

1 NAME

- 1.1 The association shall be called the Cheshire County Water Polo and Swimming Association (hereinafter called the County Association).

2 DEFINITION

- 2.1 The County Association shall be based on the Cheshire ceremonial county and include any administrative county, metropolitan borough or unitary authority in that area in whole or in part

3 AIMS

- 3.1 The aims of the County Association shall be to:-
- 3.1.1 Carry out the aims and objectives of the ASA and the ASA North West Region, as directed and required, within its jurisdiction.
- 3.1.2 Obey and enforce the laws, rules, regulations and rulings of the ASA and the ASA North West Region within its jurisdiction.
- 3.1.3 Manage the sport of swimming throughout the county
- 3.1.4 Promote and encourage the knowledge and the practice of the aquatic disciplines of diving, masters swimming, open water swimming, swimming, synchronised swimming and water polo by means of championships and competitions.
- 3.1.5 Produce and implement policies to carry out other activities relevant to the County Association.
- 3.1.6 Raise public awareness of the sport and stimulate public opinion in favour of providing suitable accommodation and facilities.

4 OBJECTIVES

- 4.1 In the furtherance of the aims of the County Association the following objectives shall be undertaken:-
- 4.1.1 The County Association is committed to treat everyone equally within the context of their activity, regardless of sex, ethnic origin, religion or political persuasion.
- 4.1.2 All persons, clubs, associations, organisations and leagues affiliated to the County Association shall consent to be bound whilst engaged in any County Association activity by the ASA code of ethics, the ASA laws and regulations relating to child protection and those parts of the ASA judicial laws, regulations and procedures necessary for their implementation.
- 4.1.3 All persons, clubs, associations, organisations and leagues affiliated to the County Association whilst engaged in activities under the jurisdiction of the County Association shall be subject to all the constraints and privileges of the ASA judicial laws, regulations and procedures.

- 4.2 The County Association shall be affiliated to the Amateur Swimming Association North West Region and such other bodies as the County Association may determine from time to time.
- 4.3 The business affairs of the County Association shall at all times be conducted in accordance with the laws, regulations and the judicial and technical rules of the Amateur Swimming Association and in particular:-
- 4.3.1 The publication of a County Association business plan incorporating the budget proposals.
- 4.3.2 All competitors shall be affiliated members of the Amateur Swimming Association.
- 4.3.3 All competitors shall comply with the championship conditions of the County Association and the ASA when competing.
- 4.4 To promote and develop the aquatic disciplines of diving, masters swimming, open water swimming, swimming, synchronised swimming and water polo through the implementation of.
- 4.4.1 A county development plan.
- 4.4.2 Partnership agreements with appropriate bodies, organisations and external agencies.
- 4.5 By virtue of the affiliation of the association to the Amateur Swimming Association North West Region the County Association and all members of the County Association shall acknowledge that they are subject to the laws and rules of:-
- 4.5.1 The Amateur Swimming Association North West Region; and
- 4.5.2 The Amateur Swimming Association; to include the ASA/IOS code of ethics; and
- 4.5.3 British Swimming, to include in particular the British Swimming doping control rules and protocols and the British Swimming disciplinary code;
- 4.5.4 Fina, the world governing body for the sport of swimming and all its disciplines, together with the governing body rules.
- 4.6 In the event that there shall be any conflict between any rule or byelaw of the association and any of the governing body rules then the relevant governing body rules shall prevail.

5 POWERS AND RESPONSIBILITIES OF THE COUNTY ASSOCIATION

- 5.1 In general the County Association shall:-
- 5.1.1 Manage the sport of swimming throughout the county subject to the strategic direction of the ASA, the North West Region and the County Association.
- 5.1.2 Observe, obey, and enforce the laws and the judicial and technical rules of the ASA council and the North West Region within its jurisdiction.

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- 5.1.3 Follow the resolutions and rulings of the ASA committee and/or the ASA council and the North West Region and ensure they are followed within its jurisdiction.
- 5.1.4 Be accountable to the ASA and the North West Region for the proper discharge of its duties and functions.
- 5.1.5 Produce, maintain and implement such plans based on strategic criteria set by ASA and the North West Region and in such form as the ASA and the North West Region may from time to time require.
- 5.1.6 Make available to the Amateur Swimming Association North West Region such information and reports as it may require by September and in a format specified by the ASA North West Region.
- 5.1.7 Elect the requisite number of delegates to the ASA North West Region council meeting and any special council meeting.
- 5.1.8 Make nominations for the position of president of the ASA North West Region by September in accordance with the requirement of the ASA North West Region.
- 5.1.9 Issue as required constitutional rules for the County Association and operate on the basis of a standard constitution appropriate for a County Association which:
 - 5.1.9.1 Shall be issued and reviewed from time to time by the ASA North West Region and the ASA.
 - 5.1.9.2 Shall contain any mandatory provisions in respect of any parts of the governance and administration of the County Association received from the ASA and/or the ASA North West Region.
 - 5.1.9.3 May contain recommended provisions in respect of the other parts of the governance of and administration and any other matter appertaining to the County Association received from the ASA North West Region and/or the ASA.
- 5.2 In relation to its administration and finance the County Association shall:-
 - 5.2.1 Determine the uses to which its funds are allocated within the strategic criteria set by the ASA, the North West Region and the County Association.
 - 5.2.2 Set up and implement a business plan including a budget indicating the source of the required funding and how it will be spent, based on the strategic criteria set by the ASA, the North West Region and the County Association.
 - 5.2.3 Set up and implement a development plan based on the strategic criteria set by the ASA, the ASA North West Region and the County Association.
 - 5.2.4 Have the authority to set the County Association element of the 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 County Association.

