

ESSEX COUNTY AMATEUR SWIMMING ASSOCIATION LAWS Last Updated By 2003 AGM

The following abbreviations are used throughout this document:

A.S.A.	Amateur Swimming Association
S.C.A.S.A	Southern Counties Amateur Swimming Association
E.C.A.S.A.	Essex County Amateur Swimming Association (The Association)
E.M.C.	The Executive Management Committee of The Association
A.G.M.	The Annual General Meeting of The Association

Words of the plural number shall include the singular and vice versa.

The term "swimmer " shall include "diver, synchronized swimmer, and water polo player " unless the context indicates to the contrary.

CONSTITUTION

1 Name

- 1.1 The Association shall be called the Essex County Amateur Swimming Association

2 Objectives

- 2.1 The Objectives of The Association shall be those of the A.S.A. In particular they shall:
- 2.1.1 Actively promote the development and improvement of the sport in all disciplines and at every level.
 - 2.1.2 Produce and monitor the implementation of an E.C.A.S.A. Development Plan.
 - 2.1.3 Ensure that there is a communication process with the A.S.A., S.C.A.S.A. and its member clubs.
 - 2.1.4 Promote and govern Championships and Competitions within the County.

3 Rules

- 3.1 The Association shall be affiliated to the S.C.A.S.A. and such other bodies as may be required from time to time by the E.M.C.
- 3.2 By virtue of the affiliation of The Association to S.C.A.S.A., The Association and all its members acknowledge they are subject to the laws and rules of :
- 3.2.1 The S.C.A.S.A.
 - 3.2.2 The A.S.A. including A.S.A./Institute of Swimming Teachers and Coaches (I.S.T.C.) Code of Ethics and A.S.A. Child Protection Procedures.
 - 3.2.3 The Amateur Swimming Federation of Great Britain Ltd (ASFGB) including in particular the ASFGB Doping Control Rules and Protocols and ASFGB Disciplinary Code; and
 - 3.2.4 FINA, the world governing body for the sport of swimming in all its disciplines.
- 3.4 In the event that there shall be any conflict between any rule of The Association and/or any of the Governing Body Rules then the matter shall be referred to the S.C.A.S.A.

4 Membership and Subscriptions

- 4.1 The Association shall comprise:
- 4.1.1 Those swimming clubs and similar bodies which are affiliated to the S.C.A.S.A. and have their headquarters within the County of Essex together with the London Boroughs of Barking and Dagenham, Havering, Newham, Redbridge and Waltham Forest.
 - 4.1.2 Ordinary members who have been proposed by one member, seconded by another and approved by the E.M.C.
Membership is to be approved annually and the subscription paid annually at a rate to be determined by the E.M.C.
 - 4.1.3 Life members who, having been elected as members, have commuted the annual subscription for a single payment. The amount of this payment to be determined by the E.M.C.
 - 4.1.4 Honorary Life Members as elected by The Association.

- 4.2 A Club ceasing to be affiliated to the S.C.A.S.A shall automatically cease to be a member of The Association.

5 Resignation

- 5.1 An ordinary or life member wishing to resign membership of The Association must give the Honorary General Secretary written notice of his resignation.
- 5.2 Where the membership of an ordinary member is terminated by The Association, the member shall be informed in writing.

6 Disciplinary matters

- 6.1 The Association shall follow, where appropriate, the A.S.A. Guidelines for handling Internal Club Disputes.
- 6.2 Any action, which results in a member or member club being suspended by S.C.A.S.A, or the A.S.A will result in the suspension also being applicable to The Association.
- 6.3 The Association shall have the power to expel a member as defined in 4.1.2 and 4.1.3 or any member of the E.M.C. or its Sub-Committees, when, in its opinion, it would not be in the interests of The Association for them to remain a member.

