



**DORSET COUNTY**

**AMATEUR SWIMMING ASSOCIATION**

**CONSTITUTION**



**DORSET COUNTY AMATEUR SWIMMING ASSOCIATION**

# CONSTITUTION

## 1. Definitions

1.1 In this Constitution [hereinafter "Rules"]:

- 1.1.1 "Swim England" shall mean the Swim England (the Amateur Swimming Association).
- 1.1.2 "Region" shall mean the Swim England South West Limited.
- 1.1.3 "Association" shall mean the Dorset County Amateur Swimming Association.
- 1.1.4 "Club" shall mean all affiliated bodies and include clubs, organisations, associations, and leagues unless the context indicates to the contrary.
- 1.1.5 "Discipline" shall mean the aquatic disciplines of swimming, open water swimming, para/disability swimming, artistic swimming, diving, water polo and Masters activity within those facets.
- 1.1.6 "Business Plan" shall mean the business goals of the Association, the methods to be used for attainment, and the timeframe in which the goals are to be achieved.
- 1.1.7 "Development Plan" shall mean the objectives of the Association for training and education of its members, the methods and timeframe for attainment, and performance evaluation criteria.
- 1.1.8 "General Meeting" shall mean an Annual Council Meeting or a Special Council Meeting.
- 1.1.9 The term swimmer shall include pool swimmer, open water swimmer, artistic swimmer, diver, water polo player and Masters activity within those facets.
- 1.1.10 Words importing the masculine gender shall include the feminine.
- 1.1.11 Words of the plural number shall include the singular and words of the singular number shall include the plural.

1.2 Any deviation from any provision of these Rules shall not invalidate any procedure or decision unless that deviation raises a material doubt that the procedure or decision has been so affected by it as to prejudice the good management of the Association.

## 2. Name

- 2.1 The name of the County Association shall be the Dorset County Amateur Swimming Association, hereinafter "the Association".
- 2.2 The Association shall be based on the (geographical or historical) County and include any local authority in that area.
- 2.3 The status of the Association is an unincorporated association operating as a voluntary body to achieve the aims as determined in this Constitution and on behalf of its members.

## 3. Affiliation and Composition

3.1 The Association shall be affiliated to Swim England (the Amateur Swimming Association) hereinafter "Swim England", and Swim England South West Limited hereinafter "the Region", and shall:

- 3.1.1 Adopt and enforce the Articles, Regulations and Technical Rules of Swim England; and
- 3.1.2 conform to the Rules of, and carry out the aims and objectives of, the Region as appropriate to the Association and within its jurisdiction; and
- 3.1.3 such other bodies as the Association may determine from time to time in accordance with local needs and interests.

3.2 The Association shall have as its membership:

- 3.2.1 Clubs that have affiliated with Swim England and the Region by virtue of and approval by the Association; and by consent of the Association
  - 3.2.1.1 associated organisations affiliated to the Region;
  - 3.2.1.2 corporate organisations;
  - 3.2.1.3 local associations and leagues;

- 3.2.1.4 clubs, bodies, associations, or organisations granted temporary affiliation;
- 3.2.1.5 individuals granted temporary membership by virtue of their participation in an event under the jurisdiction of the Association and under the provision of Swim England Regulations on temporary membership; and
- 3.2.1.6 individuals granted honorary membership deemed essential to the operation of Association events who are not a member of an affiliated club until such time as those individuals no longer provide that service or become a member of a Swim England affiliated club; and
- 3.2.1.7 individuals awarded honorary Life Membership in recognition of long service at County level and who are no longer a member of an affiliated club.
- 3.2.2 A club, league or associated organisation affiliating to Swim England via the Association shall in the first instance submit an application for membership to the Association; whereby
  - 3.2.2.1 the Association will review the constitution of said organisation and any other evidence required in accordance with the procedures of the Region and as specified by the Association; and
  - 3.2.2.2 on acceptance of and agreement by the Association, the application shall be forwarded by the Association to the Region for consideration against the national criteria approved by Swim England.
- 3.2.3 The Association reserves the right to recommend to the Region that a request for the affiliation of an organisation or individual not deemed to be in the best interests of the Association, its membership, and the aquatic disciplines under its jurisdiction as defined by these Rules is declined.
- 3.3 By virtue of affiliation of the Association to the Region, the Association and all members of the Association acknowledge that it and its' Clubs are subject to the Articles, Regulations, Technical Rules and Constitutions of:
  - 3.3.1 the Region; and
  - 3.3.2 Swim England (to include the Code of Ethics); and
  - 3.3.3 British Swimming (in particular its' Anti-Doping Rules and Judicial Code); and
  - 3.3.4 FINA, the world governing body for the sport of swimming in all its Disciplines (together "the Governing Body Rules").
- 3.4 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. Aims**

- 4.1 The aims of the Association shall be to:
  - 4.1.1 Promote and manage the development of swimming and swimming related activities and to promote the Championships and competitions of the Disciplines under the jurisdiction of the Association.
  - 4.1.2 Initiate, develop, and implement policies to carry out other activities relevant to the Association and, in so doing, raise public awareness of the sport and stimulate public opinion in favour of providing suitable facilities and accommodation.
  - 4.1.3 In furtherance of these aims to liaise and facilitate partnerships with such other bodies as the Association may determine from time to time.
- 4.2 The business and affairs of the Association shall at all times be to promote the Disciplines, and in particular through the implementation of a County Development Plan.

#### **5. Objectives**

- 5.1 The objectives of the Association shall be:
  - 5.1.1 To treat everyone equally within the context of its activity and with due respect to the differences of individuals. It shall not apply nor endorse unlawful or unjustified discrimination and shall act in compliance with the protections afforded by the Equality

- Act 2010.
- 5.1.2 To implement the Swim England Equality Policy (as may be amended from time to time).
  - 5.1.3 In accordance with Swim England Regulations, to adopt the Swim England Safeguarding Policy and Procedures (“Wavepower”) and the Swim England Safeguarding Children and Adults at Risk Policies, recognising that welfare is the responsibility of everyone, and all children, young people and vulnerable adults have a right to be safe and protected from harm; and
  - 5.1.4 all Clubs and individuals affiliated to the Association shall consent to:
    - 5.1.4.1 be bound by the Swim England Regulations relating to the protection of children, young people and vulnerable adults and those parts of Swim England Regulations necessary for their implementation; and
    - 5.1.4.2 when engaged in activities under the jurisdiction of the Association, shall be subject to the constraints and privileges of Swim England Regulations.
- 5.2 All competing members shall be eligible competitors as defined in Swim England Regulations.
  - 5.3 The Association shall at all times promote, protect and act in the best interests of its’ members and in a manner that is equitable to all its clubs.

## **6. Responsibilities of County Associations**

- 6.1 The Association shall:
  - 6.1.1 Be responsible for managing the Disciplines within its boundaries subject to the strategic direction of Swim England and the Region.
  - 6.1.2 Observe, adopt, and enforce:
    - 6.1.2.1 Swim England Regulations and those of the Region within its jurisdiction; and
    - 6.1.2.2 follow and implement the resolutions and rulings of the Swim England Board, Swim England Council, and the Council and Management Board of the Region.
  - 6.1.3 Be accountable to the Region for the proper discharge of its duties and functions in relation to Regionalisation and in its role as a sub-regional body only.
  - 6.1.4 Initiate, implement, and maintain such plans based on the strategic criteria set by Swim England and the Region, and as appropriate to and considered in the best interests of the Association, in such form as Swim England and the Region may from time to time require.
  - 6.1.5 Make available to the Region such information and reports as it may require in the format specified by the Region.
  - 6.1.6 Elect the required number of delegates to the Annual Council Meeting or a Special Council Meeting held by the Region.
  - 6.1.7 Produce Constitutional Rules for the Association and operate on the basis of a standard constitution appropriate for an Association which shall:
    - 6.1.7.1 be issued and reviewed from time to time by Swim England and the Region;
    - 6.1.7.2 contain any mandatory provisions in respect of any parts of the governance and administration of the Association received from Swim England; and
    - 6.1.7.3 at the discretion of the Association, may contain recommended provisions in respect of other parts of the governance and administration of, and any other matter appertaining to, the Association received from Swim England and/or the Region.
- 6.2 In relation to the Administration and Finances of the Association, the Association:
  - 6.2.1 Shall have the authority to set a County element of the affiliation and membership fees due from each of the Clubs affiliated to the Association.
  - 6.2.2 With consideration to the strategic criteria set by the Region:
    - 6.2.2.1 determine, as appropriate to and in the best interests of the Association, the uses to which its funds are allocated;
    - 6.2.2.2 set up and implement a Business Plan including a budget indicating the source of the required funding and how it will be spent; and
    - 6.2.2.3 set up and implement a Development Plan.
  - 6.2.3 Enter into partnership agreements with appropriate bodies, organisations, and external agencies subject to approval by the Council.

