

CENTRAL LANCASHIRE SWIMMING AND WATER POLO ASSOCIATION CONSTITUTIONAL RULES

1. NAME

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

2. DEFINITION

- 2.1. The Association shall be based on an area defined by a geographical radius of 20 miles from Rochdale Town Hall, which falls within the ASA North West Region.

3. AIMS

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

4. OBJECTS

- 4.1. In the furtherance of the aims of the Association the following objectives shall be undertaken:-
 - 4.1.1. The Association is committed to treat everyone equally within the context of their activity regardless of age, sex, ethnic origin, religion, disability or political persuasion.
 - 4.1.2. The Association shall implement the ASA equal opportunities policy.
 - 4.1.3. All members and clubs 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 Safeguarding procedures and those parts of the ASA Judicial Laws, Regulations and procedures necessary for their implementation.
 - 4.1.4. All members and clubs affiliated to the Association whilst engaged in activities under the jurisdiction of the Association shall be subject to all the constraints and privileges of the ASA Judicial Laws.

- 4.2. The Association shall be affiliated to the Lancashire County Water Polo and Swimming Association and shall adopt and conform to the rules of that Association and such other bodies as the Association may determine from time to time.
- 4.3. The business and affairs of the Association shall at all times be conducted in accordance with the Laws and Regulations of the ASA and the Judicial and Technical Rules of the Amateur Swimming Association ("ASA Laws") and in particular:
 - 4.3.1. All members of the Association shall be members of a club affiliated to the Association.
 - 4.3.2. All competing members shall be eligible competitors as defined in ASA Laws.
 - 4.3.3. All competitors shall comply with the Championship conditions of the Association and the ASA.
 - 4.3.4. Members of the Association shall, in accordance with ASA Laws, comply with the ASA Child Safeguarding Procedures.
- 4.4. To promote and develop the aquatic disciplines through the implementation of Partnership agreements with appropriate bodies, organisations and external agencies.
- 4.5. By virtue of the affiliation of the Association to Lancashire County Water Polo and Swimming Association the Association and all members of the Association acknowledge that they are subject to the laws and rules of:
 - 4.5.1. Lancashire County Water Polo and Swimming Association.
 - 4.5.2. ASA North West Region
 - 4.5.3. The Amateur Swimming Association (to include the ASA/loS Code of Ethics).
 - 4.5.4. British Swimming (to include in particular the British Swimming Doping Control Rules and Protocols and British Swimming Disciplinary Code).
 - 4.5.5. FINA, the world governing body for the sport of swimming in all its disciplines' (together "the Governing Body Rules").
- 4.6. In the event there shall be a conflict between any rule or by-law of the Association and any of the Governing Bodies then the relevant Governing Body Rule shall prevail.

5. POWERS AND RESPONSIBILITIES OF THE ASSOCIATION

- 5.1. In general the Association shall:-
 - 5.1.1. Manage the sport of swimming throughout the Association subject to the strategic direction of the ASA, the ASA North West Region and the Lancashire County Water Polo and Swimming Association.

