

# CONSTITUTIONAL RULES of ISLE OF MAN SWIMMING ASSOCIATION

## 1 NAME

1.1 The Association shall be called the Isle of Man Swimming Association, hereinafter called the Association.

## 2 DEFINITION

2.1 The Isle of Man Association shall be based on an area defined geographically as the Isle of Man.

## 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 WP & SA that fall 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 WP & SA.
- 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 and Water Polo 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.

## 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 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 to such other bodies as the Association may determine from time to time.

4.3 The business affairs of the Association shall at all times be conducted in accordance with the Laws of the ASA and the Judicial and Technical Rules of the Amateur Swimming Association 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. All 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 Swimming and Water Polo through the implementation of:-

- 4.4.1 Partnership agreements with appropriate bodies, organisations and external agencies.

4.5 By virtue of the affiliation of the Association to Lancashire County WP&SA all members of the Association shall acknowledge that they are subject to the laws and rules of:-

- 4.5.1 The Lancashire County WP&SA
- 4.5.2 The Amateur Swimming Association North West Region;
- 4.5.2 The Amateur Swimming Association; to include the ASA/IOS Code of Ethics;
- 4.5.3 The Amateur Swimming Federation of Great Britain, to include in particular the ASFGB Doping Control Rules and Protocols and ASFGB Disciplinary Code;
- 4.5.4 FINA, the world governing body for the sport of swimming and all its disciplines, together with the Governing Body Rules.

4.6 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.

4.7 Where rules or regulations refer to legislation it shall be recognized that the Isle of Man has its own jurisdiction and therefore references to legislation with rules or regulations shall be deemed to be references to the corresponding legislation in the Isle of Man. In cases where no corresponding legislation exists the Association shall use as a basis for its compliance reference to the legislation adopted by the ASA. The Chairman of Council shall in accordance with clause 13.1.2.2 be, for the purpose of the Council meeting, the sole interpreter of the rules governing legislation affecting the Association.

## **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 WP&SA.
- 5.1.2 Observe, obey, and enforce the laws and the judicial and technical rules of the ASA, the ASA North West Region and the Lancashire County WP&SA within its jurisdiction.
- 5.1.3 Follow and implement the resolutions and rulings of the ASA Board, the decisions of the ASA Committee, of the ASA North West Region and of the Lancashire County WP&SA 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 WP&SA. 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 ASA North West Region and the Lancashire County WP&SA. and in such form .they may from time to time require.
- 5.1.6 Make available to the ASA, the ASA North West Region and the Lancashire County WP&SA such information and reports as they may require, at a time and in a format specified by them.
- 5.1.7 Elect the requisite number of delegates to the Lancashire County WP&SA Council Meeting and any Special Council Meeting and to any other body, organization 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 and/or the ASA North West Region and/or the Lancashire County WP&SA..
  - 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 WP & SA.
- 5.1.9 Select the National Teams for competition in but not limited to the Commonwealth Games, the Commonwealth Youth Games and The International Island Games
- 5.1.10 Select and engage a National Swimming Coach, Sports Development Officers and persons to such other positions as it shall deem expedient for the promotion of the sport whether such appointments be remunerated or not and to remunerate where necessary those persons out of Association funds. Such appointments may in cases be subject to the agreement of the clubs as to contribution towards the costs to the Association.
- 5.1.11 To engage with other local organisations in promotion of the sport and make representations to and

elect persons to the committees of such organizations.

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 WP&SA. 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 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 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 Association 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.

## **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 good reason to impose any limit from time to time the Council shall put forward appropriate proposals for consideration at any Annual or Special meeting of the Council of the Association.
- 6.2 Applications for membership can be made by any club, body, association, organization or league affiliated to ASA North West Region, Lancashire County Water Polo and Swimming Association which has a catchment area which falls wholly within the Isle of Man.
- 6.3 Applications for Affiliation are limited to one application per year from any individual club, body, association, organization or league. The application must be proposed and seconded by two affiliated clubs and provide such information as requested by the Association. Notice of the application to be circulated to all Affiliated clubs by the Secretary at least 21 days prior to the Council meeting when the application is to be considered. Election to 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 organizations, associations and leagues that are affiliated in accordance with rule 6.2.
  - 6.4.2 Individuals granted temporary membership by virtue of their participation in a specific event organized by the Association in conjunction with a club, body, association, organization or league under the ASA law on temporary membership
  - 6.4.3 Individuals holding positions within the Association. Holders of individual positions shall be members of an Affiliated Club 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 are not required to be members of an affiliated club unless they are competitors.