- 6.2.4 No external organisation, association, committee, or body may:
  - 6.2.4.1 impose a charge upon the Association without a written request being made by such an organisation, association, committee or body for the prior approval and agreement by the Association; and
  - 6.2.4.2 the Association will not accept or be responsible for any costs, fees or debts incurred whatsoever by any organisation, association, committee or body without the written prior approval and agreement of the Association; and noting
  - 6.2.4.3 the aforementioned stipulations apply regardless of affiliation.
- 6.3 In relation to the Accountability of the Association, the Association shall:
  - 6.3.1 Record the financial transactions of the Association:
    - 6.3.1.1 in accordance with general accounting practice and in such manner as approved by the Council; and
    - 6.3.1.2 if the financial records are recorded by computer then backups shall be taken with a manual record.
  - 6.3.2 Keep accounts showing its income and expenditure against the budget set in its Business Plan and a balance sheet.
  - 6.3.3 Report annually to the Management Board of the Region in such form as it may from time to time require, and to its constituent Clubs in regard to:
    - 6.3.3.1 activities and any issues arising there from;
    - 6.3.3.2 expenditure of Swim England or Regional funding (if applicable);
    - 6.3.3.3 performance against its Development Plan.
  - 6.3.4 The financial records relating to the business of the Association and copies of Minutes of all Meetings of the Association shall be retained for a minimum period of six years.

## **7. Government**

- 7.1 There will be four levels of government of the Association:
  - 7.1.1 The County Association Council (hereinafter “the Council”);
  - 7.1.2 the County Association Executive (hereinafter “the Executive”);
  - 7.1.3 the Principal Officers of the Association;
  - 7.1.4 the Elected Secretaries and other elected post holders.
- 7.2 The Principal Officers of the Association shall be the President, the County Chairman, the County Secretary, and the Treasurer.
- 7.3 A person who is not a member of a constituent Club under its own Rules shall not be permitted to be nominated, elected, or appointed as an officer, committee member, administrator, co-ordinator, delegate, advisor or to any other position that carries the right to vote at any level of government of the Association.
- 7.4 In exceptional circumstances, and contingent upon neither the Council nor the Executive disposed to convene, an Emergency Management Board will be invoked to ensure continuance of the business of the Association.

## **8. The Council**

- 8.1 Composition
  - 8.1.1. Only persons who are members of Swim England shall be eligible to be members of the Council which, subject to the foregoing, shall be comprised of:
    - 8.1.1.1 the President;
    - 8.1.1.2 the President Elect;
    - 8.1.1.3 Vice-Presidents;
    - 8.1.1.4 Past Presidents (active members only);
    - 8.1.1.5 the Executive Officers;
    - 8.1.1.6 the Secretaries of the Committees;

- 8.1.1.7 the elected officers, representatives and delegates as defined in Annex A;
  - 8.1.1.8 the Welfare Officer; and
  - 8.1.1.9 the delegates of constituent Clubs elected in compliance with these Rules and based on numbers of registered members as defined in Annex A.
- 8.1.2 Fifteen of those members entitled to attend and vote shall form a quorum at any Meeting of the Council, and which shall include at least one Principal Officer.

## 8.2 Responsibility

The Council shall have responsibility of the governance of the Association and in so doing shall:

- 8.2.1 Deal with all matters of government according to the Rules of the Association.
- 8.2.2 Abide by the Standing Orders for its conduct.
- 8.2.3 Appoint at the Annual Council Meeting:
  - 8.2.3.1 the President, who shall be the retiring President Elect unless his resignation or death prevents it;
  - 8.2.3.2 the President Elect;
  - 8.2.3.3 the Executive Officers;
  - 8.2.3.4 secretaries of the Disciplines (together the "Elected Committees");
  - 8.2.3.5 representatives to the Region;
  - 8.2.3.6 a Welfare Officer;
  - 8.2.3.7 a Medical Adviser;
  - 8.2.3.8 a Legal Adviser;
  - 8.2.3.9 all other elected posts required for the business of the Association as defined in Annex A;
  - 8.2.3.10 representatives to other organisations (if applicable); and
  - 8.2.3.11 one or more Auditors or Independent Financial Examiners as required who shall not be a Principal Officer of, or members of the family of a Principal Officer of, the Association.
- 8.2.4 Oversee, monitor, and evaluate the work of the Executive and of the Elected and other Committees, and receive the reports, budgets, and accounts of those bodies on an agreed basis.
- 8.2.5 Consider and decide any proposed additions, alterations, or rescissions to these Rules.
- 8.2.6 Ensure that full and accurate Minutes of its Meetings are produced and retained for a minimum of six years.
- 8.2.7 In furtherance of these responsibilities, the Council shall:
  - 8.2.7.1 maintain appropriate channels of communication with Swim England, the Region, and its constituent Clubs and individuals; and
  - 8.2.7.2 discuss any matters that are deemed relevant and have the authority to pass resolutions or orders concerning those matters.

## 8.3 Powers

The powers of the Council shall include, but not be limited to:

- 8.3.1 Liaise with the Region on the consideration of the affiliation of Clubs to the Association through the Region.
- 8.3.2 Determine the strategies of the Association within the overall policies and plans agreed by the Council.
- 8.3.3 Set the annual fee (if there is to be one):
  - 8.3.3.1 for implementation on the 1 January of the ensuing year in accordance with the budget and recommendations of the Treasurer; and
  - 8.3.3.2 have the authority to remit the whole or part of the County affiliation fee payable by constituent Clubs if applicable.
- 8.3.4 Determine the authorised signatories of the financial accounts and authorise the Treasurer to make payment of remuneration, expenses, or grants for services to the Association received from any of the following:
  - 8.3.4.1 officers, committee members or other officials of the Association;
  - 8.3.4.2 other persons as agreed by the Council and/or Executive; and
  - 8.3.4.3 external agents as part of a partnership agreement.
- 8.3.5 Determine the terms of reference of:
  - 8.3.5.1 any office, representative or appointee;
  - 8.3.5.2 or sub-committee or working group of which the Principal Officers shall be ex

