



Leicestershire and Rutland Amateur Swimming Association

Affiliated to Swim England East Midland Region

CONSTITUTION AND GENERAL RULES

DEFINITIONS

Affiliation Fee	The fee set by LASA and paid to LASA as part of an organisations (Club or organisation) affiliation to Swim England, SEEMR and LASA
AGM	Annual General Meeting
Association	Leicestershire and Rutland Amateur Swimming Association
Capitation Fee	The fee set by LASA and paid to LASA as part of an individual members membership to Swim England
Club	A club or organisation affiliated to LASA
County	Counties of Leicestershire and Rutland unless the context states otherwise
SGM	Special General Meeting
WA	World Aquatics formerly FINA
LASA	Leicestershire and Rutland Amateur Swimming Association
SEEMR	Swim England East Midland Region
Subscription	The Affiliation Fee and or the Capitation Fee as the context requires
Swim England	Is the trading name of the Amateur Swimming Association (Swim England) Limited
Swim England Regulations	Articles, Regulations and Technical Rules of Swim England
Swimmer or Athlete	Shall include swimmer, master swimmer, disabled swimmer, artistic swimmer, open water swimmer, water polo player or diver unless the context states otherwise

1. NAME

The Association shall be called 'Leicestershire and Rutland Amateur Swimming Association' but can also be known as Leicestershire ASA or LASA.

2. OBJECTS

The objects of the Association shall be:

- 2.1. To promote the practice of all aquatic disciplines.
- 2.2. To select individuals to represent the County.
- 2.3. To promote and hold championships and competitions.
- 2.4. To raise public awareness of the sport and to stimulate public opinion in favour of the various disciplines.
- 2.5. To carry out the aims and objectives of Swim England and Swim England East Midland Region.
- 2.6. To ensure the Regulations of Swim England and Swim England East Midland Region and where appropriate WA are enforced.
- 2.7. To adhere to Aquatic GB Anti doping Rules
- 2.8. To comply with Swim England Regulations regarding Swim England Protection Procedures (Wavepower).
- 2.9. The Association is committed to treating everyone equally within the context of its activity and with due respect to the difference of individuals. It shall not apply or endorse unlawful or unjustifiable discrimination and shall act in compliance with the protections afforded by the Equality Act 2010. The Association shall implement the Swim England Equality Policy (as may be amended from time to time).
- 2.10. Will operate as a not for profit organisation whose objectives are identified in this section of the constitution.

3. AFFILIATION

The Association shall be affiliated to Swim England and Swim England East Midland Region.

4. MEMBERSHIP AND SUBSCRIPTION

- 4.1. Affiliation to the Association shall be eligible automatically to all Swim England/SEEMR affiliated clubs and their members, and organisations whose main facilities are situated within the County and who promote aquatic disciplines.
- 4.2. A Club can only be affiliated to and be a member of one county association.
- 4.3. Affiliation Fee and Capitation Fee shall be determined annually by the Executive.
- 4.4. The Executive may waive part or the whole of such Subscriptions.
- 4.5. Affiliation and Capitation Fees shall become due on 1st January each year or on acceptance by the Association of an application for Affiliation. Collection of these Affiliation and Capitation Fees is subject to rule 4.6.
- 4.6. Fees shall be paid to Swim England by the date published by Swim England for the collection of their annual membership returns when renewing Affiliation, or within thirty (30) days of acceptance when applying for Affiliation. Clubs failing to pay by the published date will be suspended.
- 4.7. A Club wishing to resign from the Association shall give notice in writing to the General Secretary.
- 4.8. An individual club or school which has not paid its Subscription to the Association by the date identified in rule 4.6 shall not be allowed to enter athletes for any activities promoted by the Association.
- 4.9. When existing clubs, affiliated to the Association, merge, the merged Club shall submit its application for membership of the Association with the capitation fee as determined in rules 4.3 and 4.6 to Swim England, no further Subscription will be required.
- 4.10. Newly merged clubs will not be accepted as affiliated to the Association until such time as the newly formed club has been recognised by Swim England/SEEMR and has been issued with a new club membership code. Until that time the original clubs will remain members of the Association.
- 4.11. Where an affiliated club wishes to merge with another club that is not affiliated to the Association, or any other county association, then such a merged club shall be considered as a new club and shall submit its application to the Swim England East Midlands Region who will then consult with the Association. Once approved the new club shall pay the Capitation Fee and swimmer Subscription, following the issue of a club membership code from Swim England.
- 4.12. The total membership of the Association shall not normally be limited. If, however, the Executive considers that there is a good reason to impose any limit from time to time then the Executive shall put forward appropriate proposals for consideration at the AGM or SGM. The AGM or SGM shall have the right to impose (and remove) from time to time any limits on total membership (or any category of membership) of the Association.