- 5.1.2. Observe, obey and enforce the laws, the judicial laws and the technical rules of the ASA, the ASA North West Region and the Lancashire County Water Polo and Swimming Association within its jurisdiction.
- 5.1.3. Follow and implement the resolutions and rulings of the ASA Council, the ASA Board, the decisions of the ASA North West Region and of the Lancashire County Water Polo and Swimming Association and ensure they are followed within its jurisdiction.
- 5.1.4. Be accountable to the ASA, the ASA North West Region and the Lancashire County Water Polo and Swimming Association for the proper discharge of its duties and functions.
- 5.1.5. Produce, maintain and implement such plans based on strategic criteria set by the ASA, the ASA North West Region and the Lancashire County Water Polo and Swimming Association and in such form as they may from time to time require.
- 5.1.6. Make available to the ASA, the ASA North West Region and the Lancashire County Water Polo and Swimming Association such information and reports as they may require, at a time and in a format specified.
- 5.1.7. Elect the requisite number of delegates to the Lancashire County Water Polo and Swimming Association Council Meeting and any Special Council Meeting and to any other body, organisation or association to which the Association is affiliated as required.
- 5.1.8. Produce and issue as required Constitutional Rules for the Association and operate on the basis of an appropriate constitution which shall:-
 - 5.1.8.1. Be issued and reviewed from time to time by the ASA and the ASA North West Region.
 - 5.1.8.2. Contain any mandatory provisions in respect of any parts of the governance and administration of the Association received from the ASA, the ASA North West Region and/or the Lancashire County Water Polo and Swimming Association.
 - 5.1.8.3. Contain recommended provisions in respect of the other parts of the governance of and administration and any other matter appertaining to the Association received from the ASA, the ASA North West Region and the Lancashire County Water Polo and Swimming Association.
- 5.1.9 Have the power to expel a member when, in its opinion, it would not be in the interests of the Association for the club, to remain a member.
- 5.1.10 Comply with the requirements and procedures of the ASA Judicial Laws and Regulations for handling internal disputes as the same may be revised from time to time.

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

5.2.1. Determine the uses to which its funds are allocated within the strategic criteria set by the ASA, the ASA North West Region, the Lancashire County Water Polo and Swimming Association and the Association.

5.2.2. As required, set up and implement a Business Plan including a budget indicating the source of the required funding and how it will be spent, based on the strategic criteria set by the ASA, the ASA North West Region, the Lancashire County Water Polo and Swimming Association and the Association.

5.2.3. As required, set up and implement a Development Plan based on the strategic criteria set by the ASA, the ASA North West Region, the Lancashire County Water Polo and Swimming Association and the Association.

5.2.4. Have the authority to set the Association affiliation and membership fees due from each of the clubs, bodies, associations and organisations affiliated to it.

5.2.5. Administer, as required the operation and membership process and the collection and transfer, where applicable, of fees for the Association.

5.3. In relation to its Accountability the Association shall:-

5.3.1. As required, from time to time, submit any Business and Development Plans that may have been produced, to the Lancashire County Association and the ASA North West Region or its nominated agent(s) for information and approval.

5.3.2. Keep accounts showing its income and expenditure and a balance sheet.

5.3.3. As required report to the Lancashire County Water Polo and Swimming Association and/or the ASA North West Regional Management Board, in such a form as it may from time to time require on:

5.3.3.1. Its activities and any issues arising there from.

5.3.3.2. Its Financial Statements.

6. AFFILIATION AND MEMBERSHIP

6.1. The total membership of the Association shall not normally be limited. If however the Council considers that there is a good reason to impose any limit from time to time the Council shall put forward appropriate proposals for considerations at an Annual or a Special meeting of the Council of the Association. The members of the Council shall have the right to recommend that limits should be placed on or removed from total membership, or any category of membership.

- 6.2. Applications for membership can be made by all clubs affiliated to the ASA North West Region and to either Lancashire County Water Polo and Swimming Association or Cheshire County Water Polo and Swimming Association within a radius of 20 miles of Rochdale Town Hall.
- 6.3. An application for Affiliation to this association shall be limited to one application per year from any individual club. The Secretary shall circulate the notice of the application to all affiliated clubs at least 21 days prior to the Council meeting at which the application is to be considered. Election to membership shall be approved by at least a majority of two thirds of those present and voting.
- 6.3.1. The annual subscription to be paid before the end of January, any club wishing to withdraw from the Association shall give notice in writing to the Association Secretary prior to the Annual General Meeting or be liable for the current year's subscription.
- 6.3.2. A late payment fee shall be payable for all fees not received by the end of January.
- 6.4. The Association shall affiliate:
- 6.4.1. Those clubs who are affiliated to the ASA and to the ASA North West Region who satisfy the conditions of Rule 6.2.
- 6.4.2. Individuals granted temporary membership by virtue of their participation in a specific event organised by the Association in conjunction with a club under the conditions of ASA law on temporary membership.
- 6.4.3. Individuals holding named positions within the Association. The holders of individual named positions shall be members of an affiliated organisation and shall be not less than 18 years of age.
- 6.4.4. Individuals who have been granted life membership or honorary membership of the Association. Such members must be members of an affiliated club.
- 6.5. The Annual Council meeting may, as it thinks fit, elect Life Member for services rendered to the Association on a recommendation received from a General Council meeting. (15.4.6)