- 8.3.5.3 officio members unless the Council directs otherwise; and appoint and remove in accordance with Swim England Regulations officers who may be delegated specific powers, duties, and responsibilities; and
- 8.3.5.4 appoint a special committee to consider and report upon any matter, the number of members and quorum of the appointed committee to be determined by the Council; and
- 8.3.5.5 appoint and/or remove paid persons as staff; and
- 8.3.5.6 on the recommendation of the Executive elect as a Life Member an individual whose service to the Association justifies such recognition.
- 8.3.6 In regard to the routine business of the Association:
  - 8.3.6.1 authorise the Executive to establish and implement policy and procedure (hereinafter "By-Laws") and repeal and amend such By-Laws as may from time to time be considered necessary in the best interests of the Association to regulate the routine business of the Association; and
  - 8.3.6.2 at any Meeting of the Council, delegate the whole or any part of its powers to the Executive.
- 8.3.7 In regard to the Association Rules:
  - 8.3.7.1 determine any question arising as to the correct interpretation of any of those Rules, or any other question not herein provided for; and
  - 8.3.7.2 draw up and implement with immediate effect a change of the Constitutional Rules of the Association if in conflict with any addition or alteration to or deletion from the Rules of Swim England Regulations or the Region.
- 8.3.8 The Council shall have power to make regulations and to settle disputed points not otherwise provided for in this Constitution.
- 8.4 General Meetings
  - 8.4.1 The Council shall meet as often as it deems necessary or desirable for the good governance of the Association but not less than once per year save where the Council itself shall, by a simple majority, resolve not to meet.
  - 8.4.2 The President or Chairman and the County Secretary shall have discretion to call further Meetings of the Council if they consider it to be in the interests of the Association.
- 8.5 The Annual Council Meeting (hereinafter "ACM")
  - 8.5.1 The ACM shall be held in June at a venue, date and time as the Executive shall determine whereby members and constituent Clubs shall be given 28 days' notice of said Meeting; and
    - 8.5.1.1 the agenda for that Meeting;
    - 8.5.1.2 annual reports of the proceedings of the Association;
    - 8.5.1.3 the examined financial statement of the preceding year;
    - 8.5.1.4 nominations for election of officers and representatives; and
    - 8.5.1.5 any motions;
    - 8.5.1.6 shall be distributed not less than fourteen days prior to the date of said Meeting.
  - 8.5.2 The purpose of the ACM is to transact the following business:
    - 8.5.2.1 to receive and comment on the Annual Report of the activities of the Association during the previous year as presented by the County Secretary;
    - 8.5.2.2 to receive and comment on the Annual Reports of the Elected Committees and any other elected officers or representatives responsible for the activities of the Association during the previous year;
    - 8.5.2.3 to receive and consider the Accounts of the Association for the previous year, and the Annual Report of the Treasurer as to the financial position of the Association;
    - 8.5.2.4 to elect the President, the President Elect, the Executive Officers; and
      - 8.5.2.4.1 elect or appoint all other members of the Council as defined in Section 8.2 Responsibility, clause 8.2.3 of these Rules; and
      - 8.5.2.4.2 all of whom shall retire from office at the ACM each year, but shall be eligible for re-election;
    - 8.5.2.5 to elect a Life President, a Life Member, or other Honorary Members;
    - 8.5.2.6 to decide on any other resolutions that may be duly submitted in accordance

- with Section 8.10 Motions of these Rules; noting
    - 8.5.2.5.1 a motion of which due notice has not been given in accordance with these Rules may not be discussed unless determined by the Chairman in his absolute discretion to be a matter of emergency;
    - 8.5.2.7 to set and approve the annual affiliation fee.
  - 8.5.3 In exceptional circumstances, at the discretion and determination of an Emergency Management Board, an ACM:
    - 8.5.3.1 may be held by electronic conferencing; or
    - 8.5.3.2 deferred as necessary and until such time as a direct Meeting can be held.
- 8.6 Special Council Meeting (hereinafter “SCM”)
  - 8.6.1 The Council may on its own initiative call an SCM by a simple majority of those present and eligible to vote or shall call an SCM within twenty-one days of receiving a written request for a Special Meeting signed on behalf of at least ten different constituent Clubs, provided each signatory to the request is an officer of his Club.
  - 8.6.2 The venue, date, and time for such a Meeting shall be at the discretion of the Principal Officers and a notice convening the Meeting shall be given to constituent Clubs not less than fourteen days prior to the date of the SCM, which shall specify the object or objects of the Meeting.
  - 8.6.3 No business shall be discussed at such a Meeting other than that prescribed by the Council or that stated in the request, as the case may be.
- 8.7 Representation
  - 8.7.1 Each constituent Club shall be entitled to representation to the Council by delegates the number of which is defined in Annex A and each delegate shall be a bona fide member of his Club.
  - 8.7.2 A delegate shall be appointed by the Club he represents and the secretary of that Club, or other person so authorised, shall sign the delegate authorisation form supplied for the purpose as certification that the delegate is a bona fide member and duly appointed delegate of the Club.
  - 8.7.3 No Chairman or Vice Chairman of the Swim England Independent Disciplinary and Dispute Resolution Panel or the Swim England Independent Disciplinary and Dispute Resolution Appeals Panel may be appointed as a delegate of a Club at any Council Meeting.
  - 8.7.4 A delegate shall only be permitted one vote regardless of the number of Clubs he may represent.
  - 8.7.5 Proxy voting shall not be permitted at any Meeting of the Council.
- 8.8 Procedure at General Meetings:
  - 8.8.1 All business for an ACM or SCM shall be published in the agenda and no other business shall be reported, proposed, or discussed therein except:
    - 8.8.1.1 to record the name of the Chairman of the Meeting if he is not the elected Chairman or President;
    - 8.8.1.2 to record the name of the secretary of the Meeting, if other than the County Secretary;
    - 8.8.1.3 for adjournment;
    - 8.8.1.4 for leave to withdraw a motion;
    - 8.8.1.5 for a vote of thanks;
    - 8.8.1.6 for permission to withdraw.
  - 8.8.2 In the event a quorum is not present within thirty minutes of the published start time:
    - 8.8.2.1 a Meeting shall stand adjourned; and
    - 8.8.2.2 the County Secretary shall notify the date of the reconvened Meeting within a maximum period of one month.
  - 8.8.3 If a quorum is not present at the adjourned Meeting then those Council members attending may act for the purpose of calling a Special Meeting of the Council, to which the provisions as to the minimum notice shall not apply.
  - 8.8.4 Every Motion shall be proposed and seconded; whereby
    - 8.8.4.1 resolutions that emanate from the Executive shall be proposed by a member of the Executive; and



- 8.8.4.2 proposals that emanate from an Elected or other committee shall be proposed by the secretary of that committee and, if not a member of the Council, the proposal shall be made formally from the Chair immediately afterwards by the committee secretary.
  - 8.8.5 The Chairman may accept, without notice and at his discretion, verbal amendments that do not affect substantially the nature of the proposal under discussion and any amendment shall be disposed of before another amendment is considered.
  - 8.8.6 A proposal to change the Rules of the Association shall be carried only if at least two-thirds of those in attendance and eligible to vote are in favour.
  - 8.8.7 All other proposals, including amendments to proposals that effect a change to an Association Rule, shall require a simple majority of those members in attendance and eligible to vote.
  - 8.8.8 A member of the Executive or a constituent Club may:
    - 8.8.8.1 in writing and addressed to the County Secretary and/or verbally at the ACM;
    - 8.8.8.2 question or have discussed any item in the published minutes of the preceding ACM, any subsequent SCM, or the Annual Report, the Financial Statement, or any reports of the Elected and other committees.
  - 8.8.9 The Council may provide a member of the Executive or a constituent Club with:
    - 8.8.9.1 a written answer to a question posed prior to the relevant General Meeting in which case the member may, at his discretion, withdraw the question and the item in the report shall be dealt with as if the question had not been put; or
    - 8.8.9.2 the Chairman may at his discretion, or on request of the member or Club that had posed the question, disclose the contents of the written answer at the aforesaid Meeting for the information of the members of the Council.
  - 8.8.10 A Council Meeting shall not be open to the public and accordingly, except as provided in these Rules or with the permission of the Chairman, nobody except a member of the Council may take part in the business.
- 8.9 Nominations for election
- 8.9.1 Nomination forms for the election of all officers, representatives and members of the Council as defined in Annex A shall be returned to the County Secretary not later than 1<sup>st</sup> April prior to the ACM.
  - 8.9.2 The nomination form shall contain the signatures of the nominee, the proposer, and the seconder.
  - 8.9.3 Recommendations for Life Members shall be returned to the County Secretary not later than 1<sup>st</sup> April prior to the ACM.
- 8.10 Motions
- 8.10.1 The County Secretary shall receive all proposals for consideration at the ACM no later than 1<sup>st</sup> April prior to the ACM.
  - 8.10.2 A motion for consideration that does not embody a proposal to effect a change to the Constitutional Rules of the Association may be submitted by:
    - 8.10.2.1 the Executive; or
    - 8.10.2.2 a member of the Council; or
    - 8.10.2.3 a constituent Club; and
    - 8.10.2.4 shall be in accordance with clause 8.10.1 of these Rules.
  - 8.10.3 An amendment to a proposal that does not effect a change to the Constitutional Rules of the Association may:
    - 8.10.3.1 be proposed by any member of the Council, supported by another member as a seconder;
    - 8.10.3.2 in writing and addressed to the County Secretary prior to the Meeting and/or verbally at the ACM without prior indication of intent; and
    - 8.10.3.3 shall be disposed of before another amendment may be considered.
  - 8.10.4 A motion that does not embody a proposal to effect a change to the Constitutional Rules of the Association shall only be considered at an ACM if it has been distributed with the Agenda, except at the absolute discretion of the Chairman and as provided for in clause 8.5.1 of these Rules.
  - 8.10.5 A motion for consideration that embodies a proposal to effect a change to the Constitutional Rules of the Association shall:

- 8.10.5.1 be submitted in accordance with clause 8.10.1 of these Rules; and
- 8.10.5.2 shall only be considered at the ACM or an SCM called for that (and possibly other) purposes; and
- 8.10.5.3 in the first instance, be referred to the Association Rules Committee for consideration prior to the ACM or SCM; and
- 8.10.5.4 the Council shall, at the ACM or an SCM called for that purpose, consider, and decide only the principle and intention of the proposal; after which
- 8.10.5.5 the Rules Committee (or other appointed persons) shall draft the wording of the Rule(s) change(s) to implement the principles and intentions approved by the Council.
- 8.10.6 A proposal to change a Constitutional Rule of the Association shall only be considered at an ACM if:
  - 8.10.6.1 proposed by the Executive; or
  - 8.10.6.2 made by a committee appointed by the Council and appears in the Minutes of that committee which have been approved by the Executive; or
  - 8.10.6.3 made by a constituent Club in accordance with these Rules; and
  - 8.10.6.4 has been distributed with the Agenda, except as provided for in clause 8.5.1 of these Rules; whereby
  - 8.10.6.5 as a matter of urgency and having been approved by the Principal Officers and Rules Committee as a suitable matter for consideration, the proposal has been distributed to constituent Clubs at least ten days before the Meeting.
- 8.10.7 A proposal to change a Constitutional Rule of the Association shall only be considered at an SCM if it has been:
  - 8.10.7.1 included in the resolution or request for the Meeting; and
  - 8.10.7.2 referred to the Executive, unless emanating from that body; and
  - 8.10.7.3 the Executive shall indicate its support or opposition and may propose amendments, which shall be included in the agenda of the SCM.
- 8.10.8 Every motion to change a Constitutional Rule of the Association shall:
  - 8.10.8.1 be proposed and seconded separately; and
  - 8.10.8.2 open for discussion by any delegate with or without prior indication of intent.
- 8.10.9 An amendment to a proposal to change a Constitutional Rule of the Association may:
  - 8.10.9.1 be proposed by any member of the Council, supported by another member as a seconder; and
  - 8.10.9.2 shall be disposed of before another amendment is considered; and
  - 8.10.9.2 will be subject to referral to the Rules Committee before ratification.
- 8.10.10 Association Rule changes approved by the Council shall become effective immediately after the close of the Meeting or, where referral to the Rules Committee is required, on any other date agreed at the Council Meeting.
- 8.10.11 If any addition, alteration or rescission of a Swim England Regulation or a Regional Rule causes conflict with a County Rule, the Council shall immediately cause the County Rules to conform to the governing body.
- 8.10.12 Re-numbering of the Constitutional Rules shall be automatically effected.
- 8.11 Voting
  - 8.11.1 Each member present and entitled to vote shall have one vote with the exception of the Chairman, or acting Chairman, of that Meeting who shall have the casting vote in the event of an equality of votes.
  - 8.11.2 The County Secretary shall appoint two scrutineers, one of whom shall supervise the proper conduct of the scrutinising process and who shall:
    - 8.11.2.1 receive from each delegate his delegate authorisation form signed in accordance with these Rules; and
    - 8.11.2.2 being satisfied that the authorisation form has been fully completed, issue the delegate with a numbered delegate card and voting card(s) if required and shall retain the delegate authorisation form; and
    - 8.11.2.3 the delegate shall acknowledge receipt of the card(s) by signing his name in a register supplied for the purpose.
    - 8.11.2.4 An authorisation form not fully completed, or which is of doubtful validity, shall be referred to the Chairman for a decision on whether it is acceptable.
  - 8.11.3 Voting on all motions or amendments of motions that do not embody a proposal to effect

a change to the Constitutional Rules of the Association shall be by a show of hands unless the Chairman directs otherwise, whereby a simple majority of those present and eligible to vote shall pass said resolution.

- 8.11.4 Voting on all motions or amendments of motions that embody a proposal to effect a change to the Constitutional Rules of the Association shall be by a show of hands unless the Chairman directs otherwise, whereby a majority of two-thirds of those present and eligible to vote shall pass said resolution.
- 8.11.5 The Chairman shall appoint two tellers at the Meeting to count the votes and the Chairman shall announce the result of each ballot during the Meeting.
- 8.11.6 Any discrepancy or irregularity found after the conclusion of the Meeting shall be addressed by the Principal Officers who may disqualify votes the validity of which has been questioned. The revised result and the reasons for the disqualification of any vote shall be published and distributed to constituent Clubs.

## 9. The Executive

### 9.1 Composition

- 9.1.1 The Executive shall comprise the following, each of whom shall be a member of Swim England through membership of a Club affiliated to the Region:
  - 9.1.1.1 the President;
  - 9.1.1.2 the President Elect;
  - 9.1.1.3 Past Presidents (active members only);
  - 9.1.1.4 Life Presidents, Life Members, and other Honorary Members;
  - 9.1.1.5 the Executive Officers;
  - 9.1.1.6 the Secretaries of the Committees;
  - 9.1.1.7 elected officers, representatives and delegates as defined in Annex A;
  - 9.1.1.8 a Welfare Officer; and
  - 9.1.1.9 ONE delegate of constituent Clubs.
- 9.1.2 All members of the Executive shall be:
  - 9.1.2.1 not less than 18 years of age; and
  - 9.1.2.2 excepting extant Life Presidents and Life Members, be proposed, seconded, and elected by ballot at the ACM; and
  - 9.1.2.3 excepting Life Presidents and Life Members, shall remain in office for one year until their successors are elected at a subsequent ACM.
- 9.1.3 Retiring members of the Executive shall be eligible for re-election.
- 9.1.4 The Executive shall have the authority to:
  - 9.1.4.1 fill any vacancy that may occur during a term of office whereby such officer shall take office immediately and remain in office until the next ACM; and
  - 9.1.4.2 co-opt other persons for any specific purpose who may speak at Meetings of the Executive but may not vote.
- 9.1.5 The  
at any Meeting of the Executive shall consist of ten of those members entitled to attend and vote, and which shall include at least one Principal Officer.

### 9.2 Responsibility

- The Executive shall have responsibility for the management of the Association and in so doing:
- 9.2.1 The Chairman, the County Secretary, and the Treasurer (together the “Executive Officers”) shall be responsible for the routine business, finances, and day to day management of the Association; and
  - 9.2.2 the Executive shall be:
    - 9.2.2.1 accountable to the Council and report to the Council at such times and in such a form as the Council may require; and
    - 9.2.2.2 shall abide by the Standing Orders for its conduct.
  - 9.2.3 In furtherance of this responsibility, the Executive shall:
    - 9.2.3.1 liaise with the Region on the consideration of the affiliation of Clubs to the Association through the Region;
    - 9.2.3.2 determine the strategies of the Association within the overall policies and plans agreed by the Council and published by Swim England and the Region;

- 9.2.3.3 maintain appropriate channels of communication with the Region, Clubs, and individuals;
- 9.2.3.4 manage the Disciplines within the boundaries of the Association and subject to the strategic direction of the Region;
- 9.2.3.5 at its first Meeting after the ACM appoint the members of Elected Committees not elected by the Council as defined in Annex A, each of whom shall be a member of a constituent Club;
- 9.2.3.5 appoint any officers, managers, secretaries, and members of other committees not elected by the Council;
- 9.2.3.6 determine the terms of reference of any sub-committee or working group appointed by the Executive;
- 9.2.3.7 monitor and evaluate the work of the Elected and other Committees, and any other persons appointed to specific tasks, including the production of budgets, maintenance of full and accurate minutes of Meetings and reports of events and activities;
- 9.2.3.8 carry out any specific duty assigned by the Council;
- 9.2.3.9 report to Region and any external Partnerships at such times and in such format as may be required.
- 9.2.4 In regard to accountability, the Executive shall:
  - 9.2.4.1 Ensure that full and accurate Minutes of its Meetings are produced and retained for a minimum of six years.
  - 9.2.4.2 Maintain an Accident Book in which all accident at competitions, events, and activities under the jurisdiction of the Association shall be recorded; and
    - 9.2.4.2.1 shall be reported to the insurers in accordance with the Swim England Accident/Incident guidelines; and
    - 9.2.4.2.2 the Association shall make an annual return to the Swim England Membership Department indicating whether an entry has been made in the prescribed online form.