- 5.3 In relation to its accountability the County Association shall:-
- 5.3.1 From time to time submit its business and development plans to the North West Region or its nominated agent(s) for information and approval as required.
- 5.3.2 Keep accounts showing its income and expenditure against the budget set in its business plan, and a balance sheet.
- 5.3.3 Report annually to the North West Regional management board, in such a form as it may from time to time require, on its :-
- 5.3.3.1 Activities and any issues arising there from.
- 5.3.3.2 Financial statements.
- 5.3.3.3 Performance against its development plan

6 AFFILIATION AND MEMBERSHIP

- 6.1 The total membership of the County Association shall not normally be limited. If however the executive committee considers that there is good reason to impose any limit from time to time the executive committee shall put forward appropriate proposals for consideration to the ASA North West Region. The members of council shall have the right to recommend to the executive committee that limits should be placed on or removed from total membership, or any category of membership.
- 6.2 The County Association shall affiliate:
- 6.2.1 Clubs affiliated to the ASA and to the ASA North West Region who have been allocated to the County Association by the ASA North West Region.
- 6.2.2 Associated organisations affiliated to the ASA and to the ASA North West Region including.
- 6.2.2.1 Corporate organisations.
- 6.2.2.2 Local associations and leagues.
- 6.2.2.3 Individuals, clubs, bodies, associations or organisations granted temporary affiliation by the ASA for participation in a specified activity or group of activities.
- 6.3 The membership of the County Association shall consist of:
- 6.3.1 Those clubs who are affiliated to the ASA and to the Amateur Swimming Association North West Region who have their headquarters within the county of Cheshire, as defined in ASA law 2, and have been allocated to the County Association by the Amateur Swimming Association North West Region.
- 6.3.2 Individual position holders consisting of; life vice presidents, County Association officers and other

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designated position holders, as decided, from time to time, by the executive committee. All holders of individual positions shall be members of an affiliated club, league, body, association or organisation and shall be not less than 18 years of age.

- 6.3.3 Individuals granted temporary membership by the ASA by virtue of their participation in a specific event organised by the county in conjunction with a club, body, association or organisation under the provisions of ASA regulation 56.
- 6.3.4 Persons who have been granted individual membership by the County Association, who are non-competitors provided the ASA membership fee has been paid.
- 6.3.5 Individuals granted honorary membership of the County Association.

7 SUSPENSION AND RESIGNATION

- 7.1 Any club not having made its return of club membership to the ASA and paid its liabilities to the ASA, the region and the County Association by 31st march shall be suspended with immediate effect, by the executive committee, from all County Association activities, until such time as those liabilities are discharged. The club is to be notified in writing of the suspension.
- 7.2 A member of a club that has not paid its liabilities to the ASA, to the North West Region and to the County Association by the appropriate date shall not be allowed to compete during the period of the suspension in any open competition in the name of that club.
- 7.3 An association, body or league which has not paid its liabilities to the ASA, to the North West Region and to the County Association by the appointed date shall not be allowed to run its own competitions during the period of suspension.
- 7.4 Any club not having paid its liabilities to the ASA, the region or the county by 1st April shall be deemed to have resigned
- 7.5 Where the membership of a club shall be terminated in this way the club shall be informed in writing that the club is no longer a member of the County Association.
- 7.6 Any club resigning from affiliation of the North West Region shall be deemed to have resigned from membership of the County Association.
- 7.7 A club wishing to resign from the County Association must resign from the region and shall give notice to that effect before 1st January to the regional director or it shall be held responsible for its County Association affiliation fee for the current year

8 FINANCE

- 8.1 The financial year of the County Association shall be the period commencing on 1st April and ending on 31st march. Any change to the financial year shall require the approval of the council.
- 8.2 The executive committee shall notify the ASA and the North West Region of the affiliation fee of the County Association by no later than 30th September in the preceding year.

- 8.3 The executive committee shall, as they see fit, decide the amount of the annual affiliation fee for the next operating year.
- 8.4 The annual affiliation fees per club shall consist of a standard fee element plus a per member fee. The annual affiliation fee for any other body, league, association or organisation shall consist of a standard fee element only.
- 8.5 The level of the affiliation fee for the next operating year shall be notified to the annual general meeting who shall have the opportunity to make comment and to make recommendations to the executive committee as to the future levels of the affiliation fee.
- 8.6 The annual affiliation fee for each club shall be due on its affiliation to the region and hence on joining the County Association and thereafter on 1st January of each year.
- 8.7 The executive committee shall make appropriate arrangements to receive from the ASA the specified county affiliation fee for each club affiliated to the County Association.
- 8.8 The executive committee shall, from time to time, have the power to set any fees, including the annual affiliation fee.
- 8.9 All monies payable to the County Association shall be received by the treasurer and deposited in a bank account in the name of the County Association
- 8.10 The income and property of the County Association shall be applied only in 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, save as set out in rule 15.4.2.12.
- 8.11 The hon. Treasurer shall record the financial transactions of the association in such a manner, as the executive committee think is appropriate.

9 GOVERNANCE

- 9.1 There shall be four levels of government of the County Association.
- 9.1.1 The council
- 9.1.2 The executive board.
- 9.1.3 The executive committee.
- 9.1.4 The standing and other committees, officers and county coordinators.
- 9.2 A person who is not a member under its own rules of a club, body, association or league affiliated to the County Association shall not be permitted to be nominated, elected or appointed as a delegate, committee member, officer, coordinator, advisor or to any other position which carries the right to vote at any level of government of the County Association.

- 10
- OFFICERS**
- 10.1 The officers of the County Association shall be the president, the president elect, the honorary secretary and the honorary treasurer.
- 11
- COUNCIL**
- 11.1 The council of the association shall consist of:-
- 11.1.1 Life vice presidents.
- 11.1.2 Past presidents.
- 11.1.3 The officers of the County Association elected under rule 12.3.1.
- 11.1.3.1 The president.
- 11.1.3.2 President elect.
- 11.1.3.3 Hon. Secretary.
- 11.1.3.4 Hon. Treasurer.
- 11.1.4 The members of the executive committee elected under rule 12.3.3.
- 11.1.5 The secretaries of the standing technical committees elected under rule 12.3.2:
- 11.1.4.1 Hon. Diving secretary
- 11.1.4.2 Hon. Masters's swimming secretary.
- 11.1.4.3 Hon. Swimming championship secretary.
- 11.1.4.4 Hon. Synchronised swimming secretary
- 11.1.5.5 Hon. Water polo secretary.
- 11.1.6 County coordinators appointed in accordance with rule 15.4.2.10. If a coordinator is not a member of a club affiliated to the County Association they may speak but not vote.
- 11.1.7 The delegates of affiliated clubs, bodies, associations, organisations or leagues.
- 11.2 Representation to council

11.2.1 Clubs

Each club affiliated to the County Association shall be entitled to representation at council by two delegates

11.2.2 Others

Any affiliated body, association, organisation or league shall be entitled to representation at council by one delegate

11.3 Delegates

11.3.1 A delegate shall be appointed by the club, body, organisation or league they represent.

11.3.2 The secretary of the club, body, organisation, association or league, or other person authorised so to do, shall notify the hon. Secretary of the County Association that the delegate is a bona-fide member of the club, body, organisation, association or league and has been duly appointed a delegate to any general meeting of the council.