7 Executive Management Committee

- 7.1 The E.M.C. shall consist of :
- 7.1.1 President and President Elect, who shall be appointed in accordance with Operating Procedure 19.
 - 7.1.2 Hon. General Secretary, Hon Treasurer, Managers of Swimming, Diving, Water Polo, Synchronized Swimming, Disabled Athletes', and Facilities
 - 7.1.3 Events Manager
 - 7.1.4 6 elected representatives
 - 7.1.5 Active Past Presidents
- Active Past Presidents are defined as those who attended at least 25% of any of the Association's Committee meetings in the previous calendar year.
- 7.2 The Officers and Managers in 7.1.2, the Events Manager in 7.1.3 and the elected representatives in 7.1.4 shall be proposed, seconded and elected by ballot annually at the A.G.M of The Association.
- 7.3 Any vacancy may be filled by the E.M.C.
- 7.4 The members of the E.M.C. 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.

8 Annual General Meeting

- 8.1 The A.G.M. of The Association shall be held in December of each year. The actual date will be determined by the E.M.C.
- 8.2 The purpose of the A.G.M. is to transact the following business:
- 8.2.1 To receive the President's written Report of the activities of The Association during the previous year.
 - 8.2.2 To receive and consider the accounts of The Association for the previous year, which shall include the report from the independent examiner and the Hon Treasurer's report, both of which must be in writing.
 - 8.2.3 To receive such other written reports from the Managers and Officers as are deemed appropriate by the E.M.C.
 - 8.2.4 To appoint an independent examiner for the following year to review the accounts. The examiner must not be a member of the E.M.C. or related to a member of the E.M.C.
 - 8.2.5 To elect the Officers, Managers of The Association, the Events Manager and the elected representatives to the E.M.C.
 - 8.2.6 To decide on any resolution which has been submitted in accordance with Rule 8.3

- 8.3 Notice of any resolution or rule change to be decided on at the A.G.M. shall be given in writing to the Hon General Secretary so as to arrive no later than October 31st. Any resolution requires a proposer and seconder.
- 8.4 Nominations for the Officers, Managers and E.M.C. elected representatives to be elected at the A.G.M. are to be received on the official nomination papers by the Hon General Secretary of The Association not later than October 31st. Such nominations are to be proposed and seconded by persons entitled to attend and vote at the A.G.M and must also be signed by the nominee. Members of the E.M.C. shall be eligible for re-election.
- 8.5 14 clear days notice, in writing, shall be given of the A.G.M. The non-arrival of any notice shall not invalidate any meeting.

9 Special General Meeting

- 9.1 A Special General Meeting shall be convened by the Hon General Secretary either at the direction of the E.M.C. or within one month of the receipt by them of a requisition signed by at least one delegate from each of not less than six affiliated clubs or bodies as defined in 4.1.1.
- 9.2 The notice convening a Special General Meeting shall be sent, in writing, to all those with the right to attend the A.G.M., at least 14 days before the date of the meeting and shall include copies of every motion to be considered. Non-arrival of such notice shall not invalidate any meeting.
- 9.3 No other business shall be discussed at a Special General Meeting.

10 Right to attend, receive details and vote at A.G.M. and Special General Meetings

- 10.1 The following shall receive the relevant documentation regarding the A.G.M. or Special General Meeting:
- 10.1.1 The President, President Elect, Officers, Managers and members of the E.M.C.
 - 10.1.2 Each member club or body affiliated to The Association
 - 10.1.3 Past Presidents
 - 10.1.4 Ordinary and Life members of The Association
- 10.2 The following are eligible to attend the A.G.M. or Special General Meeting:
- 10.2.1 The President, President Elect, Officers, Managers and members of the E.M.C.
 - 10.2.2 Delegates of affiliated and similar bodies on the following scales:
 - One delegate from each club comprising up to and including 50 members
 - Two delegates from each club comprising a membership of between 51 and 200 members.
 - Three delegates from each club comprising a membership of more than 201 members
 - 10.2.3 Active Past Presidents as defined in 7.1.4 and Honorary Life Members.
 - 10.2.4 Ordinary and Life members of The Association and non-active Past Presidents as defined in 7.1.4
- 10.3 All those with the right to attend the A.G.M. have the right to vote . Each person with the right to vote is entitled to one vote except in the event of a tied vote when the Chairman of the meeting has an additional casting vote.
- 10.4 A person who is entitled to vote at the A.G.M. shall have the right to vote by post in the election of Officers, Managers and E.M.C. representatives. A postal vote on an official voting slip shall be enclosed in a sealed envelope clearly marked "vote", which, in turn shall be enclosed in an envelope and sent with the voter's authority as delegate, so as to reach the Hon General Secretary not later than 5 days prior to that on which the A.G.M. is to be held. Postal votes shall be handed, unopened, to the Chairman of the meeting.