### 9.3 Powers

The powers of the Executive shall include, but not be limited to:

- 9.3.1 Recommend the annual affiliation fee (if there is to be one) in line with the budget.
- 9.3.2 Determine the authorised signatories of the financial accounts who shall be the Chairman, Secretary, Treasurer, and a maximum of two named persons who shall be co-opted by the Association.
- 9.3.3 Appoint (and remove in accordance with Swim England Regulations):
  - 9.3.3.1 officers to whom may be delegated specific powers, duties, and responsibilities; or
  - 9.3.3.2 a special committee to consider and report on any matter, the number of members and a quorum to be determined by the Executive; noting
    - 9.3.3.2.1 that if the Chairman of the Executive is a member of such a committee, he shall not be entitled by virtue of that office to be chairman of Meetings of that committee; and
  - 9.3.3.3 fill any vacancy occurring on the Executive.
- 9.3.4 Discharge, by a two-thirds majority of those voting, for any breach of and under the provisions of Swim England Regulations any unremunerated volunteer from any elected or appointed office or position, with the exception of the President, the President Elect and the Chairman, and appoint a replacement.
- 9.3.5 Discharge at its discretion an Elected Committee and appoint a new committee in its place.
- 9.3.6 Authorise the payment of expenses, bursaries, funding, and remuneration or grants for services to the Association received from any:
  - 9.3.6.1 Officer, Committee member or official of the Association;
  - 9.3.6.2 constituent Clubs or affiliated members; and
  - 9.3.6.3 other persons or bodies as agreed by the Principal Officers; noting
  - 9.3.6.4 elected members of the Association, its employees, agents, or any person duly appointed by the Association to act with its authority shall be paid expenses only when agreed with the Treasurer in advance of any such engagement for which expenses may be necessarily incurred through that membership or

- appointment by the Association.
- 9.3.7 Contract for services and products other than those covered by staff employed directly or indirectly by Swim England and the Region.
- 9.3.8 Make, repeal, and amend such By-laws as the Executive may from time to time consider necessary and in the best interests of the Association, which By-Laws shall have effect until set aside by the Executive or at a General Meeting.
- 9.3.9 Settle disputed points not otherwise provided for in this Constitution.
- 9.3.10 Determine any question arising as to the correct interpretation of any of these Rules, or any other question not herein provided for in these Rules.
- 9.4 Executive Meetings
- 9.4.1 The Executive shall meet as often as it deems necessary or desirable for the good management of the Association but not less than four times per year save where the Executive shall, by a simple majority, resolve not to meet.
- 9.4.2 The President or Chairman and the County Secretary shall have discretion to call further Meetings of the Executive if they consider it to be in the interests of the Association.
- 9.4.3 A Meeting of the Executive may be held by electronic conferencing at the discretion of the Principal Officers if considered to be in the interests of the Association.
- 9.5 Procedure
- 9.5.1 Executive Meetings shall be held at a venue, date and time as the Executive Officers shall determine and a notice convening each Meeting shall be distributed to constituent Clubs together with:
- 9.5.1.1 the agenda for the Meeting;
- 9.5.1.2 County business reports as submitted by the elected officers and Discipline secretaries; and
- 9.5.1.3 Regional business reports as submitted by representatives to the Region; whereby
- 9.5.1.4 not less than less than seven days' notice of the Meeting shall be given.
- 9.5.2 All business for an Executive Meeting shall be published in the agenda and no other business shall be reported, proposed, or discussed therein except for time-sensitive matters and at the discretion of the Chairman.
- 9.5.3 In the event a quorum is not present within thirty minutes of the published start time:
- 9.5.3.1 a Meeting shall stand adjourned; and
- 9.5.3.2 the County Secretary shall notify the date of the reconvened Meeting within a maximum period of one month.
- 9.5.4 If a quorum is not present at the adjourned Meeting, then those Executive members attending may act for the purpose of calling a Special Meeting of the Council, to which the provisions as to the minimum notice shall not apply.
- 9.5.5 Every motion shall be proposed and seconded and any amendment to a proposal shall be disposed of before another amendment is considered.
- 9.5.6 Each member present shall have one vote only, irrespective of the number of offices held by that individual.
- 9.5.7 Voting on all decisions of the Executive shall, unless the Chairman directs otherwise, be by a show of hands and a simple majority shall pass any resolution.
- 9.5.8 Proxy voting shall not be permitted at any Meeting of the Executive.
- 9.5.9 An Executive Meeting shall not be open to the public and accordingly, except as provided in these Rules or with the permission of the Chairman, nobody except a member of the Executive may take part in the business.
- 9.6 Emergency Management Board
- 9.6.1 An Emergency Management Board shall be invoked when Section 7 Governance, clause 7.4 of these Rules applies.
- 9.6.2 The Emergency Management Board shall comprise seven members incorporating:
- 9.6.2.1 the Principal Officers of the Association; and
- 9.6.2.2 the members of the Emergency Committee of the Association; noting
- 9.6.2.3 other elected postholders of the Association may be co-opted to assure the specified number of Board members; and
- 9.6.2.4 individuals may be invited to attend meetings where specific knowledge,

- expertise or skills are deemed necessary without power to vote.
- 9.6.3 The Emergency Management Board shall:
- 9.6.3.1 assume responsibility for the management of the Association as defined in Section 9.2 Responsibility of these Rules until such time as Meetings of the Executive can reconvene; and
  - 9.6.3.2 Meetings shall be held monthly; and
  - 9.6.3.3 the County Secretary or, in the absence of the County Secretary, a member of the Emergency Management Board shall take the minutes of Meetings.

## **10. Standing Orders of the Association**

- 10.1 Standing Orders to regulate the procedure and conduct of Association Meetings shall apply to General Meetings and all meetings of the Executive without exception.
- 10.2 The Chairman of a Meeting shall be the President of the Association. If he declines or is unable to act, or in his absence, the elected County Chairman shall act as Chairman. If he is also absent a Chairman shall be elected from the members present.
- 10.3 The Chairman, for the purpose of all Meetings, shall:
- 10.3.1 have unlimited authority upon every question of order; and
  - 10.3.2 Be the sole interpreter of the governing Rules; and
  - 10.3.3 In the event of an equality of votes, shall have the casting vote.
- 10.4 The County Secretary or, in the absence of the County Secretary, a member present and so delegated shall take the Minutes of the meeting.
- 10.5 Disorderly Conduct
- If a member, in the opinion of the Chairman, behaves irregularly, improperly, or offensively or intentionally disrupts the business of a Meeting, the Chairman may request the immediate discontinuance of that behaviour. Where behaviour considered disorderly the Chairman continues:
- 10.5.1 the Chairman shall ask the member to leave the room for the remainder of the meeting; and
  - 10.5.2 if the member does not comply, the Chairman or any member present may move "That the member named leaves the room and is excluded during the remainder of the meeting"; and
  - 10.5.3 if the motion to exclude a member is seconded, it shall be voted upon and determined without discussion whereby, if the motion is carried, the Chairman shall order the removal of the offending member from the room; and
  - 10.5.4 whether the offending member retires upon request or is removed, he shall be excluded from the remainder of the meeting.
  - 10.5.5 The ruling of the Chairman relating to disorderly conduct, or any consequent motion, and any other requirement or instruction of the Chairman to ensure the orderly debate and proper conduct of Association business shall be accepted without discussion by the members; and
  - 10.5.6 If misconduct is continued or there is a general disturbance making orderly business impossible, the Chairman shall adjourn the meeting for as long as he thinks necessary.
- 10.6 Business of Objectionable Nature
- If any business, subject, or issue raised is, in the opinion of the Chairman, of an objectionable or undesirable nature he may, either before or after it is introduced, put to the vote a motion that it be not heard. No discussion shall be entered into on the proposal by the Chairman and, where the vote is carried, the matter shall be considered discarded.
- 10.7 Any incidence or matters arising not encompassed within these Rules shall be dealt with at the discretion of the Chairman and whose decision shall be final and binding on the Meeting.