5. GOVERNANCE

- 5.1. There shall be three levels of governance of the Association:
 - 5.1.1. The Officers as defined in section 6 below.
 - 5.1.2. The Executive as defined in section 7 below.
 - 5.1.3. The Standing Committees as defined in section 8 below.
- 5.2. The Honorary President
 - 5.2.1. this position has no role in the governance of the Association. This rule shall not preclude the incumbent of that position attending the Executive meetings during their presidency.
- 5.3. All Officers, members of the Executive and Standing Committees and roles appointed by the Executive shall be 18 years and over, be Swim England members and member of a Club, unless otherwise allowed for in this Constitution and General Rules.
- 5.4. The Officers shall not be related to or in a relationship with any one of the other Officers, to ensure independence of the Officers.
- 5.5. The Associations Welfare Officer

6. THE OFFICERS

The Officers shall be the Chair, Treasurer (who is also the Finance Stranding Committee Manager) and General Secretary.

7. THE EXECUTIVE

- 7.1. The Executive shall consist of:
 - 7.1.1. The Officers
 - 7.1.2. One delegate from each affiliated club to the Association
 - 7.1.3. Life Members
 - 7.1.4. Aquatic Events Manager
 - 7.1.5. Rules Standing Committee Manager
 - 7.1.6. Masters Swimming Officer
 - 7.1.7. Trophy Controller and Awards Manager
 - 7.1.8. Officials Officer
 - 7.1.9. Records Officer
 - 7.1.10. IT Manager
- 7.2. Except as set out in Rule 9.5 all members of the executive shall be able to vote on all matters at an Executive meeting.

8. THE STANDING COMMITTEES

- 8.1. The standing committees of the Association shall be:
 - 8.1.1. Rules Revision
 - 8.1.2. Finance
- 8.2. The Finance standing committee shall consist of Officers, and members of the Executive invited by the Finance Manager to the Finance standing committee budget meetings as required for the running of the Association.
- 8.3. The Rules Revision Standing Committee will consist of the Officers, the Manager, plus minimum of three (3) members all with voting rights on this standing committee.
- 8.4. All members of a Standing Committee shall be nominated and approved by the Executive at its first Executive Meeting following the AGM.
- 8.5. Allow members to be added throughout year if required. Such additional or replacement members to be nominated and approved by the Executive with voting rights as per 8.2 and 8.3.
- 8.6. Allow specialist advisers at the discretion of the Executive to attend Standing Committees but without voting rights.

9. PROCEDURES AND RULES FOR ASSOCIATION MEETINGS

- 9.1. The Executive shall meet at such times as considered necessary, normally each month except August with the AGM being held in November of each year. Seven (7) clear days' final notice of an Executive Meeting shall be given by the General Secretary, or in the absence of a General Secretary, by another Officer or nominated appointee, to each affiliated club and to all other persons who are entitled to attend under these rules; nine (9 members) to form a quorum.
- 9.2. Each meeting of the Association shall have a chair:
 - 9.2.1. the chair shall be the Chair for Executive meetings;
 - 9.2.2. the Manager for Standing Committee meetings;and where these are not in attendance a member nominated and agreed from the attending members; and
 - 9.2.3. at all other Association meetings, a chair shall be nominated and agreed from the members present.
- 9.3. Each meeting of the Association shall have a secretary;
 - 9.3.1. the secretary of the meeting shall record the names of all members in attendance, which shall be recorded in the minutes of the meeting prepared by the secretary; the secretary shall be the General Secretary for Executive meetings. If the General Secretary is unavailable for an Executive meeting, a secretary shall be nominated and agreed from the members present.;
 - 9.3.2. At all other Association meetings, a secretary shall be nominated and agreed from the members present.
 - 9.3.3. Records of the Association meetings shall be digitally stored in a central data store and retained for a period of 6 (six) years.