## **7 SUSPENSION and RESIGNATION**

- 7.1 Any club organization, association, or league not having made its return of club membership to the ASA and paid its liabilities to the ASA, ASA North West Region, County Association and the Association by 31<sup>st</sup> March shall be suspended with immediate effect, from all Association activities, until such time as those liabilities are

discharged. The Secretary of the Association shall notify the Club in writing. The return shall include a list of the members names and their respective categories of registration with the ASA.

- 7.2 A member of a club, organization, association or league which has not paid its liabilities to the ASA, to the ASA North West Region, to the 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.
- 7.3 Any club, organization, association, or league organization, association, or league not having paid its liabilities to the ASA, the ASA North West Region, its County Association or to the Association by 1<sup>st</sup> June shall be deemed to have resigned.
- 7.4 Where the membership of a Club, organization, association, or league shall be terminated in accordance with Rule 7.3 the Club shall be informed in writing that the Club is no longer a member of the Association.
- 7.5 Any club, organization, 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, organization, association, or league wishing to resign from the Association shall give notice in writing to that effect before 1<sup>st</sup> March to the Secretary or it shall be held responsible for its Association affiliation fee for the subsequent year.

## **8. FINANCE**

- 8.1 The financial year of the Association shall be the period commencing on 1<sup>st</sup> April and ending on 31<sup>st</sup> March Any change to the financial year shall require the approval of the Council.
- 8.2 The Council shall, as they see fit, decide the amount of the annual affiliation fee and any membership fees for the next operating year. Membership Fees will be based upon the number of members a club has registered with the ASA (excluding category 3 members).
- 8.3 The annual affiliation fee for each club, body, organisation, association or league shall be due on joining the Association and thereafter on 1<sup>st</sup> April of each year in respect of the financial year commencing from the preceding April. In the first year the fee shall be apportioned. Membership fees shall be payable on the 31<sup>st</sup> March each year based upon the returns submitted in accordance with 7.1
- 8.4 All monies payable to the Association shall be received by the Treasurer and deposited in a bank account in the name of the Association. Save as hereafter provided no sum shall be drawn from the account except by cheque signed by two of the four designated signatories who shall be the Chairman, Treasurer and two other nominated officials. The Association may by mandate authorize the Treasurer to operate the account of the Association through its banker's online banking facilities in which case it shall be the duty of the Treasurer to present a report to the Council of all transactions so effected within one month of the transaction date for ratification.
- 8.5 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.
- 8.6 The Treasurer shall record the financial transactions of the Association in such a manner, as the Council think is appropriate.
- 8.7 The Council shall have the power to authorise the payment of remuneration and expenses to any officer, member, employee or other such person for services rendered to the Association

## **9 GOVERNANCE**

- 9.1 The Association shall be governed by the Council.
  - 9.1.1 The Council shall have the ability to elect sub-committees for any special business as they may

consider appropriate.

- 9.2 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, Officer, Co-ordinator, Advisor or to any other position which carries the right to vote at any level of government of the Association.

## **10 OFFICERS**

- 10.1 The Officers of the Association shall be the Chairman, the Vice-Chairman, the Secretary and the Treasurer.

## **11 COUNCIL**

- 11.1 The Council of the Association shall consist of:-

- 11.1.1 Chairman
- 11.1.2 Vice Chairman
- 11.1.3 Secretary
- 11.1.4 Treasurer
- 11.1.5 Welfare Officer
- 11.1.4 The delegates of affiliated clubs, bodies, associations, organizations or leagues.

- 11.2 Representation to Council

- 11.2.1 Clubs  
Each club, organization, association, or league affiliated to the Association shall be entitled to representation at Council by two delegates

- 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 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.

## **12 RESPONSIBILITIES of COUNCIL**

- 12.1 The Council shall have the responsibility to:

- 12.1.1 Deal with all matters of governance according to the rules of the Association.
- 12.1.2 Abide by the standing orders for its conduct.
- 12.1.3 Consider and decide on any proposed additions or alterations to, or deletions from the constitutional rules.
- 12.1.4 Keep full and accurate minutes of its meetings.

- 12.2 The Council shall at the Annual Council Meeting appoint:

- 12.2.1 An Independent Financial Examiner, who shall not be a member of the Council or the member of the family of a member of the Council for the ensuing 12 months.
- 12.2.2 A Welfare Officer.
- 12.2.3 Delegates to attend the Lancashire County WP&SA meetings and meetings of other relevant bodies to which the Association is affiliated.

