

# CONSTITUTION AND RULES

(as adopted on 9 May 2016)

## General

### **1 Definitions:**

- 1.1 "ASA" shall mean Amateur Swimming Association.
- 1.2 "The Sport" shall mean all or any of the sports of swimming, open water swimming, diving, synchronised swimming and water polo.
- 1.3 "Swimmer" shall include diver, synchronised swimmer and/or water polo player unless the context indicates to the contrary.
- 1.4 "The County" shall mean the area covered by the ceremonial County of Gloucestershire, which covers the county of Gloucestershire, and the unitary authority areas of Bristol and South Gloucestershire.
- 1.5 "The South of the County" shall mean the unitary authority areas of Bristol and South Gloucestershire and "the North of the County" shall mean the County of Gloucestershire.
- 1.6 "The Association" shall mean the Gloucester County Amateur Swimming Association.
- 1.7 "Club" shall mean any affiliated club or associated organisation (as defined in ASA laws) within the Association.
- 1.8 "The Officers" shall mean the President, the Honorary Treasurer and the Honorary Secretary for the time being of the Association.
- 1.9 "Chairman" shall mean the person appointed or elected to chair the meeting at that time.
- 1.10 Words importing the masculine gender shall include the feminine and vice versa.
- 1.11 Words of the singular shall include the plural and vice versa.

### **2 Name and Constitution**

- 2.1 The Association shall be called the Gloucester County Amateur Swimming Association and it shall consist of Clubs based in the County which shall have been directed to the County by ASA South West Region (or its predecessor) and which have been accepted by majority vote of the County Executive Meeting.

### **3 Objects of the Association**

- 3.1 The objects of the Association shall be to:
  - 3.1.1 Promote the teaching and practice of swimming, open water swimming, diving, synchronised swimming and water polo.
  - 3.1.2 Raise public awareness of the Sport and stimulate public opinion in favour of providing proper accommodation and facilities.
  - 3.1.3 Create, publish and enforce uniform laws for the control and regulation of swimming, open water swimming, diving, synchronised swimming and water polo championships and competitions within its own area in accordance with the law, rulings and conditions of ASA, of ASA South West Region and of the Association.

### **4 Duties of the Association**

- 4.1 The Association shall:
  - 4.1.1 Abide by and enforce the laws, rules, resolutions and rulings of the ASA and ASA South West Region within the County.
  - 4.1.2 Institute and promote County Championships and County Age Group, Masters and Open Competitions.
  - 4.1.3 Remove from office or appointment, or suspend from any activity within the jurisdiction of the Association, any officer or appointee of the Association against whom a complaint has been upheld by

- a Judicial Tribunal of ASA having regard to the penalty ordered by the Judicial Tribunal of the ASA. Any such decision shall require a majority in favour of two-thirds of those present and voting. (*Syntax*)
- 4.2 Anything not provided for in these rules shall be governed by ASA Laws, ASA South West Region Rules or resolutions of ASA South West Region Council.

## **5 Amendments to Rules**

- 5.1 Amendments to the Rules of the Association can only be made at a General Meeting.
- 5.2 Proposals to amend the Rules of the Association may be put forward by the Executive Committee, the Rules Committee or a member Club of the Association.
- 5.3 Any proposal to amend the Rules shall be sent to the Honorary Secretary in writing no less than 28 clear days before the date of the Annual General Meeting and shall appear on the agenda for the meeting

## **6 Indemnity**

- 6.1 The Officers shall be indemnified out of the property of the Association against all liability, cost and expense arising out of the reasonable and proper performance by them of their duties and obligations as such Officers but not further or otherwise.

## **7 Affiliation Fees**

- 7.1 All affiliated clubs and associations shall pay the appropriate affiliation fees and subscriptions in accordance with current ASA, ASA South West Region and Association rules.
- 7.2 An affiliation fee is payable by each Club to the Association to further the activities of the Association. It shall be payable by 31 March in each year and be based on the membership shown in the Club's accounts at its previous year end.

## **8 Expenses**

- 8.1 There shall be paid to the President each year as a matter of course, an Honorarium of such sum as the first meeting of the Executive Committee after the Annual General Meeting shall decide.
- 8.2 The Officers, Honorary Managers of the Association and appointed delegates shall be entitled to all reasonable travel and out of pocket expenses incurred in relation to the affairs of the Association.
- 8.3 The Honorary Secretary, the Honorary Treasurer and the Trophy Controller shall be entitled to all reasonable travelling expenses to all Association competitions and events attended by them.
- 8.4 Other expenses shall be paid at the discretion of the Officers.
- 8.5 All claims for expenses shall be made to the Honorary Treasurer in writing and as he may reasonably require. They shall be submitted by not later than 1<sup>st</sup> March in any year.