11 Procedures to be adopted at the A.G.M or Special General Meeting of The Association

- 11.1 The relevant documentation for the A.G.M. shall consist of the minutes of the previous year's A.G.M., copies of the annual reports as detailed in 8.2, copy of the examined accounts, Hon Treasurer's report, list of the nominees for the election of Officers, Managers and Representatives to the E.M.C. and copies of the resolutions to be proposed at the A.G.M.
- 11.2 The quorum for the A.G.M. or Special General Meeting shall be 15 persons with the right to vote.
- 11.3 The President shall normally take the chair of the meeting.
- 11.4 Minutes of the meeting shall be recorded and presented for approval at the following year's meeting. Minutes of any Special General Meeting held during the course of a year shall be approved at the next A.G.M.
- 11.5 A simple majority vote will decide the outcome of any formal resolution.

12 Alteration of the Rules

- 12.1 The rules may be altered by resolution at an A.G.M. or a Special General Meeting provided that the resolution is carried by a majority of 75% or more of members present and entitled to vote.

13 Finance

- 13.1 The financial year of The Association shall be from 1st September to 31st August of the following year. Any change of financial year shall require the approval of the members in a General Meeting.
- 13.2 All funds or other property of the Association shall be applied to the furtherance of the Objectives of The Association.
- 13.3 All Association monies received shall be paid into a Bank Account(s) approved by the Association and in its name.
- 13.4 All expenditure is to be supported by relevant documentation.
- 13.5 All cheque expenditure drawn on The Association's Bank Account(s) is to be signed by any two authorised signatories. Authorised signatories are to be approved annually by the E.M.C. and must include The Hon Treasurer.
- 13.6 No funds or other property of The Association shall be paid to or distributed among its members (other than for legitimate expenses)

14 Property

- 14.1 The property of The Association, other than cash at bank, shall be vested in not more than four Custodians. They shall deal with the property as directed by resolution of the E.M.C. and entry in the minutes shall be conclusive evidence of such resolution.
- 14.2 The Custodians shall be elected at a General Meeting of The Association and shall hold office until death or resignation unless removed by a resolution passed at a General Meeting.
- 14.3 The Custodians shall be entitled to an indemnity out of the property of The Association for all expenses and other liabilities properly incurred by them in the discharge of their duties.

OPERATING PROCEDURES

15 E.M.C.Procedures

Responsibilities and Duties

- 15.1 The responsibilities and duties of the E.M.C. are to:
- 15.1.1 Manage the general day to day running of The Association and delegate to the relevant Sub-committee, who will make decisions on its behalf.
 - 15.1.2 Ensure that terms of reference for all sub-committees are appropriate and carried out.
 - 15.1.3 Ensure the implementation and review of an E.C.A.S.A. Development Plan.
 - 15.1.4 Ensure Championship events, Competitions, and Development events are held annually, where practicable.
 - 15.1.5 Approve annually, before the commencement of the financial year, The Association's budget for the following financial year.
 - 15.1.6 Render to S.C.A.S.A. or the A.S.A. such information as that body may request.
 - 15.1.7 Receive minutes of Sub-committees and record any decisions made by them.
 - 15.1.8 Elect members to such Sub-committees, as specified in their terms of reference.
 - 15.1.9 Make appointments as laid out in Operating Procedure 16.
 - 15.1.10 Elect an Emergency Committee of the E.M.C. at its first meeting after the A.G.M. The membership, duties, and powers of this Sub-committee are laid out in Operating Procedure 17.
 - 15.1.11 Require E.M.C. members to keep confidential all details of discussions and voting at E.M.C. or Sub-committee meetings.
 - 15.1.12 Have power to enter into contracts on behalf of its members for the purposes of meeting the objectives of The Association.
 - 15.1.13 Be responsible for ensuring that the accounts of The Association for each financial year are prepared and then examined by an independent examiner appointed by the members at the A.G.M. In the event that no person is appointed to act as examiner at the A.G.M then the requirement to appoint one is delegated to the E.M.C.
 - 15.1.14 Publish the Association handbook.
 - 15.1.15 Approve arrangements for The Association's dinner.
 - 15.1.16 Elect a President-Elect Sub-Committee as laid out in Operating Procedure 18.
 - 15.1.17 Regularly review The Association's rules.
 - 15.1.18 Maintain a list of eligible Chaperones and Coaches.
 - 15.1.19 Deal with any matter for which provision is not made elsewhere in The Association's laws and rules.

