

# Shropshire Amateur Swimming Association

(Affiliated to the Swim England West Midland Region)

## CONSTITUTION

1.	<p><b><u>Name &amp; Colours</u></b></p> <p>1.1 This Association shall be called the <b>Shropshire Amateur Swimming Association</b></p> <p>1.2 It's colours shall be Navy Blue and Gold</p>
2.	<p><b><u>Headquarters</u></b></p> <p>2.1 The Association's Headquarters shall be c/o the Secretary.</p> <p>2.2 Meetings will be held at a venue decided by the Executive or online where appropriate.</p>
3.	<p><b><u>Affiliation</u></b></p> <p>3.1 The Association shall be affiliated to <b>Swim England West Midland Region</b>, and such other bodies as the Executive shall decide.</p> <p>3.2 The Association accepts and will adopt Swim England (and West Midlands Region) Rules, Regulations, Code of Ethics and Safeguarding Policy and Procedures (Wavepower).</p> <p>3.3 By virtue of the affiliation of the County to West Midlands Region and all members of the County acknowledge that they are subject to the regulations, rules and constitutions of:</p> <ul style="list-style-type: none"><li>a. West Midlands Region</li><li>b. Swim England (to include Code of Ethics)</li><li>c. Aquatics GB(in particular its Anti-Doping Rules and Judicial Code)</li><li>d. European Aquatics, the European governing body for the aquatic sports and</li><li>e. World Aquatics, the World governing body for the aquatic sports.</li></ul> <p>le Rules of a Governing Body.</p> <p>3.4 In the event that there shall be a conflict between a rule or by-law of the County and the Rules of the Governing Body then the relevant Rule of the Governing Body shall prevail.</p>
4.	<p><b><u>Aims</u></b></p> <p>4.1 To support Competitive Swimming (inc Masters, Open Water and Para), Artistic Swimming, Waterpolo and Diving in Shropshire. Providing a support network for all clubs. We aim to provide appropriate competition for all. To provide training courses for Technical Officials, Volunteers and Coaches. To support a Young Volunteer Program and deliver a County Development Pathway.</p> <p>4.2 The County is committed to treating everyone equally within the context of it's 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.</p> <p>4.3 The County shall implement the Swim England Equality Policy (as may be amended from time to time).</p> <p>4.4 As stated in Swim England Wavepower The County shall recognise that the welfare of children is everyone's responsibility and that all children and young people have a right to have fun, be safe and be protected from harm.</p> <p>4.5 Whilst the Committee will do everything in it's power to ensure the safety, comfort and convenience of all members, it accepts no responsibility for any accident, loss or injury to members or visitors.</p>

5	<p><b><u>Membership</u></b></p> <p>5.1 All Amateur Swimming, Artistic Swimming, Water Polo, Masters and Diving clubs and associations affiliated to Swim England whose headquarters are situated within the county, shall be eligible for membership, subject to the approval of the Executive. All associated fees must be paid directly to Swim England.</p> <p>5.2 All affiliated clubs and associations must notify the Secretary of their nominated delegates annually at AGM.</p> <p>5.3 All members of Affiliated clubs are eligible to attend the AGM</p>
6.	<p><b><u>Annual General Meetings</u></b></p> <p>6.1 The Annual General Meeting shall be held in November each year on a date fixed by the Executive when the Officers (as identified in Clause ) shall be elected, nominations for each post will be called for 7 days before the AGM in the event of more than one nomination a vote will be held.</p> <p>6.2 The audited accounts of the Association and the Officer’s reports of the preceding year’s activities shall be presented.</p> <p>To include but not limited to:</p> <ul style="list-style-type: none"> <li>a. Reports and election of officers</li> <li>b. Time of year of next AGM will be held</li> <li>c. Notice and nominations</li> <li>d. Appointment of independent financial examiner</li> <li>e. Proposals and any rule changes</li> <li>f. To confirm Quorum present</li> </ul> <p>6.3 Notice of an Annual General Meeting shall be made public and sent to each member entitled to vote electronically. It shall be given not later than 28 days before the date of the meeting and shall state the date, time and venue or online access set for the meeting, and shall include the agenda.</p> <p>6.4 Proposed motions to be considered at the Annual General Meeting must be submitted in writing to the Secretary, together with a proposer and seconder at least 14 days prior to the date of the meeting.</p> <p>6.5 The quorum for a Annual General Meeting shall be a minimum 4 executive officers and 3 other committee members.</p> <p>6.6 The Appointment of an Independent County Welfare Officer and Assistant Welfare officer shall be agreed. They must be not less than 18 years of age, who should have an appropriate background and who is required to undertake appropriate training in accordance with Wavepower. The Welfare Officer will have a right to attend meetings without a power to vote. Attendance at meetings will be for the purpose of sharing or addressing matters relating to Welfare.</p> <p>6.7 The Executive Officers and committee members shall be proposed and seconded and elected at the Annual General Meeting each year and shall remain in office until their successors are elected at the next AGM and will take office when the Chair closes the meeting. Any vacancy occurring by resignation or otherwise may be filled by the committee. Retiring Executive officers and members of the committee shall be eligible for re-election.</p>
7	<p><b><u>President</u></b></p> <p>7.1 No one shall be eligible for the office of President unless he/she has served for a minimum of one year on the Committee, and may hold this position for a minimum of 1 year and a recommended maximum period of three consecutive years, but this is not compulsory.</p> <p>7.2 No one shall be eligible for the office of Vice President unless he/she has served for at least one year on the Committee, and shall have automatic right of succession, if desired, should the position of President</p>