# **Meetings and Committees**

## **9 Annual General Meeting**

- 9.1 This shall be held in the month of May each year
- 9.2 The AGM shall elect the following Association officers, managers, representatives and committees:
- President (nomination being every 2 years alternating from the North and the South)
  - President Elect (nomination being every 2 years alternating years from the North and the South)
  - Honorary Secretary
  - Honorary Treasurer
  - County Welfare Officer
  - Trophy Controller
  - Honorary Manager for Swimming Age Groups and Championships
  - Honorary Manager for Speed Swimming
  - Honorary Manager for Open Water
  - Honorary Manager for Water Polo
  - Honorary Manager for Synchronised Swimming
  - Honorary Manager for Masters' Swimming

- Honorary Manager for Disability Swimming
  - Honorary Manager for Swimming Officials
  - Honorary Legal Adviser
  - Independent Financial Adviser
  - Emergency Committee (two members and two substitute members)
  - Rules Committee (two members)
- 9.3 The AGM shall nominate representatives to ASA South West Region committees and bodies, as required by current ASA South West Region rules and not otherwise covered by these Rules.
- 9.4 In every seventh year (or as the Rules of ASA South West Region may require) the AGM shall nominate for the position of President of the ASA South West Region.
- 9.5 The Honorary Treasurer shall present for adoption the past year's Accounts of the Association, and the Annual Financial Examiner's Report on these Accounts made up to 31 March past. The Meeting shall consider this information. The Treasurer shall advise the Meeting of the current financial position of the Association.
- 9.6 The amount of the Association affiliation fee for the next year shall be decided.
- 9.7 The affairs of the Association shall be considered and such resolutions for its management proposed as may be considered necessary.
- 9.8 Resolutions for consideration shall be submitted in writing so as to reach the County Honorary Secretary no less than 28 clear days before the date of the meeting. Each must be proposed by a Club and seconded by another Club unless proposed by the Executive.
- 9.9 Nominations for all the positions to be filled shall be submitted in writing so as to reach the Honorary Secretary no less than 28 clear days before the date of the meeting. Each must be proposed by a Club and seconded by another Club and include confirmation that the nominee has signified his consent to stand for the position. Where more than one such valid nomination is received for any position there will be an election by ballot of those attending and entitled to vote. In default of any valid written nomination for any position, oral nominations may be accepted from the meeting so long as the consent of each such nominee is also provided.
- 9.10 Only delegates of Clubs as specified below together with present Officers of the Association and eligible Past Presidents shall be entitled to vote; all those entitled to vote must be over the age of 16. The number of delegates entitled to vote shall be according to the number of Club members recorded by ASA South West Region for the purpose of payment of affiliation fees in the current year and shall be as follows:

Associations	1 delegate
Clubs not exceeding 50 members	1 delegate
Clubs exceeding 50 members but not exceeding 100 members	2 delegates
Clubs exceeding 100 members but not exceeding 200 members	3 delegates
Clubs exceeding 200 members	4 delegates

## **10 Extraordinary General Meeting**

- 10.1 An Extraordinary General Meeting shall be called:
- 10.1.1 Within 21 days of receipt of a written request specifying the reason for requiring such a meeting, from at least 5 Clubs.
- 10.1.2 Following a majority request from a County Executive Meeting.
- 10.2 The Honorary Secretary shall give to all those entitled to attend and vote at least 14 days' notice of the meeting and its purpose.
- 10.3 The meeting may deal only with the matters specified in such notice.
- 10.4 Entitlement to vote shall be the same as at an Annual General Meeting.

## **11 Executive Committee**

- 11.1 The responsibility for management of the Association shall be in the hands of its Executive Committee.