- 9.4. All meetings shall be conducted in good order. To this effect the person chairing any meeting shall have the authority to:
 - 9.4.1. Make a final ruling on any matters of procedure.
 - 9.4.2. Order at any time that a vote be taken.
 - 9.4.3. Rule that a matter be concluded and the meeting move on to the next business.
 - 9.4.4. Require anyone not conducting themselves in good order to leave the meeting.
- 9.5. Should any member of a meeting have a direct (conflict of) interest in any matter under consideration the person shall stand down from that item and the meeting. If the chair has to stand down, a chair shall be nominated and agreed from the members present.
- 9.6. A Club wishing to raise any matter on the agenda of an Executive meeting shall send details of such matter to the General Secretary prior to the published date of the meeting (see rule 9.1) and this matter shall be published with the notice of meeting.
- 9.7. Officer and Standing Committee Manager nominations shall be at the October Executive meeting and taken to the AGM for confirmation or where there is more than one nomination for an Officer or Standing Committee Manager all nominations will be taken to the AGM for an election to take place.
- 9.8. The Executive shall have full power:
 - 9.8.1. To appoint Special sub-committees as may be deemed necessary and determine their terms of reference.
 - 9.8.2. To exercise financial control over the affairs of the Association. In all cases where an agreement calls for the personal liability of the signatory on behalf of the Association, The Association will indemnify such authorised signatory against such liability.
 - 9.8.3. To appoint all relevant delegates to Swim England East Midland Region as and when required.
 - 9.8.4. To make additional appointments as deemed necessary.
- 9.9. The Executive shall at its first meeting after the AGM decide on the exact dates of Executive meetings for the forthcoming year and shall circulate details of such dates to all clubs.
- 9.10. In addition to normal business at an Executive meeting, the Executive shall make such other appointments as deemed necessary by the Executive for the effective running of the Association.
- 9.11. A Welfare Officer: shall be appointed by the Executive all as set out in Wavepower:
 - 9.11.1. who 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 shall not be related to or in a relationship with the County chair or the appointed County Coaches.
 - 9.11.2. The Welfare Officer will have a right to attend Executive meetings without a power to vote.
Attendance at meetings will be for the purpose of sharing or addressing matters relating to Welfare.
 - 9.11.3. The Welfare Officer shall not be an Executive Officer.
- 9.12. If for any reason anyone elected at the AGM, SGM or at an Executive Meeting is unable to complete their term of office the Executive shall determine how to proceed.
- 9.13. The Executive will have the power to co-opt or elect any Manager or specific appointment, should it be necessary, with a simple majority at the Executive meeting.
- 9.14. The Committee shall have power to make, repeal and amend regulations and by-laws as they may from time to time consider necessary for the wellbeing of the County. Such regulations, by-laws, repeals and amendments shall have effect until set aside by the Committee. The Committee shall have power to settle disputed points not otherwise provided for in this Constitution.

10. ACCIDENTS AND INCIDENTS

The Association shall maintain a log of Accidents/Incidents at Association related activities. Details of such shall be reported to the insurers in accordance with the Accident/Incident Notification guidelines. The Association shall make an annual return to the Swim England Membership Department indicating whether or not an entry has been made in the prescribed online form. Records of Accidents/Incidents shall be digitally stored in a central data store and retained for a period of 6 (six) years.

11. VOTING PROCEDURES AT MEETINGS

- 11.1. When a vote is required at any meeting of the Association a simple majority shall be sufficient for a decision to be made (except as specified in rule 14.4).
 - 11.1.1. Where a vote is held in a virtual meeting the vote shall be either:
 - a. a simple show of hands, or

- b. via a chat message to the chair of the meeting or a person nominated by the meeting or
- c. via email to the chair of the meeting.

11.1.2. Where a vote is held in person the vote shall be either:

- a. by a simple show of hands, or
- b. ballot
- c. Where a ballot is held, the votes accredited to a resolution or nominee shall not be disclosed, only the winning resolution or nominee shall be declared. The ballot papers shall be destroyed as directed by the chair of the meeting. Any ballot paper having more than the number of votes required shall be declared void but any ballot paper having less than the number required shall remain valid.