	become vacant.
8	<p><b><u>Special General Meetings</u></b></p> <p>8.1 A Special General Meeting can be held at the request of a majority of the Executive, or within 30 days after the receipt by the Secretary of a written request signed by at least one authorised Officer or a club, and supported by two other authorised officers of affiliated clubs or associations stating the business for which the meeting is required. A minimum of 14 days notice must be given to all members entitled to vote.</p> <p>8.2 The Quorum as per 6.5.</p> <p>8.3 In the event of any alterations or additions to the Constitution are deemed necessary, these can only be made at the Annual General Meeting of the Association, or at a Special General Meeting called for that purpose in accordance with the above rule.</p> <p>8.4 Notice of alterations or additions must be sent in writing to the Secretary, together with the proposers and seconders, who shall be members of the Committee, either no later than 14 days prior to meeting for consideration at the Annual General Meeting, or with the requisition for meeting for consideration at a Special General Meeting.</p> <p>8.5 No alterations or additions shall be made unless carried by two-thirds majority of those present and eligible to vote.</p>
9	<p><b><u>Resignations</u></b></p> <p>9.1 Any club or association wishing to resign from the Association shall give notice to that effect in writing to the Secretary before the AGM of that year or they will be held liable for the ensuing year's affiliation fee.</p> <p>9.2 Any Officer wishing to withdraw from their position must give notice to that effect in writing to the Secretary.</p> <p>9.3 The Executive may deem a vacancy has occurred if an Officer fails to attend three consecutive meetings without having received leave of absence or without giving valid explanation, and has the right to fill this vacancy without further notice.</p>
10.	<p><b><u>Management by the Executive</u></b></p> <p>10.1 The Association shall be managed by an Executive consisting of the Following Officers: Chair, Vice Chair, Secretary, Treasurer, President and Vice President who shall all be elected at the Annual General Meeting.</p> <p>10.2 The County committee shall also be comprised of Gala Co-ordinator, Official's Co-ordinator, Artistic Swimming Coordinator, Water Polo Coordinator, Masters Coordinator, Open Water Co-ordinator, Para Co-ordinator, Diving Co-ordinator and Development Co-ordinator, to also be elected at AGM.</p> <p>10.3The Committee will also comprise of maximum of two delegates from each club or association affiliated to The Shropshire ASA.</p> <p>10.4 Additional members may be co-opted without voting powers.</p> <p>10.5 All committee members must be over the age of 18.</p> <p>10.6 The quorum for Executive Meetings shall be 7 to include at least 2 executive officers and at least three other members.</p> <p>10.7 The Executive shall meet at least 7 times per year and at such other times as the Chairperson in</p>

	<p>consultation with the Secretary may deem necessary.</p> <p>10.8 The Executive may appoint a Special Sub-Committee for a special purpose. Delegated powers shall be decided by the Executive.</p> <p>10.9 The Executive shall have the power to make regulations or by-laws provided that they do not conflict with this constitution or laws of Swim England (ASA) and to settle disputed points not otherwise provided for by this constitution.</p> <p>10.10 Records of Minutes will be kept for a minimum of 6 years, along with 6 years of financial accounts.</p>
11.	<p><b><u>Voting</u></b></p> <p>8.1 Results of voting shall be determined by a simple majority of the members present and entitled to vote. The President shall have the right to vote on each motion and in the event of equality of votes, the Chairperson shall have the deciding or casting vote.</p>
12.	<p><b><u>12.1 Finance</u></b></p> <p>12.1.1 The financial year shall run from 1<sup>st</sup> September to the 31<sup>st</sup> August in each year and accounts shall be prepared and audited.</p> <p>12.1.2 All financial transactions of the County shall be recorded by the Treasurer in such a manner as the Committee thinks fit. And kept for a minimum of 6 years.</p> <p>12.1.3 A professional auditor shall be appointed OR two honorary independent auditors elected at the Annual General Meeting.</p> <p>12.1.4 Access to Bank accounts will be restricted to Treasurer, Chair &amp; Secretary with 2 out of the 3 having full access and the 3<sup>rd</sup> having read only access. All transactions approved by a 2<sup>nd</sup> authorised persons.</p> <p><b><u>12.2 Borrowing</u></b></p> <p>12.2.1 The committee may borrow money on behalf of the County for the purposes of the County from time to time at their own discretion for the general upkeep of the County or with the approval of a General Meeting for any other expenditure, additions or improvements.</p> <p>12.2.2 When so borrowing the Committee shall have the power to raise in any way any sum or sums of money and to raise and secure the repayment of any sum or sums of money in such a manner or on such terms and conditions as it thinks fit, and in particular by mortgage of or charge upon or by the issues of debentures charged upon all or any part of the property of the County.</p> <p>12.2.3 The Committee shall have no power to pledge the personal liability of any member of the County for the repayment of any sums so borrowed.</p> <p><b><u>12.3 Expenses</u></b></p> <p>12.3.1 The Executive shall have the power to authorise the payment of remuneration and expenses to any Officer, member or employee of the County and to any other person or persons for services rendered to the County or who incurs personal expense to themselves whilst acting for or representing the County.</p>
13.	<p><b><u>Liabilities &amp; Non-Distribution of Funds</u></b></p> <p>13.1 If, at the end of the financial year, the Profits Appropriation Account shows a deficit, each affiliated club or association may be liable for a levy of an equal proportion of the liabilities.</p> <p>Funds and other property of the Shropshire Amateur Swimming Association shall not be paid to or distributed among the members, but shall be applied towards the furtherance of the Associations object or for any charitable purpose, provided that payment be made,</p> <ol style="list-style-type: none"> <li>a) At normal rates or in reasonable amounts for services rendered to or goods supplied to the Association: or</li> <li>b) As or for the purpose of awards</li> </ol>