11.3.3 A delegate shall only be permitted one vote irrespective of the number of clubs, associations, bodies or organisations they may represent.

11.3.4 Proxy voting shall not be allowed at any meeting of the council.

12 RESPONSIBILITIES OF COUNCIL

12.1 The council shall have the responsibility to:

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

12.1.2 Oversee the work of the executive committee and to receive its reports and accounts.

12.1.3 Abide by the standing orders for its conduct.

12.1.4 Consider and decide any proposed additions, alterations or recessions to these rules.

12.1.5 Keep full and accurate minutes of its meetings.

12.2 The council shall at the annual council meeting elect or confirm they remain in office:

12.2.1 One or more independent financial examiners, as required, who shall not be members of the executive committee or members of the family of a member of the executive committee.

12.3 At the annual council meeting elect the following, each of whom shall be a member of a club affiliated to the County Association:

- 12.3.1 The officers of the County Association, as follows:
 - 12.3.1.1 The president.
 - 12.3.1.2 The president elect.
 - 12.3.1.3 The honorary secretary.
 - 12.3.1.4 The honorary treasurer.
- 12.3.2 The secretaries of the standing technical committees, as follows:
 - 12.3.2.1 The honorary diving secretary.
 - 12.3.2.2 The honorary masters swimming secretary.
 - 12.3.2.3 The honorary swimming championship secretary.
 - 12.3.2.4 The honorary synchronised swimming secretary.
 - 12.3.2.5 The honorary water polo secretary.
- 12.3.3 Six members of the executive committee.-
- 12.4 The council may:
 - 12.4.1 Discuss any matters that are relevant and pass resolutions and orders concerning them.
 - 12.4.2 Appoint a special committee to consider and report upon any matter. The number of members of the committee and a quorum to be determined by the council. The president shall be an *ex officio* member of any such committee unless the council dictates otherwise.
 - 12.4.3 On the recommendation of the executive committee elect as a life vice president an individual whose services to the association would justify this recognition.
 - 12.4.4 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 County Association has rendered it unworthy to continue to be affiliated, make representation to the North West Regional management board to expel the club from county membership. Notice of such a motion must have previously been included in the agenda for the meeting.
 - 12.4.5 At an annual council meeting or at a special council meeting, delegate the whole, or any of its powers, to the executive committee.

- 13.1 Chairman
- 13.1.1 The chairman at all meetings of the council shall be the president if he is present. If the chairman is absent, or unable to act or declines to act the president elect shall act as the chairman for the meeting. If the president elect is not able to act as chairman for the meeting the most immediate past president shall act as chairman. If a chairman is still not available the council shall elect a chairman from its members present.
- 13.1.2 The chairman shall:
- 13.1.2.1 Have unlimited authority upon every question of order.
- 13.1.2.2 Be, for the purpose of the council meeting, the sole interpreter of the rules governing the council.
- 13.1.2.3 Not have the right to vote on any motion. In the event of an equality of votes, the chairman shall have a casting vote.
- 13.2 Hon. Secretary
- 13.2.1 The hon. Secretary shall be responsible for providing each affiliated club, body, association, organisation or league and each member of the executive committee written notice of the date, time and place of the annual council meeting together with the closing date for any nominations, resolutions and proposals to be considered thereat not less than 28 days before the date of the meeting.
- 13.2.2 The hon. Secretary shall be responsible for providing each affiliated club, body association, organisation or league and each member of the executive committee a written agenda for a council meeting together with the resolutions to be proposed thereat at least 14 days before the date of the meeting and in the case of the annual council meeting a copy of the annual reports, a list of the nominees for the officers and the executive committee posts and a copy of the examined accounts.
- 13.2.3 The hon. Secretary, or in the absence of the hon. Secretary a member of, and selected by, the executive committee, shall take the minutes of a council meeting.
- 13.3 Motions
- 13.3.1 A proposal for consideration at the annual council meeting which does not embody a proposal to change a rule of the County Association, may be submitted:
- 13.3.1.1 By the executive committee, or:
- 13.3.1.2 By a member of council, or:
- 13.3.1.3 By a club, body, association, organisation or league affiliated to the County Association.
- 13.3.2 Nominations for election of members to the position of president, to any other office or to membership of the executive committee shall be made in writing by the proposer and seconder to be received by the hon. Secretary, not less than 21 days prior to the annual council meeting, with the written consent of the

nominee.

- 13.3.3 In all cases where multiple nominations are received for the same office or membership of the executive committee and it is necessary to hold a ballot, the hon. secretary shall call for curriculum vitae (Cv) for each person involved in the ballot. The Cv is to be circulated with the papers for the meeting.
- 13.3.4 Any nominations for election to the position of life vice president shall be made to the council meeting by the executive committee.
- 13.3.5 Proposals and resolutions received in accordance with this section shall be submitted in writing to the hon. Secretary not less than 21 days prior to the annual council meeting.
- 13.3.6 Proposals received in accordance with this section shall be sent to clubs, bodies, associations and organisations entitled to be represented at council not less than fourteen days before the date of the meeting of council.
- 13.3.7 A motion of which due notice has not been given may not be discussed or voted upon unless sanctioned by the chairman and two-thirds of the members voting and provided it does not involve a change to the rules of the County Association.
- 13.3.8 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 chairman and put to the vote without debate.
- 13.4 Procedures at council meetings
- 13.4.1 All business of 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:-
- 13.4.1.1 To record the name of the chairman of the meeting, if other than the president.
- 13.4.1.2 To record the name of the secretary of the meeting, if other than the hon. Secretary.
- 13.4.1.3 For adjournment.
- 13.4.1.4 For leave to withdraw a motion.
- 13.4.1.5 For a vote of thanks.
- 13.4.1.6 For permission to withdraw.
- 13.4.2 Every motion shall be proposed and seconded.
- 13.4.3 Resolutions that emanate from the executive committee shall be proposed by a member of the executive committee while those that emanate from a standing order or other committee shall be proposed by the secretary of the committee. If the committee secretary is not a member of council the proposal shall be made formally from the chair and immediately afterwards the committee secretary, or a substitute, shall be

allowed to speak in support of the resolution.