12.3 At the Annual General Meeting elect the following, each of whom shall be a member of a club, organization, association, or league affiliated to the Association and shall be not less than 18 years of age:-

- 12.3.1 Chairman
- 12.3.2 Vice Chairman
- 12.3.3 Secretary
- 12.3.4 Treasurer

12.4 The Council may:-

- 12.4.1 Discuss any matters that are relevant and pass resolutions and orders concerning them.
- 12.4.2 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 Chairman, shall be an *ex officio* member of any such committee unless the Council dictates otherwise.
- 12.4.3 If a majority of two-thirds of those present and voting is 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 expel the club from membership of the Association. Notice of such a motion must have previously been included in the agenda for the meeting.

### 13 MEETINGS OF COUNCIL

13.1 Chairman

- 13.1.1 The Chairman at all meetings of the Council shall be the Chairman if he is present. If the Chairman is absent, or unable to act or declines to act the Vice-Chairman shall act as the chairman for the meeting. If the Vice Chairman is not able to act as chairman the Council shall elect a chairman from its members present.
- 13.1.2 The Chairman shall:-
  - 13.1.2.1 Have unlimited authority upon every question of order.
  - 13.1.2.2 Be, for the purpose of the Council meeting, the sole interpreter of the rules governing the Council.
  - 13.1.2.3 Have a deliberative and a casting vote.

13.2 Secretary

- 13.2.1 The Secretary shall be responsible for providing each affiliated club, body, association, organisation or league and each member of Council with written notice of the date, time and place of the Annual General Meeting or of a Special Council Meeting together with the resolutions to be proposed, at least ten days before the date of the meeting and in the case of the Annual Council Meeting a copy of the Annual Report, a list of the nominees for the Officers posts and a copy of the examined accounts.
- 13.2.2 The Secretary, or in the absence of the Secretary a member of, and selected by, the Council, shall take the minutes of the meeting.

13.3 Motions

- 13.3.1 A proposal for consideration at the Annual General Meeting which does not embody a proposal to change a Constitutional Rule of the Association, may be submitted:-
  - 13.3.1.1 By a member of Council
  - 13.3.1.2 By a club, organization, association, or league affiliated to the Association.
- 13.3.2 Nominations for all posts are to be made at the May Council meeting.
- 13.3.3 In all cases where multiple nominations are received for the same office a secret ballot will be held at the Annual General Meeting.
- 13.3.4 Proposals and resolutions received in accordance with this section shall be submitted in writing to the Secretary by the first Monday in May prior to the Annual Council Meeting.
- 13.3.5 Proposals and resolutions received in accordance with this section shall be sent to clubs, organizations, associations, or leagues entitled to be represented at the Annual General Meeting

- not less than ten days before the meeting of Council.
- 13.3.6 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.
- 13.3.7 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 Chairman and put to the vote without debate.

#### 13.4 Procedures at Council Meetings

- 13.4.1 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:-
- 13.4.1.1 To record the name of the Chairman of the meeting.
  - 13.4.1.2 To record the name of the Secretary of the meeting, if other than the Secretary.
  - 13.4.1.3 For adjournment.
  - 13.4.1.4 For leave to withdraw a motion.
  - 13.4.1.5 For a vote of thanks.
  - 13.4.1.6 For permission to withdraw.
- 13.4.2 Every motion shall be proposed and seconded.
- 13.4.3 Resolutions that emanate from the Council shall be proposed by the relevant Officer.
- 13.4.4 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.
- 13.4.5 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.

#### 13.5 Voting

- 13.5.1 Unless the Chairman directs otherwise, voting on all motions or amendments shall be by a show of hands or delegates cards.
- 13.5.2 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.
- 13.5.3 Voting on elections shall be by secret ballot and any ballot paper containing more votes than the number required shall be void.
- 13.5.4 Completed voting papers shall be collected by the tellers as directed by the Chairman.
- 13.5.5 The Chairman shall appoint two tellers to count the votes from persons present at the meeting. Tellers must not be members of the Council
- 13.5.6 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.
- 13.5.7 Any discrepancy or irregularity found after the conclusion of the meeting shall be dealt with by the Council 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.