11.2. In the event of a tie on votes the chair of any meeting shall have a casting vote in addition to their original vote.

11.3. The Honorary President shall not have a vote at LASA Executive meetings. This rule shall not preclude the incumbent of that position having a vote when acting in a different capacity.

12. ANNUAL GENERAL MEETING (AGM)

12.1. The AGM shall be held in November. At least fourteen (14) days' final notice shall be given to the Executive members and each affiliated club and association. Any notice of motion (other than rule changes) with the name of proposer and seconder and any agenda items must be submitted to the General Secretary in writing not later than twenty-eight (28) days prior to the meeting.

12.2. The date of the AGM shall be decided upon by the Executive not later than the preceding 31st July.

12.3. The annual report shall be available prior to the AGM.

12.4. The annual accounts shall be completed prior to the AGM.

12.5. Representation at AGMs: The Officers, LASA Delegates, Managers of Standing Committees, Life members, and up to two (2) delegates from each affiliated club or association, all with power to vote. The quorum will be nine (9) to include two Officers of the Association, excluding those unable to vote.

12.6. The AGM will consider and vote on such motions that have been submitted to the General Secretary.

12.7. Consider and vote upon any changes to the Association's Constitution.

12.8. The AGM shall elect from the nominations received at Executive Meeting immediately prior to the AGM the following Officers of the Association for the forthcoming year:

12.8.1. Chair

12.8.2. General Secretary

12.8.3. Treasurer (who shall also be the Standing Committee Finance Manager)

12.9. The AGM shall elect from the nominations received at the from Executive Meeting, prior to the AGM, the Rules Revision Manager.

12.10. Confirm the Executive's nomination of the Honorary President.

12.11. The AGM shall agree the date of the first Executive Meeting.

13. SPECIAL GENERAL MEETING (SGM)

13.1. A SGM may be called by the Officers or at the request of five (5) affiliated clubs or associations. This shall be in writing and be hand signed by the Officers or the clubs Secretaries, respectively. Fourteen (14) days' notice of such a meeting shall be given to Executive members and each affiliated club and association stating the reason for the meeting.

13.2. This shall be the only agenda item for such a meeting.

13.3. Representation at SGM: the Officers, LASA Delegates, Managers of Standing Committees, Life Members, and up to two (2) delegates from each affiliated club or association, all with power to vote. The quorum will be nine (9) to include two Officers of the Association, excluding those unable to vote.

14. NOMINATIONS AND APPOINTMENTS

14.1. Nominations for Chair, Treasurer/Finance Manager, General Secretary, and Managers of Standing Committees shall be made at the Executive meeting immediately prior to the AGM or in writing to the General Secretary prior to that meeting.

14.2. All nominations for any role on the Executive shall have a proposer and seconder; the nominee shall be a member of Swim England and a Club or association affiliated to the Association and shall consent to their nomination.

- 14.3. The Executive Officers and Managers of meetings of the Association shall have the power to co-opt additional members to those listed in rule 7.1 for any special purposes but such members shall not have voting rights.
- 14.4. Nominations for Honorary President shall be made to the General Secretary by 30th September each year. Nominations to be open to all clubs with all nominations being accompanied by a written citation and Nominations will be presented and voted on by the Executive present at the October meeting. The acceptance of the nominee must be sought prior to the submission of the nomination/citation.
- 14.5. Should there be more than one candidate for any nominated position a vote in accordance with rule 10 of these rules will be held.
- 14.6. These rules will not prevent a retiring Honorary President from being nominated / re-elected.
- 14.7. Written citations of service for Life Membership should be sent to the General Secretary not later than the 30th September. Nominations to be considered and agreed by the Officers and notified to the Executive meeting.
- 14.8. Life Members shall be granted free access to spectate at all events promoted by the Association.