7. SUSPENSION AND RESIGNATION

- 7.1. Any organisation, not having paid its annual return of membership to the ASA, as required, and suspended by the ASA shall not be allowed to take part in any activities of the Association for the period of the suspension in accordance with ASA Laws and Regulations.
- 7.2 Any organisation not having paid its annual return of club fees to the Association by the 31st March shall be suspended with immediate effect by the Council, from all Association activities, until such time as those liabilities are discharged. The Secretary of the Association shall notify the club in writing.

- 7.3. A club wishing to resign from the Association shall give notice in writing to that effect before the Association's Annual General Meeting to the Secretary or it shall be held responsible for its Association affiliation fee for the subsequent year.
- 7.4. A member's resignation shall only take effect when agreed by the Council and there is no outstanding financial commitment or disciplinary action against the club or other organisation and Rule 8.4 has been complied with.

8. EXPULSION AND OTHER DISCIPLINARY ACTION

- 8.1 If a complaint or dispute that involves a breach of ASA Law is received by the Association, it shall be submitted to the Amateur Swimming Association for consideration under the Judicial Laws and Regulations of the ASA.
- 8.2. In the case of an internal dispute the Association shall adopt and comply with the requirements and procedures of ASA Judicial Rules and Regulations for handling all internal disputes as the same may be revised from time to time.
- 8.3 The Council shall have the power to expel an individual member, club, body, organisation, association or league when, in its opinion, it would not be in the interests of the Association to retain the membership of the individual member, club, body, organisation, association or league. The Association in exercising this power shall comply with the provisions of Rule 8.2 above and Rule 8.4 below.
- 8.4 Upon expulsion the former member shall not be entitled to have any part of the annual membership fee or any other fees refunded and must return any Association trophy or trophies held forthwith.
- 8.5 A member may not be expelled or, subject to Rule 8.6 below, be made the subject of any other penalty unless the panel hearing the dispute shall by a two-thirds majority vote in favour of the expulsion, or other penalty imposed upon the member
- 8.6 The officers of the Association, or any other person to whom the Council shall delegate this power, may temporarily suspend or exclude a member from particular activities of the Association, when in their opinion, such action is in the interests of the Association. Where such action is taken the incident or matter will be dealt with in accordance with the appropriate Judicial Laws and Regulations.
- 8.7 The Officials in charge of a particular event shall be responsible for the discipline at that event. If further action is required this is to be referred to the Internal Disputes procedures as laid down in ASA Judicial Laws and Regulations.
- 8.8. For a breach of its own rules the Association may:
 - 8.8.1. Apply sanctions to an individual member or affiliated organisation relating to activities wholly within its own jurisdiction up to and including suspension from any or all of them.
 - 8.8.2. Expel, disqualify or apply any other penalty or sanction upon any individual member or affiliated organisation by a majority the approval of two-thirds of

those present and voting at any special meeting, provided:

8.8.2.1. It informs the individual member or the affiliated organisation of the alleged offence;

8.8.2.2. Notice of such expulsion or disqualification or other penalty or sanction is given on the notice calling the meeting.

8.8.2.3. The accused is invited to attend to speak, to call witnesses and to question witnesses called against them. Another person to assist in presenting the defence may accompany the member.

8.8.2.4. Not less than 14 days notice of the meeting is given to the accused by the Secretary, in writing, stating the time, date and venue of the meeting and the details of the alleged offence.

8.9. An individual member or an affiliated organisation has a right of appeal against the decision of a disciplinary hearing to the ASA North West Region.

8.10. If the alleged offence is a breach of ASA Law; the Association shall not deal with it, but shall make a complaint to the ASA under the Judicial Laws and Rules of the ASA.