- 11.2 The Executive Committee shall comprise :
1. The Officers (The President, The Honorary Secretary, The Honorary Treasurer)
  2. The President Elect
  3. All Discipline Managers
  4. The Trophy Controller
  5. Hon Manager for Swimming Officials
  6. All representatives of the Association to ASA South West Region Standing Committees,
  7. Past Presidents of the Association
  8. 2 delegates appointed by each Club who shall be notified to the County Hon Secretary within 28 days following that year's election of posts at the AGM. Such delegates shall stand until the following AGM and may be substituted (temporarily or permanently) only by the management of the delegating club.
  9. 1 delegate from each affiliated association that is not a Club
  10. The Administrator of ASA South West Region shall be an ex officio member
- 11.3 Any Past President failing to attend at least one meeting of the Executive Committee during the 12 months following an Annual General Meeting shall lose his right to vote at any General Meeting or Executive Committee meeting.
- 11.4 Any Past President disqualified from voting at any General Meeting or Executive Committee meeting may apply in writing to this Committee for re-instatement, any such application requiring to be approved by a majority of at least two-thirds of those present and voting.
- 11.5 The Executive Committee shall:
- 11.5.1 Transact all business and exercise control over the affairs of the Association.
  - 11.5.2 Delegate authority to properly appointed committees, sub-committees, managers and officials.
  - 11.5.3 Receive and approve, if agreed or with amendment, reports and proposals from Officers, Discipline Managers and any additional committees that the Executive may appoint.
  - 11.5.4 Fill any vacancies that may remain from the Annual General Meeting or that may arise during the course of the year amongst those elected at the Annual General Meeting.
  - 11.5.5 Consider requests for affiliation which must be approved by a majority of at least two thirds of those present and voting to be granted.
  - 11.5.6 Appoint as the occasion may arise, special Sub-Committees who shall report on any subject referred to them.
  - 11.5.7 Nominate candidates for appointment to the ASA South West Region Emergency Committee and specialists for ASA South West Region standing sub-committees.
  - 11.5.8 Appoint technical officials to any County list of approved officials and to nominate appropriate technical officials for inclusion on any relevant Regional List.
  - 11.5.9 Award Association badges at its discretion.

## 12 Standing Committees

- 12.1 The **Emergency Committee** shall:
- 12.1.1 Consist of 2 elected members together with the Officers and two substitute members either of whom may act if an elected member is for any reason unable to do so.
  - 12.1.2 Be convened as necessary by the Honorary Secretary at the request of any Officer.
  - 12.1.3 Be empowered to deal with all such emergencies as cannot await the next Executive or Committee meeting.
- 12.2 The Emergency Committee may invite the attendance of other additional members of the County specialising in the discipline of the Sport concerned but they shall not have power to vote.
- 12.3 The **Rules Committee** shall on behalf of the Association:
- 12.3.1 Examine the rules of all clubs and associations applying for affiliation or of any Club seeking to change its rules to ensure their compliance with ASA Laws and any other mandatory requirements of the ASA Recommended Club Constitution.
  - 12.3.2 Advise the Executive Committee on any dispute concerning Club rules.
  - 12.3.3 Keep under review the Rules of the Association and advise the Executive Committee on any changes that may be necessary to comply with ASA Laws, ASA South West Region Rules or as it may consider desirable.

# Roles & Responsibilities

## **13 The President**

13.1 The President shall be:

- 13.1.1 An *ex officio* member of all Association Committees and Sub-Committees.
- 13.1.2 Entitled to vote at all such meetings he attends.

## **14 The President Elect**

14.1 The President Elect shall:

- 14.1.1 Be entitled to vote at General Meetings and at meetings of the Executive Committee.
- 14.1.2 Be an *ex officio* member of all Association Committees and Sub-Committees.
- 14.1.3 Not be entitled to vote at such meetings unless he shall also be an elected member of such Committee or Sub-Committee.

## **15 The Honorary Treasurer**

15.1 The Honorary Treasurer shall:

- 15.1.1 Account to the Association for all monies received and paid by or on behalf of the Association.
- 15.1.2 Prepare and present a budget or financial forecast for the following year to the last Executive Committee Meeting before the Annual General Meeting.
- 15.1.3 Be trustee of the Association's trophies.
- 15.1.4 Submit to the Honorary Treasurer of ASA South West Region such monies as he receives on behalf of ASA South West Region.
- 15.1.5 Represent the Association on the Finance Sub-Committee of ASA South West Region.
- 15.1.6 Be an *ex officio* member of all Association Committees.
- 15.1.7 Be entitled to vote at all meetings of Committees he attends.

## **The Honorary Secretary**

15.2 The Honorary Secretary shall:

- 15.2.1 Give at least 14 days notice of all General Meetings to all those entitled to attend and vote.
- 15.2.2 Give at least 7 days notice of all Executive Committee meetings to all those entitled to attend and vote.
- 15.2.3 Within 14 days of any meeting of the Executive Committee send to the Administrator of ASA South West Region a report of such meeting for confirmation or otherwise by ASA South West Region Management Committee.
- 15.2.4 By not later than 1<sup>st</sup> June in each year submit to the Regional Administration Officer a complete list of all Officers and officials elected at the Annual General Meeting and a complete list of all Clubs with the name and address of the Honorary Secretary of each and the number of representatives to which each Club is entitled on the Regional Council.
- 15.2.5 Represent the Association at appropriate meetings of ASA South West Region.
- 15.2.6 Be an *ex officio* member of all Association Committees.
- 15.2.7 Be entitled to vote at all meetings of Committees he attends.