	<p>13.2 In the event of dissolution of the Association, the funds and other property then remaining, shall be devoted to aims similar to those of the Association. Before distribution there should be enough funds to cover any outstanding expenses for a period of 12 months.</p>
14.	<p><b><u>Life Members</u></b>  14.1 The Chair of the Executive shall nominate the President, upon completion a full 3 year term for life membership, for approval at the Annual General Meeting. Whereby they shall be presented with a County Badge.</p>
15.	<p><b><u>Affiliation Fee</u></b>  15.1 The amount of the affiliation fee (or any other annual fee) shall be fixed by the Executive at their AGM. Fees for any year shall be due on January 1<sup>st</sup> and the latest date for payment shall be January 31<sup>st</sup> or as directed by Swim England and shall be payable by any club or association wishing to be affiliated to the Shropshire Amateur Swimming Association. Any club or association who has not paid their fees by the date directed by Swim England, shall no longer be allowed to participate in the Association's activities. Payment is made directly to Swim England</p>
16.	<p><b><u>Competitions</u></b>  16.1 All competitions shall be conducted under the Laws of Swim England and World Aquatics Rules. The Committee shall make every effort to provide Championships annually, in accordance with Swim England Law and in accordance with the Rules &amp; Conditions set by the Executive.</p> <p>16.2 Whilst the Committee will do everything in it's power to ensure the safety, comfort and convenience of all members, it accepts no responsibility for any accident, loss or injury to members or visitors.</p>
17.	<p><b><u>Selection of Representatives</u></b>  17.1 All clubs affiliated shall be bound to place their members at the disposal of the Association.  17.2 Competing members must be eligible to compete as approved by the Swim England.  17.3 Selected members unable to take part must give seven days' notice to the Coach in charge (or their nominated delegate).</p>
18.	<p><b><u>Official Kit</u></b>  Approved County kit shall only be available to those  18.1 who have been selected to represent the County at competitions.  18.2 Any Officials who have passed and be licenced to a minimum of Judge Level 1 and notified the Secretary of such.  18.3 And any such member representing the County in any other capacity.</p>
19.	<p><b><u>Expulsion and Other Disciplinary Action</u></b>  19.1 The Committee shall have power to expel or suspend a member Club or individual member from County activity when, in its opinion, it would not be in the interests of the County for the Club or individual to remain a member. The County in exercising this power shall comply with the provisions below.</p> <p>19.2 The County shall comply with the relevant Judicial Regulations for handling Internal County Disputes as the same may be revised from time to time.  Any offence should be directed to the Chair in the first instance who will decide how to action the matter (in accordance with Judicial Regulations)  If there is deemed to be a conflict of interest with the Chair and /or Welfare Officer the Vice Chair and /or Assistant Welfare officer will step in.</p> <p>19.3 A member Club or Individual member may not be expelled or suspended or be made subject of any other penalty unless the panel hearing the complaint shall agree by a two thirds majority vote in favour of the action.</p>

	19.4 Swim England shall have the power to temporarily suspend members (or for a specified term), in accordance with Judicial Regulations and Safeguarding Regulations / Wavepower of which may be revised from time to time.
22.	<p><b><u>Disclaimer</u></b></p> <p>22.1 The Executive will do everything in its power to ensure the Safety, Comfort and Convenience of members, any incidents or accidents must be dealt with through our Insurers.</p>
23	<p><b><u>Acknowledgement</u></b></p> <p>23.1 The Member Clubs acknowledge that these Rules constitute a legally binding contract to regulate the relationship of the member Clubs with each other and the County.</p> <p>23.2 This constitution must be readily available to all County member Clubs. This may be via posting on the County website or shared with members annually at time of membership renewal.</p>

Revised	1.	12.11.1979
	2.	20.11.1985
	3.	23.11.1988
	4.	21.11.1990
	5.	12.11.1997
	6.	08.11.2000
	7.	08.11.2017
	<b>8.</b>	<b>14.11.2018</b>
	<b>9.</b>	<b>15.03.2024</b>