8.11. If a complaint is to be made or is received by the Association expressing dissatisfaction with the actions or behaviour of an individual member or an affiliated organisation, it shall be submitted to the ASA for consideration under the Judicial Laws of the ASA.

9. FINANCE

9.1. The financial year of the Association shall be the period commencing on 1st November and ending on 31st October. Any change to the financial year shall require the approval of the members in a General Meeting.

9.2. The Council shall, as it sees fit, decide the amount of the annual affiliation fee and any other fees for the next operating year.

9.3. The annual affiliation fee for each club shall be due on joining the Association and thereafter on 1st January of each year.

9.4. All monies payable to the Association shall be received by the Treasurer and deposited in a bank account in the name of the Association. No sum shall be drawn from the account except by cheque signed by two of the three designated signatories who shall be the Secretary, Treasurer and one other nominated officials.

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

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

- 9.7. The Council shall have the power to set the level of payment of remuneration and expenses to any officer, member, employee or other such person for services rendered to the Association.
- 9.8. The members of Council shall be indemnified by the members of the Association against all liabilities properly incurred by them in the management of the affairs of the Association,

10. GOVERNANCE

- 10.1. There shall be four levels of governance of the Association
- 10.1.1. The Annual Council
 - 10.1.2. The Council
 - 10.1.3. The Standing Technical Committees and Working Groups
 - 10.1.4. The Emergency Committee
- 10.2. A person who is not a member of a club affiliated to the Association shall not be permitted to be nominated, elected or appointed as a delegate, council member, committee member, Officer, Co-ordinator, Advisor or to any other position that carries the right to vote at any level of governance.

11. OFFICERS

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

12. COUNCIL

- 12.1. The Council of the Association shall consist of:
- 12.1.1. The President
 - 12.1.2. President Elect
 - 12.1.3. The Life Members of the Association
 - 12.1.4. The Vice Presidents
 - 12.1.5. The Secretary
 - 12.1.6. The Treasurer
 - 12.1.7. The Hon Age Group Organiser
 - 12.1.8. The Jubilee Swimming League Organiser
 - 12.1.9. The Senior Swimming League Organiser
 - 12.1.10. The Intermediate Swimming League Organiser
 - 12.1.11. The Junior Swimming League Organiser
 - 12.1.12. The Welfare Officer
 - 12.1.13. The Web Site Contact
 - 12.1.14. The Trustees
 - 12.1.15. The delegates of affiliated clubs
 - 12.1.16. The Swimming Official's Organiser
 - 12.1.17. The Volunteer Officer
 - 12.1.18. The delegates of affiliated clubs, bodies, associations, organisations and leagues

All such members of Council shall be members of an affiliated club, organisation, association or league affiliated to the Association and hence of the ASA.

12.2. Representation to Council

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

12.3. Delegates

12.3.1. A delegate shall be appointed by the club they represent.

12.3.2. The Secretary of the club or other person authorised so to do, shall notify the Secretary of the Association that the delegate is a bona fide member of that club and has been duly appointed a delegate to any Meeting of the Council.

12.3.3. A delegate shall only be permitted one vote, irrespective of the number of clubs they may represent.

12.3.4. Proxy voting shall not be allowed at any Meeting of the Council.

13. RESPONSIBILITIES OF COUNCIL

13.1. The Council shall have the responsibility to:

13.1.1. Deal with all matters of governance according to the rules of the Association.

13.1.2. Oversee the work of the Officers, other appointed positions and working groups and to receive their reports and accounts.

13.1.3. Abide by the standing orders for its conduct.

13.1.4. Consider and make recommendations to the Annual Council meeting on any proposed additions or alterations to, or deletions from the constitutional rules.

13.1.5. Keep full and accurate minutes of its meetings.

13.1.6. Determine the time, date and venue of the Annual Council Meeting.

13.1.7. Publish an Association Handbook and shall make copies available to each affiliated club, and one copy available to each other affiliate organisation, council officer and life member.