## **16 The Honorary Manager for Swimming Officials**

16.1 The Honorary Manager for Swimming Officials shall:

- 16.1.1 Advise the Association on all matters relating to technical swimming officials.
- 16.1.2 Actively encourage and assist the development of such officials.
- 16.1.3 Arrange appropriate courses and seminars for such officials.
- 16.1.4 Maintain a list of all Regional and Association officials within the County.
- 16.1.5 Appoint technical officials to Association events.
- 16.1.6 Organise and assist in ASA examination procedures within the County.
- 16.1.7 Recommend to the Association officials for inclusion on any County List or for nomination for the Regional List.
- 16.1.8 Represent the Association on ASA South West Region Swimming Officials Committee.

## **17 The Trophy Controller**

17.1 The Trophy Controller shall:

- 17.1.1 Ensure that all trophies are available for presentation at the appropriate event.
- 17.1.2 Obtain a signed receipt from the recipient (or, if a Club, from a responsible member of it) at the time of presentation.
- 17.1.3 Make all recipients aware of their responsibility for trophies.
- 17.1.4 On request supply all receipts to the Honorary Treasurer.
- 17.1.5 Maintain and, at the request of the Executive Committee, provide it with a list of current trophy holders.
- 17.1.6 With the approval of the Executive Committee these duties in relation to any particular discipline may be taken over by the Manager of that discipline.

## **18 The Managers for Speed Swimming, Open Water Swimming, Synchronised Swimming, Masters' Swimming, Water Polo**

18.1 All Managers shall have executive responsibility for all matters within their own discipline and shall:

- 18.1.1 Advise and make recommendations to the Executive Committee.
  - 18.1.2 Be responsible for the organisation, promotion and presentation of all relevant Association Age Group, Championship, Masters and Open competitions.
  - 18.1.3 Select individuals and teams to represent the Association.
  - 18.1.4 Conduct such courses as may from time to time be appropriate.
  - 18.1.5 Appoint if so resolved an Association Coach.
- 18.2 With the approval of the Executive Committee, take over the duties of the Trophy Controller in relation to their own discipline.
- 18.3 All Discipline Managers are empowered to devolve parts of their responsibility to identifiable working groups.

## **19 Manager for Speed Swimming Age Groups and Championships Competitions**

19.1 Irrespective of the responsibilities of paragraph above, the Manager for Speed Swimming Age Groups and Championships Competitions shall have executive responsibility for all matters concerning these competitions.

## **20 The County Administrator**

- 20.1 The County Administrator is a paid position that assists in the running of the affairs of the Association.
- 20.2 The County Administrator is selected and appointed by the Officers of the Association.
- 20.3 The activity of the County Administrator is directed and approved by the Honorary County Secretary.

## **Standing Orders**

### **Applicable to all General Meetings, Executive, Committee and Sub-Committee Meetings**

*(No changes have been made in this section)*

1. The President shall be the Chairman of all General and Executive Committee meetings or in his absence or at his request such other person as shall be elected by the meeting.
2. All other Committees and Sub-Committees shall elect a chairman from among their own members.
3. The Chairman shall preserve order and conduct the business of the meeting at his discretion but so far as is practicable in accordance with these Standing Orders.
4. At every meeting the minutes of the preceding meeting shall, if approved, be signed by the Chairman and no discussion except as to their accuracy shall take place before this. Minutes of any Special or Emergency Meeting shall be presented at the next Executive Committee meeting.
5. Any motion or amendment shall be properly moved and seconded and until seconded there shall be no debate.
6. A member raising a point of order must state it clearly and limit his remarks to that point.
7. No motion passed at a previous meeting shall be rescinded or substantially changed unless full notice of the rescinding resolution has been given and placed on the agenda.
8. The Chairman may vote on every resolution and in the event of an equality of votes being recorded he shall be entitled to a second and casting vote.
9. The Chairman's ruling on all points of order and on the interpretation of Standing Orders shall be final.
10. Subject to the Rules of the Association the Chairman shall decide whether any vote shall be by show of hands or by ballot.
11. The Chairman may appoint one or more tellers to assist with any vote. Any teller so appointed shall not thereby be disqualified from voting.
12. All changes of Rules or suspension of Standing Orders shall require a majority in favour of at least two-thirds of those present and voting. Except where otherwise required by the Rules of the Association all other decisions shall require only a simple majority of those present and voting.

Adopted by Annual General Meeting 9 May 2016