## **11. Finance**

- 11.1 Accounting
- 11.1.1 The financial year of the Association shall be the period commencing 1st January and ending 31st December to which date all Annual Reports and Accounts shall be completed by the relevant postholders; noting
- 11.1.1.1 any change to the financial year shall require the approval of the members at a General Meeting.
- 11.1.2 The Accounts of the Association will be inspected by an independent examiner or auditor as appropriate, and an annual financial report shall be presented at the ACM.
- 11.1.3 The Executive, following recommendation by the Treasurer, or in his absence the Emergency Committee, shall decide any changes in the Association banking arrangements.
- 11.1.4 The Treasurer shall have the authority to make financial decisions for routine management on behalf of the Association in consultation with, and by agreement of, the Executive Officers.
- 11.1.5 Payments due from the Association will be settled by cheque or Bankers Automated Clearing Services (BACS) as appropriate. In either case, two signatories of those authorised to do so will be required to sign or electronically authorise the due payment.
- 11.1.6 Any monies received on behalf of the Association will be promptly paid into a bank account in the name of the Association.
- 11.1.7 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:
- 11.1.7.1 Paid by way of bonus, dividend, donation, or profit to any member of the Association, constituent Club, or other individual or external agency or organisation save as for purposes specified in clause 9.3.6 of these Rules; or
- 11.1.7.2 devolved to individuals, sub-committees or an external agency or organisation; or
- 11.1.7.3 used for the purpose of underwriting activities or events that are responsibility of an external agency or organisation; and noting
- 11.1.7.4 the aforementioned stipulations apply regardless of affiliation.
- 11.2 Affiliation Fees
- 11.2.1 The annual affiliation fee for a Club, if applicable, shall be due on its affiliation to the Region and hence on being allocated to the Association and thereafter on 1<sup>st</sup> January of each year.
- 11.2.2 If an affiliation fee is to be charged by the County and collected by Swim England:
- 11.2.2.1 the Executive Officers shall notify Swim England and the Region of the fee due to the Association by no later than the date set by Swim England; and
- 11.2.2.2 the Treasurer shall make appropriate arrangements to receive from Swim England the specified County Affiliation fee for each constituent Club.
- 11.3 Indemnity
- 11.3.1 Members of the Executive shall be indemnified by the Association, and it shall be the duty of the Association to:
- 11.3.1.1 pay all costs, losses, and expenses that any such person may incur or for which he may become liable; by reason of
- 11.3.1.2 any contract entered into, or act or business done by him in good faith in the discharge of his duties; provided
- 11.3.1.3 that duty has been previously agreed with the Treasurer.
- 11.3.2 The President shall be paid expenses as determined and agreed by the Executive and which shall be reviewed on recommendation by the Executive Officers.
- 11.3.3 The Executive Officers shall be paid expenses necessarily incurred through that membership and appointment by the Association and in the undertaking of the business of the Association.
- 11.3.4 Any other elected member of the Executive or employee, agent or any person duly appointed by the Association to act with its authority shall be paid expenses only where agreed with the Treasurer in advance of engagement that expenses may be claimed and necessarily incurred through that membership or appointment by the Association.
- 11.4 Borrowing

- 11.4.1 Any decision to borrow money, the limits on such borrowing and those entitled to borrow on behalf of the Association shall be decided by the Council.
  - 11.4.2 The Council shall have no power to pledge the personal liability of any member of the Council for the repayment of any sums so borrowed.
- 11.5 Property
- 11.5.1 The property of the Association, other than cash at the bank, shall be vested in Custodians who shall deal with the property as directed by resolution of the Executive and entry in the Minutes shall be conclusive evidence of such a resolution.
  - 11.5.2 A Custodian shall be an officer or other postholder of the Association unless otherwise agreed by the Executive Officers and whose responsibility as a Custodian of the Association shall:
    - 11.5.2.1 be determined by resolution of the Executive Officers; and
    - 11.5.2.2 shall cease on resignation from that role or until removed from that role by resolution at a Meeting of the Executive.
  - 11.5.3 The names of the Custodians, the number of which shall be determined by the Executive Officers as deemed necessary, shall be reported annually to a Meeting of the Council and entry in the minutes of that Meeting shall be conclusive evidence of such appointment.
  - 11.5.4 The Custodians shall be entitled to an indemnity out of the property of Association for all expenses and other liabilities properly incurred by them in the discharge of their duties.

## **12. Suspension and Disciplinary Action**

### **12.1 Suspension**

A copy of the accounts of a constituent Club for the most recent financial year shall be supplied at the request of the Executive. The affiliation of a club failing to submit a copy of its accounts on request:

- 12.1.1 will be liable to suspension by the Regional Management Board; and
- 12.1.2 the Association shall automatically suspend any Club made the subject of a suspension imposed by the Region; whereby
- 12.1.3 any insurance arranged by Swim England, or the Region, will not provide cover for any Club or person relative to any incident occurring during the period of suspension.

### **12.2 Disciplinary Action**

- 12.2.1 The Executive may temporarily suspend or exclude an individual, Club or body from any competition, event, or activity under the jurisdiction of the Association when:
  - 12.2.1.1 in its opinion such action is in the best interests of the Association; or
  - 12.2.1.2 that individual, Club or body is in breach of the published Code of Ethics and/or Code of Conduct of the Association; or
  - 12.2.1.2 by reason of instruction or advisement by Swim England or the Region; and
  - 12.2.1.3 where such action is taken the complaint will thereafter be dealt with in accordance with Swim England Regulations or referred to Swim England or the Region as applicable.
- 12.2.2 In accordance with Swim England Regulations, the Association may initiate disciplinary action in relation to any of its constituent Clubs and the members thereof in respect of a breach of its own Rules provided:
  - 12.2.2.1 the Association shall adopt and comply with the relevant Judicial Regulations for handling Internal Club Disputes Procedures (“the Procedures”) as the same may be revised from time to time; excepting
  - 12.2.2.2 no sanction may be imposed unless the panel hearing the complaint shall by a two-thirds majority vote in favour of the sanction imposed upon the body or individual.

## **13. Dissolution**

- 13.1 A resolution to dissolve the Association shall only be proposed at a Special Council Meeting called for that purpose and shall be carried by a majority of at least four-fifths of the Council members present and eligible to vote.



- 13.2 The dissolution shall take effect from the date specified in the resolution and the Executive shall be responsible for the winding up of the assets and liabilities of the Association.
- 13.3 Any property remaining after the discharge of the debts and liabilities of the Association shall be distributed among the constituents Clubs in such proportions as the Clubs may mutually agree.