13.2. The Council may:

13.2.1. Discuss any matters that are relevant and pass resolutions and orders concerning them.

13.2.2. Appoint a special committee, working group or individual to consider and report upon any matter. The number of members of the committee or working group and the quorum shall be determined by the Council. The Officers shall be ex officio members of any such committee or working group unless the Council dictates otherwise.

13.3 By-laws

- 13.3.1. The council shall have the power to make, repeal and amend such by-laws as they from time to time consider necessary for the well being of the Association which By-laws, repeals and amendments shall have effect until set aside by Council or a General meeting.

14. MEETINGS OF THE COUNCIL

14.1. Frequency of meetings

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

14.2. Chair

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

14.3. Secretary

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

15. ANNUAL MEETING OF THE COUNCIL

- 15.1. The Annual Council meeting of the Association shall be held in January. The date time and venue of the Annual Council Meeting shall be decided by the members present and voting at the October Council Meeting

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

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

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

15.4.1. To receive and comment on the Annual Report of the Activities of the Association during the previous year as presented by the Chairman.

15.4.2. To receive and consider the accounts of the Association for the previous year, the report on the accounts by the independent Financial Examiner and the Treasurers report as to the financial position of the Association.

15.4.3. To elect the following, each of whom shall be a member of a club, affiliated to the Association and shall be not less than 18 years of age:

15.4.3.1. The President.

15.4.3.2. President Elect

15.4.3.3. Life Members (as appropriate 15.4.6)

15.4.3.4. Not more than six Vice Presidents

15.4.3.5. The Secretary

15.4.3.6. The Treasurer

15.4.3.7. The Hon Age Group Organiser

15.4.3.8. The Jubilee Swimming League Organiser

15.4.3.8. The Senior Swimming League Organiser

15.4.3.10. The Intermediate Swimming League Organiser

15.4.3.11. The Junior Swimming League Organiser

15.4.3.12. Two Trustees

15.4.3.13. The Trophy Controller

15.4.3.14. The Web Site Secretary

15.4.3.15. The Officials' organiser

15.4.3.16. The Volunteer Organiser

15.4.4. A delegate to the Lancashire County Water Polo and Swimming Association and to other organisations to which the Association is affiliated, as required.

15.4.5. To appoint the following, each of whom shall be a member of a club, affiliated to the Association and shall be not less than 18 years of age.

15.4.5.1. An independent Financial Examiner, who shall not be a member of the Council or a member of the family of a member of the

Council.

15.4.5.2. A Welfare Officer. who

15.4.5.2.1 shall be not less than 18 years of age,

15.4.4.2.2 should have an appropriate background and who is required to undertake appropriate training in accordance with ASA Child Safeguarding courses.

15.4.5.2.3 shall have a right to attend meetings of the Council, and its sub committees, without the power to vote.

15.4.5.2.4 shall not be an Officer, a Committee member, a Team Manager or another Association Co-ordinator or a member of the family of an officer, Committee member, Team Manager or Co-ordinator

15.4.5.2.5 shall report to the Council on all aspects of welfare concerning members of the Association.

15.4.6. Make a recommendation to the Annual Council meeting to elect as a Life Member an individual whose services to the Association would justify such recognition.

15.4.6.1 All nominations for life membership of the association to be forwarded to the Association Secretary, prior to the November Council meeting in order that the sub committee may make recommendations whether the name of the nominee is to be put forward to the December Council meeting.

15.4.6.2 The criteria for life membership are:-

15.4.6.2.1 To have given outstanding service to the association for 10 years or more,

15.4.6.2.2 Seniority of the person to be taken into consideration,

15.4.6.3 The sub-committee to comprise the following positions unless the post holder is subject to nomination

The President	The President Elect
Hon Secretary	Hon Treasurer

15.4.6.4 If any member of the sub-committee is subject to nomination for Life Membership they shall be excluded from membership of the sub-committee for the purpose of the meeting(s) and shall be replaced by any existing Life Member selected by the Officers of the Association independently of the individual so nominated.