Meetings of the E.M.C.

- 15.2 15.2.1 The E.M.C. shall meet at least 5 times per annum. Notice in writing of an E.M.C. meeting shall be made at least 7 days prior to the meeting.
 - 15.2.2 Additional meetings may be convened, which must be requested in writing to the Hon General Secretary and supported by at least 30% of the E.M.C. membership. Such meetings are to be held within 14 days of the receipt of the request by The Hon General Secretary.
- 15.3 At any E.M.C. meeting the chair will normally be taken by the President. If the President is absent or decides he/she does not wish to take the chair, the E.M.C. shall elect a Chairman from among its number.
- 15.4 Attendance at all E.M.C. meetings shall be recorded.

Minutes

- 15.5 Minutes of the E.M.C's proceedings, consisting of decisions only are to be taken. Minutes of the previous meeting are to be distributed to the E.M.C. members as defined in 7.1 with the notice convening the next meeting and approved at that meeting.

Quorum

- 15.6 15.6.1 A quorum shall comprise 30% of the voting membership of the E.M.C.
- 15.6.2 In the event that that the quorum is not present within thirty minutes of the published start time, a meeting will be adjourned to a date and time to be decided by the Chairman.
- 15.6.3. In the event that a meeting becomes inquorate during the course of a meeting, no further business may be transacted. The procedures in 15.6.2 will then apply.
- 16.6.4 In the event a quorum is not present at the adjourned meeting, then those members present may act for the purpose of calling a Special General Meeting of The Association as laid down in rule 9.

Co-option

- 15.7 In addition to the elected members, the E.M.C. may co-opt further members, who may serve to the next A.G.M. Such members shall be entitled to vote at E.M.C. meetings and shall be counted in determining whether a quorum is present.

Voting

- 15.8 A simple majority vote will decide the outcome of any matter formally proposed and seconded. In the event of a tied vote, the President or in his absence the elected Chairman of the meeting will hold an additional casting vote.

Appointment and Dismissal of Sub-Committees

- 15.9 The E.M.C. may from time to time appoint such Sub-committees as they may consider necessary. Sub-committees will operate in accordance with the terms of reference as laid out in Operating Procedure 19. The E.M.C shall review annually the membership and terms of reference of any Sub-committees. The E.M.C. shall have the power to dismiss any Sub-Committees, which it has appointed, if they do not comply with their Terms of Reference.

Attendance

- 15.10 Any member of the E.M.C. or its sub-committees who fails to attend three consecutive meetings, without due notification, will be deemed to have resigned.

Membership of the A.S.A.

- 15.11 All members of the E.M.C. must be members of the A.S.A.

16 E.M.C Appointments

- 16.1 Appoint Representatives to S.C.A.S.A. Committees, who will report back to the relevant committee.
- 16.2 Appoint an IT Administrator, and an E.M.C. Minutes Secretary, who will report to the Hon General Secretary.
- 16.3 Appoint a Records Administrator and a Trophies Administrator, who will report to the Manager of the Swimming Sub-Committee.
- 16.4 Appoint a Development Plan Co-ordinator who will report to the Multi-Discipline Sub-Committee
- 16.5 Appoint a County Welfare Officer who will report to the Hon. .General Secretary
- 16.6 Appointees in 16.1 and 16.5 will not necessarily be members of the E.M.C. but must be members of the A.S.A.