- 13.4.4 Any amendment shall be disposed of before another amendment is considered. The chairman may accept, without notice, verbal amendments that do not affect substantially the nature of the proposal under discussion.
- 13.4.5 A proposal to change the rules of the County 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 whether to change a rule of the County Association or otherwise, shall require a simple majority of those members present and voting.
- 13.5 Voting
- 13.5.1 Unless the chairman directs otherwise, voting on all motions or amendments shall be by a show of hands or delegates cards.
- 13.5.2 Each member present and entitled to vote, with the exception of the chairman, or acting chairman for that meeting, shall have one vote and a simple majority shall pass any resolution. In the event of an equality of votes the chairman, or the acting chairman for that meeting, shall have a casting vote.
- 13.5.3 Voting on elections shall be by secret ballot and any ballot paper containing more votes than the number required shall be void.
- 13.5.4 Completed voting papers shall be collected by the tellers as directed by the chairman.
- 13.5.5 The chairman shall appoint two tellers to count the votes from persons present at the meeting who shall not be members of council.
- 13.5.6 The result of each ballot shall be announced by the chairman during the meeting and the chairman shall indicate the number of votes cast for each candidate and the number of spoiled ballot papers.
- 13.5.7 Any discrepancy or irregularity found after the conclusion of the meeting shall be dealt with by the executive board, which may disqualify votes with the 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.
- 13.6 Changes to County Association rules
- 13.6.1 Any proposal to change a rule of the County 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 executive board shall draft the wording of the changes to the rules to implement the principles and intentions approved by council. The executive committee shall approve the changes to the rules and submit them where necessary to the North West Region for consideration and approval by the North West Region.
- 13.6.2 The changes to the rules shall become effective upon approval by the ASA North West Region management board or at a specified later date as determined by the council.
- 13.6.3 A proposal to change a rule of the County Association shall only be considered at a meeting of the council if

it has been:

- 13.6.3.1 Made by the executive committee at a meeting held not less than 21 days before the date of the council meeting and appears in the minutes of the meeting of the executive committee, or:
- 13.6.3.2 Made by a committee appointed by the council or the executive committee and appears in the minutes of that committee that have been approved by the executive committee not less than 21 days before the date of the council meeting, or:
- 13.6.3.3 Made by a club, body, organisation, association or league affiliated to the County Association and has reached the County Association honorary secretary in writing not less than 21 days before the date of the council meeting, or
- 13.6.3.4 Made as a matter of urgency, approved by the executive committee, sent to the clubs, bodies, organisations, associations or leagues affiliated to the County Association at least fourteen days before the council meeting and approved as a suitable matter for consideration by council by at least two-thirds of the delegates voting, or:
- 13.6.3.5 Mandated by a change to either ASA law or the rules of the North West Region.
- 13.6.3.6 Included in the resolution or request for a special meeting of council;
- 13.6.3.7 Referred to the executive committee, unless emanating from it. The executive committee shall indicate its support or opposition and may propose amendments, which shall be included on the agenda of the council meeting.
- 13.6.3.8 Included on the agenda of the council meeting.
- 13.6.4 Every proposal to change a rule of the County Association and/or amend to it shall be proposed and seconded separately and shall be open for discussion by any delegate with or without prior indication of intent.
- 13.6.5 An amendment to any proposal to change a rule of the County Association may be proposed by any member of council, supported by another member as a seconder, and shall reach the honorary secretary of the County Association not less than 21 days before the date of the annual council meeting, or special council meeting, as the case may be.
- 13.6.6 A schedule of all such amendments shall be sent to the clubs, bodies, associations, organisations and leagues entitled to be represented at council at least fourteen days prior to the date of the council at which they are to be considered.
- 13.6.7 If any addition, alteration or recession of either an ASA law or a rule of the North West Region is mandated or causes a County Association rule to conflict with it, the executive committee shall immediately cause the County Association rule to conform to it. Any such changes shall be notified to the next annual council meeting following the change of rule.
- 13.7 Annual meeting of council

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- 13.7.1 The annual council meeting of the association shall be held in the period from 1st November to 20th December each year.
- 13.7.2 The executive committee shall fix the date, the time and the venue of the annual council meeting, which shall be notified to clubs with the notice convening the meeting.
- 13.7.3 The purpose of the annual council meeting is to transact the following business:-
- 13.7.3.1 To receive and comment on the annual report of the activities of the County Association during the previous year as presented by the hon. Secretary;
- 13.7.3.2 The annual report shall include the reports of the executive committee, the hon. diving secretary, the hon. masters swimming secretary, the open water swimming Coordinator, the hon. swimming championship secretary, the hon. synchronised swimming secretary, the hon. water polo secretary, and of any standing or other committee, as decided by the executive committee and responsible for the activities of the County Association during the previous year;
- 13.7.3.3 To receive and consider, the accounts of the association for the previous year, the report on the accounts by the independent financial examiners and the treasurer's report as to the financial position of the association:
- 13.7.3.4 To elect the president, the president elect, the honorary officers and the other members of the executive committee who shall retire from office at the annual council meeting each year, but shall be eligible for re-election.
- 13.7.3.5 To elect life vice presidents as required.
- 13.7.3.6 To appoint the independent financial examiners and other County Association coordinators as required.
- 13.7.3.7 To decide on changes to the constitutional rules and other resolutions.
- 13.7.3.8 To decide on any other resolution that may be duly submitted in accordance with rule 13.3 and rule 13.6.
- 13.8 Special meetings of council
- 13.8.1 The executive committee shall call a special meeting of council at any time in response to:-
- 13.8.1.1 A resolution of the council carried at any meeting of the council,
- 13.8.1.2 An order of the executive committee,
- 13.8.1.3 A requisition in writing, received by the hon. secretary, signed on behalf of not less than sixteen different clubs. Each signatory to the request to be an officer of the club. The request to state the purpose for which the meeting is required and the resolutions proposed.
- 13.8.2 The hon. Secretary shall call a special meeting of council within 28 days of the receipt of a requisition to call the meeting.