15.4.7 If (a majority of) two-thirds of those present and voting is in favour of a motion to the effect that a club affiliated to the Association has rendered itself unworthy to continue to be affiliated to the Association invoke the provisions of Rule 8 to seek approval to expel the club from membership of the Association.

15.4.8 At the Annual Council meeting or at any other Council meeting delegate the whole, or any part of its powers, to a sub- committee, working group or an individual.

15.4.9. To decide on changes to the Constitutional Rules.

15.4.10. To decide on any other resolutions that may be duly submitted in accordance with Rule 17.1 and Rule 17.3.

16. SPECIAL MEETINGS OF THE COUNCIL

16.1. A Special Meeting of the Council shall be called at any time by:

16.1.1. A resolution of the Council carried at any meeting of the Council;

16.1.2. An order of the Annual Council meeting;

16.1.3. A requisition in writing, received by the Secretary, signed by not less than seven different members entitled to attend and vote at The General Meeting. The request shall state the purpose for which the meeting is required and the resolutions proposed.

16.1.4 A special meeting can be called at any time by the Committee

16.2. The Secretary shall call a Special Meeting of Council within twenty-eight days of the receipt of a requisition to call the meeting.

16.3. The Secretary shall give not less than fourteen days notice of a Special meeting to all affiliated clubs. The notice shall specify the time, date and venue of the meeting along with the object of the meeting and any resolutions or proposals to be considered at the meeting. The date, time and venue of the meeting shall be at the discretion of the Officers of the Association.

16.4. No business shall be discussed at such a meeting other than that prescribed by a meeting of the Council, the Annual Council meeting or that stated in the request for the meeting, as the case may be.

17. PROCEDURES AT COUNCIL MEETINGS

17.1. Presentation of Proposals and Resolutions:

17.1.1. The relevant Officer shall propose any Resolutions that emanate from the Council.

17.1.2. Resolutions that emanate from a Sub Committee, working group or a delegate shall be proposed by a member of the Sub Committee, working group or the delegate while those that emanate from a standing order shall be proposed by a member of Council.

17.1.3. If the proposer is not a member of Council the proposal shall be made formally from the Chair and immediately afterwards the proposer shall be

allowed to speak in support of the resolution.

17.1.4. Any amendment shall be disposed of before another amendment is considered.

17.1.5. The Chair may accept, without notice, verbal amendments that do not affect substantially the nature of the proposal under discussion.

17.1.6. All nominations, resolutions and proposals are to be given to the Secretary in writing.

17.2. Business of the Meeting

17.2.1. All business for an Annual Council Meeting or of a Special Council Meeting shall be printed on the agenda and no other motion shall be discussed therein except:-

17.2.1.1 To record the name of the Chair of the meeting, if other than the President.

17.2.1.2. To record the name of the Secretary of the meeting, if other than the Secretary.

17.2.1.3. For adjournment.

17.2.1.4. For leave to withdraw a motion.

17.2.1.5. For a vote of thanks.

17.2.1.6. For permission to withdraw.

17.3. Motions

17.3.1. Every motion shall be proposed and seconded.

17.3.2. A proposal to change Constitutional Rules of the Association shall be carried only if at least two-thirds of those present and voting are in favour. All other proposals, including amendments to proposals to change a Constitutional Rule of the Association or otherwise, shall require a simple majority of those members present and voting.

17.3.3. A proposal for consideration at the Annual Council Meeting which does not embody a proposal to change a Constitutional Rule of the Association may be submitted.

17.3.3.1. By a member of Council

17.3.3.2. By a club affiliated to the Association.

17.3.4. In all cases where multiple nominations are received for the same office a secret ballot will be held at the Annual Council Meeting.

17.3.5. Nominations for election to the position of Life Member shall be made to the Annual Council Meeting by a proposer and seconder on the

recommendation of Council.

17.3.6. A motion of which due notice has not been given may not be discussed or voted upon unless sanctioned by the Chair and two-thirds of the members present and voting and provided it does not involve a change to the constitutional Rules of the Association.