15. ALTERATION OF THE RULES

- 15.1. Any alteration deemed appropriate shall be dealt with by the Rules Revision Committee.
- 15.2. The Rules of the Association shall only be altered at the AGM of the Association or an SGM of the Association called for that purpose.
- 15.3. Any proposed alteration to rules by an AGM must be received in writing by the General Secretary, signed by the proposer & seconder not later than the 31st August, for consideration by the Rules Revision Committee (the Rules Revision Committee shall indicate its support or opposition and may propose amendments which shall be included on the agenda of the meeting) and shall be circulated with the notice of the AGM. Alterations to rules may also be the subject of an SGM called under rule 12.1.
- 15.4. Changes to Rules must be carried by at least two thirds of those present and entitled to vote and shall be operative from the conclusion of the relevant (AGM or SGM) meeting subject to rule 12.5.
- 15.5. All proposed alterations to the Rules will be issued to Swim England prior to the AGM for information or ratification if required.

16. BREACH OF THE RULES

- 16.1. The Association shall comply with the relevant Swim England judicial regulations for handling Internal County Disputes as the same may be revised from time to time.

17. FUNDS AND FINANCES

- 17.1. The financial year of the Association shall be 1st September to 31st August-
- 17.2. All funds shall contribute towards the objects of the Association.
- 17.3. All monies payable to the Association shall be received by the Treasurer and deposited in a bank account in the name of the Association.
- 17.4. The Executive shall authorise a minimum of two authorised signatories one of which shall be the Treasurer to administer the Associations account(s). No sum shall be drawn from the Associations account(s) except by the method agreed; for online/electronic methods a single authorised signatory and for all other methods two authorised signatories. Any monies not required for immediate use may be invested as the Executive considers appropriate to meet the objectives of the Association all as set out in rule 2 above.
- 17.5. The Association accounts shall be audited or inspected annually by a competent body approved by the Executive.
- 17.6. Financial records will be digitally stored in a central data store and held for a minimum of 6 (six) years from the end of the financial year they relate to, to comply with UK legal and tax regulations.
- 17.7. Other than for normal running costs as are agreed with the Treasurer, finances shall not be spent without the agreement of the Executive.
- 17.8. Travelling and subsistence expenses shall be paid in accordance with such guidance and at such rates as are approved in the Swim England handbook to those who are representing the Association.
- 17.9. Travelling expenses shall not normally be paid by the Association to those attending meetings of its Executive or other Committees.
- 17.10. All requests to spend funds shall be fully itemised and shall assess any costs that may occur subsequently.
- 17.11. The Executive Committee may borrow money on behalf of the Association for the purposes of the Association from time to time at their own discretion [up to such limits on borrowing as may be laid down

from time to time by the General Meeting] for the general upkeep of the Association or with the (prior) approval of a General Meeting for any other expenditure, additions or improvements.

- 17.12. When so borrowing the Committee shall have power to raise in any way any sum or sums of money and to raise and secure the repayment of any sums or sums of money in such 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 Association.
- 17.13. The Association shall have no power to pledge the personal liability of any member of the Association for the repayment of any sums so borrowed.

18. DISSOLUTION

18.1 A resolution to dissolve the Association shall only be proposed at an AGM, or as required a SGM and shall be carried by a majority of at least three-quarters of the members present and entitled to vote. A specific date for the dissolution shall be included in the resolution.

18.2 The dissolution shall take effect from the date specified in the resolution and the Executive Officers shall be responsible for winding up of the assets and liabilities of the Association.

18.3 Any property remaining after the discharge of the debts and liabilities of the Association shall be shared proportionately between each base club based upon the number of swimming members who paid at the last affiliation prior to the dissolution.

19. INTERPRETATION OF THESE RULES

In the event of any question arising as to the correct interpretation of any aspect of the Constitution and General Rules of the Association, or of any question not therein provided for, such questions shall be referred to the Rules Revision Committee whose decision shall be final.

20. ACKNOWLEDGEMENT

- 20.1. The Clubs acknowledge that these Rules constitute a legally binding contract to regulate the relationship of the Clubs with each other and the Association.
- 20.2. This constitution must be readily available to all club. This may be via posting on the Association website or shared with members annually at time of membership renewal.

..... Club acknowledge receipt of the rules of Leicestershire and Rutland Amateur Swimming Association and confirm our understanding and acceptance that such rules (as amended from time to time) shall govern our membership of the Association. We further acknowledge and accept the responsibilities of membership upon members as set out in these rules.