**DORSET COUNTY ASA CONSTITUTION**  
**Annex A**

**A1 ELECTION OF OFFICERS**

**A1.1 President/President Elect**

- A1.1.1 The Council shall accept and confirm the President Elect as President, who shall be recommended by the Executive, at the ACM with the post to be held for one year.
- A1.1.2 Persons eligible to vote shall be:
- A1.1.2.1 The President;
  - A1.1.2.2 Life Presidents;
  - A1.1.2.3 Life Members;
  - A1.1.2.4 Past Presidents (active members only);
  - A1.1.2.5 the Executive Officers;
  - A1.1.2.6 the Welfare Officer;
  - A1.1.2.7 the Committee Secretaries and Regional representatives;
  - A1.1.2.8 all other elected officers as defined in this Annex A Clause 1.2; and
  - A1.1.2.9 ONE delegate from each affiliated club; whereby
  - A1.1.2.1 those eligible to vote shall have only one vote regardless of the number of offices he may hold.
- 1.1.3 Nominations for a President/President Elect shall:
- A1.1.3.1 Only be accepted from affiliated Clubs or the Executive; and
  - A1.1.3.2 a club shall become eligible to nominate after two years from the Date of Affiliation; and
  - A1.1.3.3 the nominating club must have attended at least one-third of the preceding two years' Meetings of the Executive; and
  - A1.1.3.4 no nominations shall be accepted if that club has provided a President within the past three clear years; and
  - A1.1.3.5 no club shall be permitted to have successive Presidents; excepting
  - A1.1.3.6 in the event of an Executive nomination when the three-year and successive Presidents rulings shall not apply.
  - A1.1.3.7 The Executive reserves the right to make a nomination at one year's notice; and
  - A1.1.3.8 shall have the emergency power to extend the presidential term of the incumbent President according to the requirement of the Association; and
  - A1.1.3.9 by Executive nomination, shall have the power to approve a Past President for a second non-consecutive presidential term for the Association, unless Appendix A clause A1.5.2 applies.
- A1.1.4 Selection of the President Elect from nominees shall:
- A1.1.4.1 be by process of elimination votes; and
  - A1.1.4.2 with the nominee accruing the lowest number of votes eliminated at each stage until one nominee receives at least 51 per cent of the votes.
  - A1.1.4.3 The nominee is chosen, and it is not the Club's right to choose.

**A1.2 County Officers and Elected Posts**

The Council shall duly elect and confirm the following post holders at the ACM, with each post to be held for one year:

- A1.2.1 Executive Officers (Chairman, Treasurer and County Secretary);
- A1.2.2 Emergency Committee (three elected members);
- A1.2.3 Rules Committee Secretary;
- A1.2.4 Discipline Secretaries (Swimming Secretary, Masters Secretary, Open Water Secretary,

- A1.2.5 Diving Secretary, Artistic Swimming Secretary and Water Polo Secretary); Competitions Officers (Inter-County Competitions Secretary, County Competitions Secretary; Officials Secretary and County Hazard & Risk Assessment Advisor for pool swimming);
- A1.2.6 Development Officers (Development Administrator, County Officials Training & Development Coordinator, Assistant County Officials Training & Development Coordinator);
- A1.2.7 Disability Liaison Officer; and
- A1.2.8 Other posts required for County business (Press Officer, Trophy Administrator, Volunteers Coordinator and Website Administrator).
- A1.2.9 County Officers and Elected Posts shall submit an annual report to the Council, which shall be circulated to members of the Council as per clause 8.5 of these Rules.
- A1.2.10 County Officers and Elected Posts shall submit a report to each Meeting of the Executive, which shall be circulated to members of the Executive as per clause 9.5 of these Rules.

### **A1.3 Regional Representatives**

- A1.3.1 The Council shall duly elect Regional Representatives to the Region at the ACM in accordance with posts specified annually and authorised by the Region.
- A1.3.2 The remit of Regional Representatives is advisory; Regional Representatives do not have the authority to make, agree to or implement decisions on behalf of the Association without prior agreement of the Association.
- A1.3.3 Regional Representatives shall submit a report to each Meeting of the Executive, which shall be circulated to members of the Executive as per clause 9.5 of these Rules.

### **A1.4 Appointments**

The Council shall appoint a Child Protection Officer (Welfare Officer) at the ACM, who must not be less than 18 years of age, who should have an appropriate background, and who is required to undertake appropriate training in accordance with Wavepower.

### **A1.5 Past Presidents**

- A1.5.1 The President shall retire annually, and his name be placed on the list of Past Presidents with the power to vote at all Council and Executive Meetings.
- A1.5.2 A Past President failing to attend one Meeting of the Executive during a year will be deemed inactive and shall:
  - A1.5.2.1 lose his seat on the Executive at the discretion of the Executive, except in the case of illness; and
  - A1.5.2.2 a Past President so disqualified may apply to the Executive for reinstatement in which case a two-thirds majority of the members eligible to vote shall be required.
- A1.5.3 A Past President shall not be eligible for re-election as President but shall:
  - A1.5.3.1 remain a member of the Executive provided Clause 1.5.2 does not apply and unless objected to at an ACM; and
  - A1.5.3.2 is rejected by a majority of at least four-fifths of those eligible to vote.

### **A1.6 Business**

The County Secretary or delegated agent of the Association shall:

- A1.6.1 Within ten days of a Meeting of the Council, forward to the Regional Administration Office an official report of the proceedings for confirmation or otherwise; and
- A1.6.2 provide the names and contact details of the Principal Officers and Regional Delegates or Representatives for the current year; and
- A1.6.3 a list of Clubs belonging to this Association with the name and contact details of the secretary of each club.

### **A1.7 Affiliated Clubs**

The voting rights of an affiliated club at an ACM or SCM shall be determined by the membership of that club as follows:

- A1.7.1 Up to 100 members      One delegate
- A1.7.2 Up to 200 members      Two delegates
- A1.7.3 Up to 400 members      Three delegates

A1.7.4	Over 400 members	Four delegates
A1.7.5	Associations	One delegate

## **A2 ELECTED COMMITTEES**

### **A2.1 Responsibilities**

- A2.1.1 Each Committee shall normally meet at least twice a year. Meetings may be held by electronic conferencing at the discretion of the Committee.
- A2.1.2 The Principal Officers shall be ex-officio members of all committees with power to vote.
- A2.1.3 The remit of all Elected Committees is advisory; Elected Committees do not have the authority to make, agree to or implement decisions on behalf of the Association without prior agreement of the Association.
- A2.1.4 Secretaries of Committees shall submit Minutes of a Meeting to the Executive within 28 days, which shall be circulated to members of the Executive not less than seven days prior to a Meeting of the Executive.
- A2.1.5 Minutes not circulated as per Clause A2.1.4 may not be discussed at a Meeting of the Executive except for time-sensitive matters at the discretion of the Chairman.

### **A2.2 Emergency Committee**

- A2.2.1 The Emergency Committee shall comprise seven members, with three of that number to be members of different Clubs together with the Principal Officers.
- A2.2.2 The Emergency Committee shall:
  - A2.2.2.1 attend to matters deemed urgent and/or contentious; and
  - A2.2.2.2 consider and decide any protests referred to them through or by a constituent Club or by an official or member of the Association; provided
  - A2.2.2.3 the matter to be addressed is within the County and/or over which the Association has jurisdiction.
- A2.2.3 All decisions of the Emergency Committee shall be final except in so far as there may be a right of appeal to Swim England or to the Region.
- A2.2.4 The procedures of the Emergency Committee, and in governing protests if applicable, shall be as laid down by Swim England Regulations.
- A2.2.5 In the absence of an Emergency Committee, the Principal Officers shall assume responsibility for arising issues, with the authority to co-opt additional members with special knowledge of an issue, as necessary.

### **A2.3 Rules Committee**

- A2.3.1 The Rules Committee shall:
  - A2.3.1.1 comprise not less than three and not more than five members with that number to include the Rules Secretary; and
  - A2.3.1.2 shall have the power to co-opt any Association member, as necessary.
- A2.3.2 The remit of the Rules Committee is:
  - A2.3.2.1 to advise the Executive on all aspects of Rules revisions; and
  - A2.3.2.2 to advise the Executive on any necessary interpretation of existing Rules and to amend and clarify those Rules where necessary; and
  - A2.3.2.3 to maintain a watching brief over Association Rules and those of its constituent Clubs to ensure compliance with the requirements of relationships with Swim England and the Region.
- A2.3.3 In the absence of a Rules Committee, the Principal Officers shall assume responsibility for arising issues, with the authority to co-opt additional members, as necessary.

### **A2.4 Swimming Technical Committee ("STC")**

- A2.4.1 The Swimming Technical Committee shall:
  - A2.4.1.1 comprise eight members with five to form a quorum and that number to include by right of election to that post: The Swimming Secretary, Inter-County Competitions Secretary, County Competitions Secretary, Masters Secretary and Officials Secretary; and
  - A2.4.1.2 appoint a chairman at the first Meeting; and
  - A2.4.1.3 the Committee shall report directly to the Executive.