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13.8.3 Not less than fourteen days notice of a special meeting shall be given to all affiliated clubs. The notice shall specify the object of the meeting. The venue and time of such a meeting shall be at the discretion of the executive committee.

13.8.4 No business shall be discussed at such a meeting other than that prescribed by the council, the executive committee or that stated in the request for the meeting, as the case may be.

13.9 Quorum

13.9.1 The quorum for the annual council meeting or any special council meeting shall be ten members entitled to attend and vote at the meeting, which must contain not less than one officer of the association.

14 HON TRUSTEES

14.1 The trustees of the County Association shall be the president, the hon. secretary and the hon. treasurer during their respective terms of office.

14.2 Any trophies of the County Association, not being competed for shall be lodged with the trophy controller, or other such person as nominated by the executive committee, for safe keeping.

14.3 The trustees shall be empowered to carry out all necessary actions in connection with the property and assets of the County Association considered appropriate or as directed by the executive committee or the council.

15 EXECUTIVE COMMITTEE

15.1 Membership

15.1.1 The executive committee shall comprise the following,

15.1.1.1 Life vice presidents.

15.1.1.2 Past presidents.

15.1.1.3 The elected officers each of whom shall be a member of a club affiliated to the County Association.

15.1.1.3.1 President.

15.1.1.3.2 President elect

15.1.1.3.3 Hon. Secretary

15.1.1.3.4 Hon. Treasurer.

15.1.1.4 The elected secretaries of the standing technical committees, each of whom shall be a member of a club

affiliated to the County Association.

- 15.1.1.4.1 Hon. Diving secretary.
- 15.1.1.4.2 Hon. Masters's swimming secretary.
- 15.1.1.4.3 Hon. Swimming championship secretary.
- 15.1.1.4.4 Hon. Synchronised swimming secretary.
- 15.1.1.4.5 Hon. Water polo secretary.
- 15.1.1.5 Six members elected to the executive committee by council each of whom shall be a member of a club affiliated to the County Association:
- 15.1.2 All members of the executive committee must be not less than eighteen years of age.
- 15.1.3 The executive committee members, with the exception of the life vice presidents and the past presidents shall be proposed, seconded and elected by ballot at the annual council meeting each year and shall remain in office until their successors are elected at the next annual council meeting. Retiring members of the executive committee shall be eligible for re-election.
- 15.1.4 The executive committee may fill any vacancy occurring by resignation or by any other means.
- 15.1.5 In the event of any member of the executive committee not attending three consecutive executive committee meetings, it shall be considered equivalent to their resignation and the executive committee shall proceed to fill the vacancy, unless the executive committee is satisfied that such absence is unavoidable and have notice of the same.

Of council and for submission to the North West Region and the ASA as required, together with their implementation, monitoring and evaluation.
- 15.4.1.5 Appoint any officers, officials, coordinators and members of the standing technical and other committees, not elected by the council.
- 15.4.1.6 Monitor and evaluate the work of the standing technical and other committees and any other person appointed to a specific task within the County Association, including the production of full and accurate minutes of their meetings and reports of their activities:
- 15.4.1.7 Maintain appropriate channels of communication with the North West Region, clubs and individuals.
- 15.4.2 The executive committee shall:
 - 15.4.2.1 Determine any question arising as to the correct interpretation of any of these rules, or any other question not herein provided for:

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- 15.4.2.2 Submit to the North West Region a nomination for the position of president of the North West Region in accordance with the requirements of the North West Region:
- 15.4.2.3 Set the affiliation fee in line with the budget:
- 15.4.2.4 Set the level of competition and championship fees in line with the budget:
- 15.4.2.5 Determine who shall be the authorised signatories of the accounts of the County Association.
- 15.4.2.6 Ensure that full and accurate minutes of its meetings are kept:
- 15.4.2.7 At its first meeting after the annual council meeting appoint county representatives, who shall be members of a club affiliated to the County Association, to:
 - 15.4.2.7.1 ASA North West Region council meetings.
 - 15.4.2.7.2 External partnerships as required.
- 15.4.2.8 At its first meeting after the annual council meeting:
 - 15.4.2.8.1 Select the members of the executive board.
 - 15.4.2.8.2 Appoint the members of the standing technical committees for diving, masters swimming, swimming, synchronised swimming and water polo, each of whom shall be a member of a club affiliated to the County Association:
 - 15.4.2.8.3 Appoint county coordinators as follows, each of whom shall be a member of a club affiliated to the County Association:
 - 15.4.2.8.3.1 Swimming championship officials
 - 15.4.2.8.3.2 Media and publicity
 - 15.4.2.8.3.3 Welfare issues relating to members.
 - 15.4.2.8.3.4 Open water swimming
 - 15.4.2.8.3.5 Swimming development clinics
 - 15.4.2.8.3.6 Disability swimming
 - 15.4.2.8.3.7 Volunteer members
 - 15.4.2.8.3.8 Trophy controller

- 15.4.2.9 Have the power to authorise the payment of remuneration, expenses or grant for services to the County Association received from any
- 15.4.2.9.1 Officer, committee member or official of the County Association
- 15.4.2.9.2 Other person or persons as decided by the executive committee or council:
- 15.4.2.9.3 External agents as part of a partnership agreement.
- 15.4.2.10 Implement with immediate effect a change of the rules of the County Association if they are in conflict with any addition, alteration or recession of either an ASA law or regulation or a rule of the North West Region.
- 15.4.2.11 Determine the terms of reference of any sub-committee or working group.
- 15.4.2.12 Be accountable to the council of the County Association and report to it at such times and in such a form as it may require:
- 15.5 The executive committee may:
- 15.5.1 Fill any vacancy occurring on the executive committee, after due notice:
- 15.5.2 Contract and set up partnership agreements with outside agencies in support and furtherance of the aims and objectives of the County Association:
- 15.5.3 Appoint a special committee to consider and report on any matter, the number of and appointment of the members of the committee and a quorum to be determined by the executive committee. If the president of the County Association shall be a member of such a special committee he shall not be entitled, by virtue of that office, to be chairman of any meetings of such a committee.
- 15.5.4 Discharge, by a two thirds majority of those voting, for any breach of and under the provisions of the ASA's code of conduct for volunteers, any volunteer person from any elected or appointed office or position, with the exception of the president and the president elect, and replace them:
- 15.5.5 At its discretion discharge any standing technical or other committee and elect a new one in its place.
- 15.5.6 From time to time appoint from among its members such other committees or working groups as they may consider necessary and may delegate to them such of the powers and duties of the executive committee as the executive committee may determine.
- 15.6 The executive committee shall be governed by the following standing orders:
- 15.6.1 If the president is unable or unwilling to act as chairman at a meeting the members present at the meeting shall elect a chairman from their members and he shall be entitled to act in all respects as if he were the chairman.
- 15.6.2 The chairman shall have unlimited authority upon every question of order at each meeting of the executive committee and for the purpose of any meeting, shall be the sole interpreter of the rules governing the