17 Emergency Sub-Committee of the E.M.C

- 17.1 The Emergency Sub-committee of the E.M.C. is to comprise the President, President Elect, Hon General Secretary, Hon Treasurer, and three other members of the E.M.C.
- 17.2 The quorum for this Sub-committee is three.
- 17.3 Its purpose is to take decision(s) between E.M.C. meetings only where a delay in dealing with the matter would be seriously detrimental to the objectives of The Association.
- 17.4 The Emergency Sub-Committee's decision(s) must be reported to the next E.M.C. meeting and if ratified becomes binding on The Association.

18 Association Presidency

- 18.1 In May of each year, the E.M.C. will elect a President-Elect Sub-Committee consisting of 5 of its members.
- 18.2 The duty of this Sub-Committee is to invite nominations for the post of President Elect. Nominees are to be from among the Association's membership and can include Past Presidents. Each nomination must be supported by a proposer and seconder, who must both be members of The Association.
- 18.3 The Sub-Committee is to bring a short list of no more than 3 nominations to the November meeting of the E.M.C., who will select one of the nominations to be proposed as President-Elect at the A.G.M. The President-Elect for the following year will then be proposed for nomination as President in the subsequent year.

19 Terms of Reference for all Sub-Committees

- 19.1. The President, President Elect, Hon General Secretary, and Hon Treasurer of the E.M.C. shall be members of each sub-committee with full voting powers.
- 19.2 The Manager for each discipline shall be elected annually at the A.G.M. and shall act as Chairman of their Sub-committee. In the event of resignation during the year or a post not being filled at the A.G.M., the E.M.C. is delegated to fill the vacancy.
- 19.3 Where appropriate, the Manager of each Sub-committee may invite appropriate person(s) to attend its meetings. Such invitees will not have voting rights.
- 19.4 All members of the Sub-committees must be members of the A.S.A.
- 19.5 The duties of each Sub-committee shall be to deal with those matters specified in their terms of reference and those matters referred to them by the E.M.C.
- 19.6 Attendance at each Sub-committee meeting shall be recorded and minutes published.
- 19.7 Each Manager shall send to the Hon General Secretary of the E.M.C. copies of the distributed Sub-committee meetings' minutes.
- 19.8 A quorum shall comprise 50 % of the voting membership of each Sub-committee.
- 19.9 Each Sub-committee shall submit annually to the Finance Committee its budget proposals for the following financial year by the end of May in each year and subsequently manage itself against the budget agreed by the Finance Committee.
- 19.10 Each Sub-committee Manager shall present a written annual report for the A.G.M. as required in Rule 8.2.3.

20 Terms of Reference for Specific Sub-Committees

20.1 Multi Discipline Sub-Committee

- 20.1.1 The Sub-Committee shall consist of the Managers of the Swimming Championships, Synchronized Swimming, Water Polo and Diving Sub-Committees, Disabled Athletes' Manager and Development Plan Co-ordinator
- 20.1.2 The Sub-Committee shall meet at least twice a year
- 20.1.3 The Sub-Committee should:
- (i) Co-ordinate the work of promoting and managing swimming in all its disciplines.
 - (ii) Facilitate the dissemination of information about the activities of each section.
 - (iii) Regularly review the E.C.A.S.A. Development Plan and make recommendations on it to the E.M.C.
 - (iv) Provide information for the Association's handbook.
 - (v) Provide information for the Association's newsletter, including reports on teams' performances.