- A2.4.2 The remit of the Swimming Technical Committee is advisory and:
  - A2.4.2.1 to submit recommendations on matters related to pool swimming to the Executive; and
  - A2.4.2.2 recommend County representatives for the discipline to Region; and
  - A2.4.2.3 recommend team managers and chaperones to the Executive; and
  - A2.4.2.4 appoint a sub-committee to select swimmers to represent the County the members of which need not be members of the STC but, if appointed, membership of the sub-committee does not imply membership of the STC.
- A2.4.3 In addition, the Swimming Technical Committee is responsible for:
  - A2.4.3.1 the organisation of the County Championships for pool swimming, with changes to the historic format only by approval of the Executive; and
  - A2.4.3.2 implementing a County Competition Programme for pool swimming; and
  - A2.4.3.3 the appointment of officials for those events; and
  - A2.4.3.4 to initiate and administer development activities for the discipline with the approval of the Executive.

**A2.5 Swimming Technical Committee sub-committee: Dorset Coaches Panel**

- A2.5.1 The Dorset Coaches Panel is a sub-committee of the STC and as such shall report directly to the STC.
- A2.5.2 The Dorset Coaches Panel shall:
  - A2.5.2.1 comprise of all coaches of affiliated Clubs who wish to attend; noting
  - A2.5.2.2 each club represented shall have one vote irrespective of the number of delegates from that club; and
  - A2.5.2.3 shall appoint a chairman and secretary at the first Meeting.
- A2.5.3 The remit of the Dorset Coaches Panel is advisory and:
  - A2.5.3.1 to submit recommendations on the County Competition Programme to the STC; and
  - A2.5.3.2 ensure compliance with current Swim England guidelines for competition; and
  - A2.5.3.3 to submit recommendations for development of pool swimming.

**A2.6 Open Water Committee**

- A2.6.1 The Open Water Committee shall:
  - A2.6.1.1 comprise the Open Water Secretaries, or their nominees, of all Clubs within the County that have an open water swimming section with three to form a quorum and that number to include the County Open Water Secretary; and
  - A2.6.1.2 appoint a chairman at the first Meeting; and
  - A2.6.1.3 the Committee shall report directly to the Executive.
- A2.6.2 The remit of the Open Water Committee is advisory and:
  - A2.6.2.1 to submit recommendations on matters related to open water swimming to the Executive; and
  - A2.6.2.2 recommend County representatives for the discipline to Region; and
  - A2.6.2.3 recommend team managers and chaperones to the Executive; and
  - A2.6.2.4 to select open water swimmers to represent the County.
- A2.6.3 In addition, the Open Water Committee is responsible for:
  - A2.6.3.1 providing assistance in the organisation of the County Open Water Championships; and
  - A2.6.3.2 to initiate and administer development activities for the discipline with the approval of the Executive.

**A2.7 Diving Committee**

- A2.7.1 The Diving Committee shall:
  - A2.7.1.1 comprise the Diving Secretaries, or their nominees, of all Clubs within the County that have a diving section with three to form a quorum and that number to include the County Diving Secretary; and
  - A2.7.1.2 appoint a chairman at the first Meeting; and
  - A2.7.1.3 the Committee shall report directly to the Executive.
- A2.7.2 The remit of the Diving Committee is advisory and:
  - A2.7.2.1 to submit recommendations on matters related to diving to the Executive; and
  - A2.7.2.2 recommend County representatives for the discipline to Region; and

- A2.7.2.3 recommend team managers and chaperones to the Executive; and
- A2.7.2.4 to select divers to represent the County.
- A2.7.3 In addition, the Diving Committee is responsible for:
  - A2.7.3.1 the organisation of the County Diving Championships and appointment of officials for that event, with changes to the historic format only by approval of the Executive; and
  - A2.7.3.2 to initiate and administer development activities for the discipline with approval of the Executive.

## **A2.8 Artistic Swimming Committee**

- A2.8.1 The Artistic Swimming Committee shall:
  - A2.8.1.1 comprise the Artistic Swimming Secretaries, or their nominees, of all Clubs within the County that have an artistic swimming section with three to form a quorum and that number to include the County Artistic Swimming Secretary; and
  - A2.8.1.2 appoint a chairman at the first Meeting; and
  - A2.8.1.3 the Committee shall report directly to the Executive.
- A2.8.2 The remit of the Artistic Swimming Committee is advisory and:
  - A2.8.2.1 to submit recommendations on matters related to artistic swimming to the Executive; and
  - A2.8.2.2 recommend County representatives for the discipline to Region; and
  - A2.8.2.3 recommend team managers and chaperones to the Executive; and
  - A2.8.2.4 to select players to represent the County.
- A2.8.3 In addition, the Artistic Swimming Committee is responsible for:
  - A2.8.3.1 the organisation of the County Artistic Swimming Championships and appointment of officials for that event, with changes to the historic format only by approval of the Executive; and
  - A2.8.3.2 to initiate and administer development activities for the discipline with the approval of the Executive.

## **A2.9 Water Polo Committee**

- A2.9.1 The Water Polo Committee shall:
  - A2.9.1.1 comprise the Water Polo Secretaries, or their nominees, of all Clubs within the County that have a water polo section with three to form a quorum and that number to include the County Water Polo Secretary; and
  - A2.9.1.2 appoint a chairman at the first Meeting; and
  - A2.9.1.3 the Committee shall report directly to the Executive.
- A2.9.2 The remit of the Water Polo Committee is advisory and:
  - A2.9.2.1 to submit recommendations on all matters related to water polo to the Executive; and
  - A2.9.2.2 to recommend County representatives for the discipline to Region; and to recommend team managers and chaperones to the Executive; and
  - A2.9.2.3 to select teams and players to represent the County.
- A2.9.3 In addition, the Water Polo Committee is responsible for:
  - A2.9.3.1 the organisation of the County Water Polo Championships, with changes to the historic format only by approval of the Executive; and
  - A2.9.3.2 implementing a County League and league competitions where possible; and
  - A2.9.3.3 the appointment of officials for those events; and
  - A2.9.3.4 to initiate and administer development activities for the discipline with approval of the Executive.

## **A2.10 Development Committee**

- A2.10.1 The Development Committee shall:
  - A2.10.1.1 comprise of nine members with five to form a quorum and to include in that number: the Development Administrator, the Volunteers Coordinator, the sub-committee secretary from each facet of the sport (swimming, open water swimming, artistic swimming, diving, and water polo), the Disability Liaison Officer and a representative for Education; and
  - A2.10.1.2 appoint a chairman at the first Meeting; and

- 2  
 A2.10.1. the Committee shall report directly to the Executive.  
 3  
 A2.10.1. Where the representative of a facet fails to take up a place on this committee  
 4 the Executive shall nominate a member to ensure full participation and comprehensive discussion.
- A2.10.2 The remit of the Development Committee is advisory and:  
 A2.10.2. to submit recommendations on all matters related to development to the  
 1 Executive; and  
 A2.10.2. update the annual Development Plan and submit to the Executive for approval  
 2 prior to the start of the new financial year; and  
 A2.10.2. to keep accounts of all development finances together with all applications for  
 3 funding, whether approved or not, and of appropriate grants received; and  
 A2.10.2. ensure compliance to the correct procedures.  
 4

### **A3 General Regulations**

#### **A3.1 County Association Award**

- A3.1.1 An Association Award shall be given to competitors who have represented the Association at three separate fixtures as swimmers, open water swimmers, Masters swimmers, para/disability swimmers, divers, artistic swimmers, or water polo players.
- A3.1.2 Where direct representation of the County is not attainable, the Association Award may be conferred at the discretion of the Executive on the relevant sub-committee.
- A3.1.3 In addition, the Executive shall have the power to confer an Association Award to whosoever they consider merits such recognition and for which confirmation shall be by a straight vote with at least two-thirds of those eligible to vote to approve.

Chairman: R Honeybun

Signed:

Date: 3 June 2021