executive committee.

- 15.6.3 The minutes of the previous meeting as circulated shall be considered as the first substantive item on the agenda.
- 15.6.4 The minutes of the standing technical or other committees and reports of officers or other individuals shall not be considered unless they have been circulated with the agenda, unless the chairman and the members of the executive committee agree by a two thirds majority that it will not prejudice the good governance of the County Association to do so.
- 15.6.5 Every motion shall be proposed and seconded.
- 15.6.6 Any amendment shall be disposed of before another amendment is considered. The chairman may accept, without notice, verbal amendments that do not affect substantially the nature of a proposal under discussion.
- 15.6.7 All proposals, including amendments to proposals shall require a simple majority of those members voting unless otherwise specified in these rules.
- 15.6.8 The chairman shall have the right to vote on any motion and in the event of an equality of votes shall have the casting vote.
- 15.6.9 Unless the chairman decides otherwise, voting on all motions or amendments shall be by a show of hands.
- 15.6.10 Meetings of the executive committee shall not be open to the public.
- 15.6.11 The minutes of the executive committee shall be circulated to each member of the executive committee only.
- 15.6.12 The members of the executive committee shall be indemnified by the members of the County Association against all liabilities properly incurred by them in the management of the affairs of the County Association.

16 INDEPENDENT FINANCIAL EXAMINERS

- 16.1 One or more independent financial examiners shall be appointed at the annual council meeting; they shall examine the annual statement of the accounts and the balance sheet and shall certify the same before they are printed.

17 Standing technical and other committees

- 17.1 A standing committee shall be formed for the executive board and standing technical committees shall be formed for diving, masters swimming, swimming, synchronised swimming and water polo:

17.1.1 Composition

Each standing technical committee shall consist of members as indicated in its terms of reference

17.1.2 *Ex officio* members

The president, the president elect, the hon. Secretary and hon. Treasurer of the County Association shall be *ex-officio* members of all standing technical and other committees, with the exception of the executive board or as otherwise specified by the council or in the terms of reference of such a committee.

17.1.3 Appointment

The executive committee shall appoint the members of each standing technical and other committee.

17.2 Provisions applicable to standing technical and other committees

17.2.1 Standing orders

17.2.1.1 The meeting of every committee shall be private and no report of its proceedings shall be made to any outside body.

17.2.1.2 Members of the executive committee may attend any meeting of any committee, with the exception of the executive board, but without power to vote.

17.2.1.3 In case of emergency any action or decision taken by any standing technical or other committee must have prior approval of the president and the hon. Secretary.

17.2.1.4 Except in cases of emergency no decisions of any standing technical or other committee shall be binding upon the executive committee until considered and voted upon by the executive committee.

17.2.1.5 All standing technical and other committees and working groups shall periodically report their proceedings to the executive committee and shall conduct their business in accordance with the directions of the executive committee.

17.2.2 County Association officers

The following may attend any meeting of any standing technical committee, with the exception of the executive board, without the power to vote and shall be given notice of all such meetings:

17.2.2.1 The president:

17.2.2.2 The president elect;

17.2.2.3 Hon secretary;

17.2.2.4 Hon treasurer.

17.2.3 Quorum

The quorum for each standing technical or other committee shall be as laid down in the terms of reference for the committee. Any *ex-officio* members shall not be taken into account when determining the quorum of a committee but those with a vote, attending a meeting, shall be included in the number of members present required to satisfy the quorum.

17.2.4 Co-option

Any standing technical or other committee shall have the power to co-opt up to three additional members, for any special purpose, without the power to vote.

17.2.5 Substitutes

In the absence of the chairman and/or the hon. Secretary of a standing technical or other committee a member of the committee chosen by a majority of the members present and voting shall act as the chairman or hon. Secretary as required, for that meeting.

17.2.6 Committee chairman

17.2.6.1 At its first meeting after the annual council meeting each standing technical or other committee shall elect, except where otherwise appointed, a chairman from amongst its own members.

17.2.6.2 The association president, if present, shall have the right to act as chairman.

17.2.6.3 A chairman shall have the right to vote on any motion. In the event of equality of votes the chairman shall have the casting vote.

17.2.6.4 In the absence of the president, or chairman, a member of the committee chosen by a majority of the members present and voting shall act as the chairman for that meeting.

17.2.7 Committee secretary

17.2.7.1 At its first meeting after the annual council meeting each committee shall elect, except where otherwise appointed, a hon. Secretary from amongst its own members.

17.2.7.2 The hon. Diving secretary shall be a member of the diving committee and shall act as the secretary of the committee.

17.2.7.3 The masters swimming committee secretary shall be a member of the masters swimming committee and shall act as the secretary to the committee.

17.2.7.4 The swimming committee coordinator shall be a member of the swimming committee and shall act as the secretary to the committee.

17.2.7.5 The synchronised swimming secretary shall be a member of the synchronised swimming committee and shall act as the secretary to the committee.

17.2.7.6 The hon. Water polo secretary shall be a member of the water polo committee and shall act as the secretary to the committee

17.2.8 Minutes

Each standing technical committee shall keep full and accurate minutes of its meetings. The minutes of all such meetings or a report of the activities and business conducted by the committee, as decided by the executive committee, shall be submitted for approval to the executive committee

18 EXECUTIVE BOARD

18.1 Composition

The executive board shall consist of :-

18.1.1 A chairman

18.1.2 Three other members.

18.2 Quorum

Three members shall form a quorum.