17.3.7. Approval of the Annual Report other than those items where due notice has been given to amend, add or reject, shall be proposed en block by the Chair and put to the vote without debate.

17.4. Voting

17.4.1. Voting on elections shall be by select ballot and any ballot paper containing more votes than the number required shall be void.

17.4.2. The Chair shall appoint two tellers to count the votes from persons present at the meeting. Tellers must not be members of the Council.

17.4.3. Completed voting papers shall be collected by the tellers as directed by the Chair.

17.4.4. The result of each ballot shall be announced by the Chair during the meeting and the Chair shall indicate the number of votes cast for each candidate and the number of spoiled ballot papers.

17.4.5. Any discrepancy or irregularity found after the conclusion of the meeting shall be dealt with by the Council which may disqualify votes with validity of which it is not satisfied. The revised result and the reasons for the disqualification of any vote shall be published and circulated to affiliated clubs.

17.4.6. Unless the Chair directs otherwise, voting on all motions or amendments shall be by a show of hands or delegates cards.

17.4.7. Each member present and entitled to vote, with the exception of the Chair, or acting Chair for that meeting, shall have one vote and a simple majority shall pass any resolution.

17.4.8. In the event of an equality of votes the Chair, or acting Chair for that meeting, shall have a casting vote.

17.5. Quorum

17.5.1. The quorum for the Annual Council Meeting or a Special Meeting of Council shall be 4 people entitled to attend and vote at the meeting, which must include not less than one officer of the Association.

17.5.2. The quorum for a Council Meeting shall be 4 people entitled to attend and vote at the meeting, which must include not less than one officer of the Association.

18. CHANGES TO ASSOCIATION CONSTITUTIONAL RULES

- 18.1. Any proposal to change a Constitutional Rule of the Association shall only be considered at the Annual Council Meeting or at a Special Council Meeting called for that purpose. The Council shall consider and decide only the principles and intention of the proposal. The Council shall appoint a group of people to draft the wording of the changes to the Rules to implement the principles and intentions approved by the Council.
- 18.2. The Council shall approve the changes to the Rules and submit them where necessary to the ASA North West Region for its consideration and approval.
- 18.3. Any changes to the Constitutional Rules of the Association shall become effective upon approval by the ASA North West Region Management Board or at a specified later date as determined by the Council.
- 18.4. A proposal to change a Constitutional Rule of the Association shall only be considered at a meeting of the Annual Council if it has been:-
 - 18.4.1. Recommended by the Council at a meeting before 1st November and appears in the minutes of that meeting.
 - 18.4.2. Submitted in writing, by a club affiliated to the Association and has reached the Association Honorary Secretary not less than 21 days before the date of the Annual Council meeting in accordance with Rule 15.2.
 - 18.4.3. Made as a matter of urgency, approved by the Council, sent to the clubs affiliated to the Association at least ten days before the Council Meeting and approved as a suitable matter for consideration by Council by at least two-thirds of the delegates voting.
 - 18.4.4. Mandated by a change to either ASA Law or the Rules of the ASA North West Region.
 - 18.4.5. Included in the resolution or request for a Special Meeting of Council.
 - 18.4.6. Referred to the Annual Council or Special Council, unless emanating from it. The Council shall indicate its support or opposition and may propose amendments, which shall be included on the agenda of the Annual Council or Special Council Meeting.
 - 18.4.7. Included on the agenda of the Annual Council or Special Council Meeting.
- 18.5. Every proposal to change a Constitutional Rule of the Association and/or amend it shall be proposed and seconded separately and shall be open for discussion by any delegate with or without prior indication of intent.
- 18.6. An amendment to any proposal to change a Constitutional Rule of the Association may be proposed by any member of Council, supported by another member as a seconder.
- 18.7. 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 change shall be notified to the next Annual Council Meeting following the change of Rule.

19. INDEPENDENT FINANCIAL EXAMINERS

19.1. An independent Financial Examiner shall be appointed at the Annual Council Meeting who shall examine the statement of accounts and the balance sheet each the year and shall certify the same before they are presented to the membership.