20.2 Swimming Sub-Committee

- 20.2.1 The Sub-Committee shall consist of the Manager, one representative of each of the following: Championship events, Swimming Officials (if required), Development competitions, Masters competitions, and Disabilities competitions and up to two selected members, who are not necessarily members of the E.M.C., but have been approved by them.
- 20.2.2 The Sub-Committee should:
- (i) Advise the E.M.C. on matters relating to swimming and make appropriate recommendations.
 - (ii) Be responsible for setting Championships, Competitions and Development Meets conditions and advising the E.M.C. on matters relating to them.
 - (iii) Recommend to the E.M.C.'s Hon General Secretary the dates and venues for Championships, Competitions and Meets.
 - (iv) Arrange entry qualifications and start times of all Championships, Competitions, and Development Meets.
(Fix annually competition entry fees and admission charges for all events under its jurisdiction).
 - (v) Arrange training courses and events for Coaches and Swimmers and ensure they are consistent with the E.C.A.S.A. Development Plan.
 - (vi) Appoint annually, from a maintained list, Team Manager(s), Coach(es) and Chaperone(s) for County representative events, who must all be members of the A.S.A.

20.3 Synchronized Swimming, Diving, and Water Polo Sub-Committees

- 20.3.1 Each Sub-Committee shall consist of the Manager, and up to four selected members, who are not necessarily members of the E.M.C., but have been approved by them.
- 20.3.2 Each of the Sub-Committees should:
- (i) Advise the E.M.C. on matters relating to their discipline and make appropriate recommendations.
 - (ii) Be responsible for setting Championships, Competitions and Development Meets conditions and advising the E.M.C. on matters relating to them
 - (iii) Recommend to the E.M.C.'s Hon General Secretary the dates and venues for Championships, Competitions and Meets.
 - (iv) Arrange entry qualifications and start times of all Championships, Competitions, and Development Meets for their discipline
(Fix annually competition entry fees and admission charges for all events under their jurisdiction).
 - (v) Arrange, where practicable, training courses and events for Coaches and Swimmers and ensure they are consistent with the E.C.A.S.A. Development Plan.
 - (vi) Appoint annually, from a maintained list, Team Manager(s), Coach(es) and Chaperone(s) for County representative events, who must all be members of the A.S.A.
 - (vii) Maintain a list of qualified Officials for their discipline.

20.4 Finance Sub-Committee

- 20.4.1 The Sub-Committee shall consist of The President, President Elect, Hon General Secretary, Hon Treasurer, Managers of Swimming. Water Polo, Synchronised Swimming, Diving, Sub Committees, Disabled Athletes' Manager and two members elected from the E.M.C.
- 20.4.2 The Sub-Committee should:
- (i) Advise the E.M.C. on all financial matters
 - (ii) Exercise control over the funds of The Association.
 - (iii) Produce a budgetary proforma for the budget proposals from the Sub-committees on an annual basis. These Sub-committee budgets are to form part of the overall budget of The Association.
 - (iv) Prepare an overall budget for The Association to be presented to the E.M.C. for approval before the commencement of the financial year.
 - (v) Establish and monitor budgetary control over the finances of The Association and monitor performance against The Association's budget during the year.
 - (vi) Ensure The Association complies with all current financial regulations.
 - (vii) Ensure all assets of The Association are properly insured.
 - (viii) Fix annually competition entry fees and admission charges for all events

20.5 Swimming Officials Sub-Committee

- 20.5.1 The Sub-Committee shall consist of the Manager, and up to four selected members, who are not necessarily members of the E.M.C., but have been approved by them.
- 20.5.2 The Sub-Committee should:
- (i) Advise the Swimming Sub-Committee on matters relating to Swimming Officials and make appropriate recommendations.
 - (ii) Ensure that arrangements are made for the A.S.A. Swimming Officials' examination to be held in the County.
 - (iii) Arrange and promote courses to prepare candidates for the A.S.A. Swimming Officials' examinations.
 - (iv) Promote courses or seminars for the development of swimming officials to encourage uniformity of officiating standards throughout the County.
 - (v) Deal with matters concerning Laws of the Sport raised by swimming officials or referred to it by the E.M.C or Swimming Sub-Committee..
 - (vi) Maintain an accurate record of Swimming Officials and their qualifications
 - (vii) Arrange swimming officials for all County swimming events