18.3 Membership

The executive committee at its first meeting after the annual council meeting shall select, as appropriate:-

18.3.1 The chairman of the executive board. The chairman shall be appointed for a period not exceeding four years and for a maximum of two consecutive periods only.

18.3.2 The three other members of the board. The members shall be elected for a period not exceeding three years but shall be eligible for re-election at the end of each three-year period.

18.4 Duties

The duties of the executive board shall include but not be limited to, to:-

18.4.1 Produce the strategic plan for submission to and approval of the executive committee:

18.4.2 Produce the business plan including the budget requirements for submission to and approval of the executive committee of the County Association and for submission to the North West Region:

18.4.3 Produce the development plan for the County Association for submission to and approval of the executive committee of the County Association and for submission to the North West Region:

- 18.4.4 Report to the executive committee on the progress made against the business plan and the development plan and make recommendations for further action:
- 18.4.5 Make recommendations for changes to the constitution of the County Association.
- 18.4.6 Deal with any matter referred to it by the executive committee:
- 18.4.7 Report to the executive committee at such times and in such a form as it may require.

19 DIVING COMMITTEE

19.1 Composition

The diving committee shall consist of:-

19.1.1 The officers

19.1.2 Three elected members

19.1.3 The hon. Diving secretary

19.2 Quorum

Three members shall form a quorum.

19.3 Duties and responsibilities

The duties of the diving committee shall include but not be limited to, to:

19.3.1 Advise the executive committee on all matters relating to diving.

19.3.2 Organise county diving championships and other competitions as required.

19.3.3 Organise and appoint officials for county championships and other competitions.

19.3.4 Select divers for representative teams and for other competitions as necessary.

19.3.5 Review the relevant section of the development plan of the County Association on a regular basis and make periodic reports to the executive committee on the progress made against the county development plan for diving.

19.3.6 Encourage and supervise activities in the county for the improvement of diving.

19.3.7 Take such other action to further the discipline of diving within the county as deemed appropriate.

19.3.8 Deal with any diving matters referred to it by the executive committee

19.3.9 Report to the executive committee at such times and in such a form as it may require.

20 MASTERS SWIMMING COMMITTEE

20.1 Composition

The masters swimming committee shall consist of:-

20.1.1 The officers

20.1.2 Three elected members

20.1.3 The hon. Masters swimming secretary

20.2 Quorum

Three members shall form a quorum.

20.3 Duties and responsibilities

The duties of the masters swimming committee shall include but not be limited to, to:-

20.3.1 Manage the county masters swimming championships.

20.3.2 Appoint officials for the county masters swimming championships and other competitions as necessary.

20.3.3 Select county masters swimming representatives and nominate swimmers and officials for representative teams.

20.3.4 Review the relevant section of the development plan of the County Association on a regular basis and make periodic reports to the executive committee on the progress made against the county development plan for masters swimming.

20.3.5 Advise the executive committee on all matters relating to masters swimming.

20.3.6 Deal with any masters swimming matters referred to it by the executive committee.

20.3.7 Report to the executive committee at such times and in such a form as it may require.

20.3.8 Encourage and supervise activities in the county for the improvement of masters swimming.

20.3.9 Take such other action to further the discipline of masters swimming within the county as deemed

appropriate.

21 SWIMMING COMMITTEE

21.1 Composition

The swimming committee shall consist of:-

21.1.1 The officers

21.1.2 Six elected members.

21.1.3 The hon. Swimming championship secretary

21.1.4 The hon. Masters swimming secretary

21.1.5 Swimming committee coordinator

21.1.6 Open water swimming coordinator

21.1.7 Swimming officials coordinator

21.1.8 Swimming clinic development coordinator

21.2 Quorum

Seven members shall form a quorum.

21.3 Duties and responsibilities

The duties of the swimming committee shall include but not be limited to, to:-

21.3.1 Manage the county swimming championships.

21.3.2 Appoint officials for the county swimming championships and other competitions as necessary.

21.3.3 Select county swimming representatives and nominate swimmers and officials for representative teams.

21.3.4 Recommend to the executive committee the nominee for the swimmer of the year award.

21.3.5 Review the relevant section of the development plan of the County Association on a regular basis and make periodic reports to the executive committee on the progress made against the county development plan for swimming.

21.3.6 Advise the executive committee on all matters relating to swimming.

- 21.3.7 Deal with any swimming matters referred to it by the executive committee.
- 21.3.8 Report to the executive committee at such times and in such a form as it may require.
- 21.3.9 Encourage and supervise activities in the county for the improvement of swimming.
- 21.3.10 Take such other action to further the discipline of swimming within the county as is deemed appropriate.
- 21.3.11 Annually appoint at its first meeting an open water working group consisting of the open water swimming coordinator and a maximum of three other members. The duties of the open water working group shall include, but not be limited to, to
 - 21.3.11.1 Manage the open water swimming championships.
 - 21.3.11.2 Appoint officials for the county open water swimming championships
 - 21.3.11.3 Select county open water swimming representatives and officials for representative teams.
 - 21.3.11.4 Review the relevant section of the development plan of the County Association on a regular basis and make periodic reports to the executive committee on the progress made against the county development plan for open water swimming.
 - 21.3.11.5 Advise the swimming committee and the executive committee on all matters relating to open water swimming.
 - 21.3.11.6 Deal with any open water swimming matters referred to it by the executive committee or the swimming committee.
 - 21.3.11.7 Report to the swimming committee and the executive committee at such times and in such a form as it may require.
 - 21.3.11.8 Encourage and supervise activities in the county for the improvement of open water swimming.
 - 21.3.11.9 Take such other action to further the discipline of open water swimming within the county as deemed appropriate.

22 SYNCHRONISED SWIMMING COMMITTEE

22.1 Composition

The synchronised swimming committee shall consist of:-

22.1.1 The officers

22.1.2 Four elected members

22.1.3 The hon. Synchronised swimming secretary

22.2 Quorum

Three members shall form a quorum.