19.2 The Financial Examiner shall, if appropriate, present a report to the Annual Council meeting on the financial affairs of the Association and may make recommendations for further action.

20. AGE GROUP COMMITTEE

20.1. The duties of the committee shall be to organise and control the Age Group Competitions, including the Inter Association and the Warburton Galas, plus any other duties delegated to the Committee by the Council.

20.2. The Association Secretary shall be a member of the Age Group Committee and shall act as its Secretary.

20.3. The Committee shall consist of the President, President Elect, Hon Secretary, Hon Treasurer, Age Group Organiser, Swimming Officials Organiser, and Volunteer Officer.

20.4. The minutes of the Committee Meetings shall be read at the following Council Meeting for approval or comment.

21. DEVELOPMENT COMMITTEE

21.1. This Committee to have the power to deal with all matters of development.

21.2. The duties of the Committee shall ensure a structure for the delivery and monitoring of the Associations Development Plan.

21.3. To initiate development work in all aspects of Association activities.

21.4. To monitor agreed development schemes.

21.5. To explore funding for development work.

21.6. To report and advise the Council on all matters relating to development.

21.7. The Committee to consist of the President, President Elect, Hon Secretary, Hon Treasurer and Vice Presidents.

21.8 The Secretary has the power to call a joint meeting of the Age Group Committee and the Development Committee at any time.

22 THE LIFE MEMBER SUB COMMITTEE

The life member committee shall consist of

- 22.1 The President,
- 22.2 The President Elect,
- 22.3 The Secretary,
- 22.4 The Treasurer,
- 22.5. Four members shall form a quorum
- 22.6. Duties and Responsibilities

22.6.1 Make a recommendation to the December Council meeting to propose as a Life Member an individual whose services to the Association would justify such recognition. As in 15.4.6.

23. EMERGENCY COMMITTEE

23.1. The Emergency Committee shall comprise:

- 23.1.1. The President
- 23.1.2. The President Elect
- 23.1.3. Hon Secretary
- 23.1.4. Hon Treasurer
- 23.1.5. Trustees
- 23.1.6. Age Group Organiser
- 23.1.7. Organisers of the Swimming league Competitions
- 23.1.8 Welfare officer (refer to 15.4.5.2.3)

23.2. Quorum

- 21.2.1. Four members shall form a quorum

23.3. Duties and Responsibilities

23.3.1. The Duties of the Emergency Committee shall be to deal with all matters referred to it by the Council or by an officer of the Association if it arises between the meetings of the Council.

23.3.2. All decisions and actions taken by the Emergency Committee on behalf of the Association shall be reported to the next available Council meeting and shall be recorded in the minutes of the meeting.

23.3.3. The President, if in attendance, shall Chair the meeting. If the President is not available or declines to chair the meeting a Chair shall be selected by and from the members present.

23.3.4. The Secretary of the Association shall take the minutes of the meeting. If the Secretary is not available a person shall be elected by and from the members present to take the minutes.

24. CHAMPIONSHIP CONDITIONS

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

25. INTERPRETATIONS OF RULES

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

26. TROPHIES

- 26.1. All trophies belonging to the Association shall be perpetual.
- 26.2. The winner of an Association Perpetual trophy shall give a guarantee of safe keeping and return to the Trophy Controller.

27. COMPETITIONS REPRESENTING THE ASSOCIATION

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

28. DISSOLUTION

- 28.1. A resolution to dissolve the Association shall only be proposed at a Council Meeting and shall be carried by a majority the approval of at least three-quarters of the members present and entitled to vote. A specific date for the dissolution shall be included in the resolution.
- 28.2. The dissolution shall have effect from the date specified in the resolution and the trustees shall be responsible for the winding-up of the assets and liabilities of the Association.
- 28.3. Any property remaining after the discharge of the debts and liabilities of the Association shall be given to a charity or charities (or other non-profit making organisation) having aims and objectives similar to those of the Association for the furtherance of such aims and objectives as determined by the last Council.