#### 13.6 Changes to Association Constitutional Rules

- 13.6.1 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 Council. 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.
- 13.6.2 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.
- 13.6.3 A proposal to change a Constitutional Rule of the Association shall only be considered at a meeting of the Council if it has been:-

- 13.6.3.1 Made by the Council at a meeting before 1<sup>st</sup> May and appears in the minutes of that meeting:
  - 13.6.3.2 Made by a club, organization, association, or league affiliated to the Association and has reached the Association Honorary Secretary by 1<sup>st</sup> May
  - 13.6.3.4 Made as a matter of urgency, approved by the Council, sent to the clubs, organizations, 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:
  - 13.6.3.5 Mandated by a change to either ASA Law or the Rules of the ASA North West Region:
  - 13.6.3.6 Included in the resolution or request for a Special Meeting of Council;
  - 13.6.3.7 Referred to the 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 Council Meeting.
  - 13.6.3.8 Included on the agenda of the Council Meeting.
- 13.6.4 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.
  - 13.6.5 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 Secretary of the Association by 1<sup>st</sup> May for consideration at the Annual Council Meeting, or twenty one days prior to a Special Council Meeting, as the case may be.
  - 13.6.6 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 ten days prior to the date of the Council at which they are to be considered.
  - 13.6.7 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 Council 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.

### 13.7 Annual Meeting of Council

- 13.7.1 The Annual Council Meeting of the Association shall be held in the month of June
- 13.7.2 The Council shall fix the date, the time and the venue of the Annual Council Meeting, which shall be notified to clubs, with the notice convening the meeting.
- 13.7.3 The purpose of the Annual Council Meeting is to transact the following business:-
  - 13.7.3.1 To receive and comment on the Annual Report of the activities of the Association during the previous year as presented by the Chairman.
  - 13.7.3.2 The Annual Report shall include the reports of, the Chairman and the Treasurer.
  - 13.7.3.3 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 Treasurer's report as to the financial position of the Association:
  - 13.7.3.4 To elect the Chairman and Vice Chairman
  - 13.7.3.5 To appoint the independent Financial Examiner.
  - 13.7.3.6 To elect the Association Officers
  - 13.7.3.7 To decide on changes to the Constitutional Rules and other resolutions.
  - 13.7.3.8 To decide on any other resolution that may be duly submitted in accordance with Rule 13.3 and Rule 13.6.
  - 13.7.3.9 To appoint delegates to any organization to which the Association is affiliated

### 13.8 Special Meetings of Council

- 13.8.1 The Council shall call a Special Meeting of Council at any time in response to:-
  - 13.8.1.1 A resolution of the Council carried at any meeting of the Council:
  - 13.8.1.2 An order of the Council:
  - 13.6.1.3 A requisition in writing, received by the Secretary, signed on behalf of not less than two different clubs,. Each signatory to the request to be an officer of the club. The request shall state the purpose for which the meeting is required and the



resolutions proposed.

- 13.8.2 The Secretary shall call a Special Meeting of Council within 30 days of the receipt of a requisition to call the meeting.
- 13.8.3 Not less than ten days notice of a Special meeting shall be given to all affiliated clubs, organizations, associations, or leagues affiliated to the Association. 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 Council
- 13.8.4 No business shall be discussed at such a meeting other than that prescribed by the Council or that stated in the request for the meeting, as the case may be.

### 13.9 Quorum

- 13.9.1 The quorum for the Annual Council Meeting, Special Council Meeting or General Council Meeting shall be four members entitled to attend and vote at the meeting, which must contain not less than one Officer of the Association.

## 14 INDEPENDENT FINANCIAL EXAMINERS

- 14.1 An independent Financial Examiner 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.

## 15 CHAMPIONSHIP AND OTHER COMPETITION CONDITIONS

- 15.1 The championship and other competition 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 organising committee and referred to the Council which shall have full power to approve any changes.

## 16 INTERPRETATION OF RULES

- 16.1 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.

## 17 EXPULSION and OTHER DISCIPLINARY ACTION

- 17.1 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 or club, it shall be submitted to the Amateur Swimming Association for consideration under the Judicial Laws of the Amateur Swimming Association.
- 17.2 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
- 17.3 For a breach of its own rules the association may:
  - 17.3.1 apply sanctions to a member relating to activities wholly within its own jurisdiction up to and including suspension from any or all of them.
  - 17.3.2 expel a member, provided that before doing so, it informs the member of the alleged offence and gives the member a reasonable opportunity to defend itself against the charge.
- 17.4 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 judicial laws and rules.

## **18 DISSOLUTION**

- 18.1 A resolution to dissolve the Association shall only be proposed at a Council Meeting and shall be carried by a majority of at least three-quarters of the members present and entitled to vote.
- 18.2 The dissolution shall have effect from the date of the resolution and members of the Council shall be responsible for the winding-up of the assets and liabilities of the Association.
- 18.3 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.