22.3 Duties and responsibilities

The duties of the synchronised swimming committee shall include but not be limited to, to:-

22.3.1 Manage the county synchronised swimming championships.

22.3.2 Appoint officials for the county synchronised swimming championships and for other competitions.

22.3.3 Select representative teams and officials for the county as required.

22.3.4 Review the relevant section of the development plan of the County Association on a regular basis and make periodic reports to the executive committee on all matters relating to synchronised swimming.

22.3.5 Advise the executive on all matters relating synchronised swimming.

22.3.6 Deal with any synchronised swimming matters referred to it by the executive committee.

22.3.7 Report to the executive committee at such times and in such a form as it may require.

22.3.8 Encourage and supervise activities in the county for the improvement of synchronised swimming.

22.3.9 Take such other action to further the discipline of synchronised swimming within the county as deemed appropriate.

23 WATER POLO COMMITTEE

23.1 Composition

The water polo committee shall consist of:-

23.1.1 The officers

23.1.2 Five elected members

23.1.3 The hon. Water polo secretary

23.2 Quorum

Three members shall form a quorum.

23.3 Duties and responsibilities

The duties of the water polo committee shall include but not be limited to, to:

- 23.3.1 Manage the county water polo championships.
- 23.3.2 Appoint officials for the county water polo championships and for other competitions.
- 23.3.3 Select representative teams and officials for the county as required.
- 23.3.4 Review the relevant section of the development plan of the County Association on a regular basis and make periodic reports to the executive committee on all matters relating to water polo.
- 23.3.5 Advise the executive on all matters relating to water polo.
- 23.3.6 Deal with any water polo matters referred to it by the executive committee.
- 23.3.7 Report to the executive committee at such times and in such a form as it may require.
- 23.3.8 Encourage and supervise activities in the county for the improvement of water polo.
- 23.3.9 Take such other action to further the discipline of water polo within the county as deemed appropriate.

24 COUNTY CERTIFICATES

- 24.1 The county shall award certificates for services to the County Association in two categories, namely, a certificate of merit and a certificate of achievement.
- 24.2 The certificate shall be awarded at the discretion of the executive committee from nominations received by the hon. Secretary, in writing, at any time, from any source.
- 24.3 Certificate of merit
 - A certificate of merit shall be awarded:-
 - 24.3.1 To a person elected as a life vice president.
 - 24.3.2 To the retiring president.
 - 24.3.2 For meritorious performance in competition, or any other action deserving of recognition, by a member of the association.
- 24.4 Certificate of achievement

A certificate of achievement shall be awarded:-

- 24.4.1 To a retiring chairman or hon. Secretary of a county technical committee, with a minimum of five years' service.
- 24.4.2 To an individual, group, or team, on the recommendation of the executive committee, or the council in recognition of a special performance rendered to the association.
- 24.4.3 For a substantial contribution to the promotion of any discipline at national or county level for and within the County Association.
- 24.4.4 To any sponsor or supporter who has provided significant material benefit to the association at any time.

25 REPRESENTING THE ASSOCIATION

- 25.1 Any diver, swimmer, synchronised swimmer or water polo player selected to represent the County Association and failing to appear shall not be allowed to take part in any of the association championships or competitions until a satisfactory explanation is given, subject to the provisions of ASA. Laws.

26 *Award of association badge*

- 26.1 Cheshire WP & SA badges shall be awarded to executive members, competitors in all disciplines of the sport who represent Cheshire County WP & SA, team managers, chaperons, coaches and technical officials of representative teams and others.
- 26.2 The county badge shall be awarded to others at the discretion of the executive committee.

27 CHAMPIONSHIP CONDITIONS

- 27.1 The championship conditions shall not be considered part of the constitutional rules for the purpose of these rules.

28 EXPULSION AND OTHER DISCIPLINARY ACTION

- 28.1 If a complaint is to be made or is received by the County Association expressing dissatisfaction with the actions or behaviour of an individual person, member, club, body, organisation, association or league it shall be submitted to the Amateur Swimming Association for consideration under the judicial laws of the Amateur Swimming Association.
- 28.2 In the case of an affiliated club, the executive committee shall have the power to seek expulsion through the North West Region, to which the club is affiliated.
- 28.3 With the exception of an affiliated club, the executive committee shall have the power to expel an individual member, body, organisation, association or league when, in its opinion, it would not be in the interests of the County Association to retain the membership of the individual member, body, organisation, association or league. The association in exercising this power shall comply with the provisions of rule 28.5 and rule 28.6 below.

- 28.4 In the case of an internal dispute between any individual member, body, organisation, association or league affiliated to the County Association, when referred to the County Association for consideration, it shall adopt and comply with ASA regulation 281 for handling internal disputes as the same may be revised from time to time.
- 28.5 The association shall comply with the requirements and procedures of ASA law for handling all internal disputes as the same may be revised from time to time.
- 28.6 A member may not be expelled or (subject to rule 27.8 below) be made the subject of any other penalty or sanction unless the panel hearing the complaint shall, by a two-thirds majority, vote in favour of the expulsion or other penalty imposed upon the member.
- 28.7 The officers of the association, or any other person to whom the executive committee 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 disciplinary action is taken it shall be dealt with in accordance with ASA laws and procedures.
- 28.8 The officials in charge of a particular event shall be responsible for the discipline. If further action is required this is to be referred to the disciplinary subcommittee. The disciplinary subcommittee to be five members, appointed by the executive committee, of which three members must be present at the "disciplinary hearing".
- 28.9 The executive committee reserves the right to expel or disqualify (or any other penalty imposed upon) any member by a majority of two thirds at any special meeting, provided notice of such expulsion or disqualification is given on the notice calling the meeting and the accused is invited to attend and speak, to call witnesses and to question witnesses called against him/her. Another person to assist in presenting his/her defence may accompany the member. If the alleged offence is also an infringement of ASA law the association shall not deal with the matter but shall make a complaint to the ASA under the ASA judicial laws, rules and regulations.

29 DISSOLUTION

- 29.1 A resolution to dissolve the County Association shall only be considered at a council meeting and shall be carried by a majority of at least three-quarters of the members present and entitled to vote.
- 29.2 The dissolution shall have effect from the date of the resolution and members of the executive committee shall be responsible for the winding-up of the assets and liabilities of the association.
- 29.3 Any property remaining after the discharge of the debts and liabilities of the association shall be sold and divided equally between the affiliated clubs at the dissolution.