considered and voted on by the Council.

20.5.1.4. All Standing and other committees shall periodically report their proceedings to the Council and shall conduct their business in accordance with the directions of the Council.

20.5.2. Quorum

20.5.2.1. The quorum for each Standing committee or other Committee shall be laid down in the terms of reference for that Committee. Any ex-officio 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 members present required to satisfy the quorum.

20.5.3. Co-option

20.5.3.1. Any Standing or other committee shall have the power to co-opt members, for any special purpose, without the power to vote.

20.5.4. Substitutes

20.5.4.1. In the absence of the Chair or the Secretary of any Standing or other committee a member of the committee chosen by a majority of the members present and voting shall act as the Chair or Secretary as required, for that meeting

20.5.5. Committee Chair

20.5.5.1. At its first meeting after the Annual Council Meeting each Standing or other committee shall elect, except where otherwise appointed, a Chair from amongst its own members.

20.5.5.2. The Association President, if present shall have the right to act as Chair.

20.5.5.3. A chair shall have a deliberative and a casting vote,

20.5.6. Committee Secretary

20.5.6.1. At its first meeting after the Annual Council Meeting each Standing Committee shall elect, except where otherwise appointed, a Secretary from amongst its own member.

20.5.6.2. The Championship Secretary shall be a member of the Swimming Committee and shall act as the Secretary of the Committee.

20.5.6.3. The Water Polo Secretary shall be a member of the Water Polo Committee and shall act as the Secretary of the Committee.

20.5.7. Minutes

20.5.7.1. Each Standing or other 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 Council, shall be submitted for approval to the Council.

20.5.8. Duties and Responsibilities of a Standing Committee

Unless stated otherwise the duties of a Standing Committee shall include but not be limited to:

- 20.5.8.1. Managing the Championships and Competitions of the Association for the Discipline concerned. .
- 20.5.8.2. Appoint Officials for the Association Championships and other competitions as necessary.
- 20.5.8.3. Select Association representatives and nominate competitors and officials for representative teams as required.
- 20.5.8.4. Make recommendations to the Council as required for Association awards.
- 20.5.8.5. Review the relevant section of the Development Plan of the Association on a regular basis and make periodic reports to the Council on the progress made against the Development Plan for the discipline.
- 20.5.8.6. Advise the Council on all matters relating to the discipline.
- 20.5.8.7. Deal with any matters referred to it by the Council.
- 20.5.8.8. Report to the Council at such times and in such a form as it may require.
- 20.5.8.9. Encourage and supervise activities in the Association for the improvement of the discipline concerned.
- 20.5.8.10. Take such other action to further the discipline within the Association as deemed appropriate.

21. EMERGENCY COMMITTEE

21.1. The Emergency Committee shall comprise:

- 21.1.1. The President
- 21.1.2. The President Elect
- 21.1.3. The Secretary
- 21.1.4. The Treasurer
- 21.1.5. Two of the elected Vice Presidents

21.2. Quorum

- 21.2.1. Three members shall form a quorum

21.3. Duties and Responsibilities

- 21.3.1. The Duties of the Emergency Committee shall be to deal with all matters referred to it by the Council or by an offer of the Association if it arises between the meetings of the Council.
- 21.3.2. All decisions and actions taken by the Emergency Committee on behalf of the Association shall be reported to the next available Council meeting and shall be recorded in the minutes of the meeting.
- 21.3.3. The President, if in attendance, shall Chair the meeting. If the President is not available or declines to chair the meeting a Chair shall be selected by and from the members present.
- 21.3.4. The Secretary of the Association shall take the minutes of the meeting. If the Secretary is not available a person shall be elected by and from the members present to take the minutes.

22. AGE GROUP AND SWIMMING CHAMPIONSHIP COMMITTEE

22.1. The Age Group and Swimming Championship Committee shall comprise:

- 22.1.1. The officers
- 22.1.2. Two elected members of Council
- 22.1.3. The Swimming Championship Secretary
- 22.1.4. The Age Group Secretary

22.2. Quorum

- 22.2.1. Four members shall form a quorum, which must contain not less than one Secretary.

23. WATER POLO COMMITTEE

23.1. The Water Polo Committee shall comprise

- 23.1.1. The Officers
- 23.1.2. Two elected members
- 23.1.3. The Water Polo Secretary

- 23.2. Quorum
Three members shall form a quorum

24. CHAMPIONSHIP CONDITIONS

- 24.1. The Competition and Championship conditions of all the Associations events shall not be considered part of the Constitutional Rules for the purpose of these rules.
- 24.2. The Championship and Competition conditions will be considered by the relevant organising committee or working group and referred to the Council, which shall have full power to approve any changes.

25. INTERPRETATIONS OF RULES

- 25.1. 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 Council whose decision shall be final.

26. TROPHIES

- 26.1. All trophies belonging to the Association shall be perpetual.
- 22.2. The winner of an individual championship trophy and the winners of a championship team trophy shall give a guarantee of safe keeping and return to the Championship Secretary.

27. COMPETITIONS REPRESENTING THE ASSOCIATION

- 27.1. Any person selected to represent the Association who does not attend shall not be eligible swim in any other event of the Association until a satisfactory explanation has been accepted by the Executive Committee.

28. DISSOLUTION

- 28.1. A resolution to dissolve the Association shall only be proposed at a Council Meeting and shall be carried by the approval of at least three-quarters of the members present and voting. A specific date for the dissolution shall be included in the resolution.
- 28.2. The dissolution shall have effect from the date specified in the resolution and members of the Council shall be responsible for the winding-up of the assets and liabilities of the Association.
- 28.3. 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 Council.

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