

MIDDLESEX COUNTY AMATEUR SWIMMING ASSOCIATION

Constitution

1 NAME

The Association shall be called the **MIDDLESEX COUNTY AMATEUR SWIMMING ASSOCIATION**.

'**Middlesex**' means the area covered by the City of London, and the London Boroughs of the City of Westminster, Camden, Islington, Hackney, Tower Hamlets, Hammersmith & Fulham, Royal Borough of Kensington & Chelsea, Hounslow, Hillingdon, Ealing, Harrow, Barnet, Brent, Haringey and Enfield together with local areas of Staines, Teddington and Sunbury on Thames.

The County forms part of Swim England London Region.

'**Members**' means:

- I. Honorary Life Presidents;
- II. Past Presidents;
- III. Individual and Life Members; and
- IV. Members of Middlesex Clubs.

2 OBJECTIVES OF THE ASSOCIATION

The objectives of the Association shall be: -

- a To promote the teaching and practice of Competitive Swimming, Swimming with a Disability, Open Water Swimming, Diving, Artistic Swimming and Water Polo.
- b To select teams to represent the County.
- c To promote and hold championships and other competitions, wherever possible within the geographical boundaries of the Association.
- d To ensure the Laws and Technical Rules of Swim England and any resolutions and rulings of the Swim England Council and the Swim England Committee are enforced.
- e To develop all aspects of the sport, at every level, with the intent to improve standards and performances.

3 LAWS

The laws and orders of Swim England and Swim England London Region and resolutions adopted by Swim England and Swim England London Region shall be binding on the Association.

4 CHILD PROTECTION

The Association will adopt Swim England Child Protection policies and procedures and these shall apply to all members of the Association.

5 COMPOSITION

All clubs affiliated to Swim England London Region with headquarters in the area of MCASA as defined in 1 above are allocated to the Association. The affiliation fee paid by Clubs to Swim England London Region includes affiliation to the Association.

Persons who may be elected by the Executive as individual Members shall pay an annual fee as set by the Executive. Individual and Life Members, as such, shall not have the right to speak or vote at any Council Meeting.

6 FINANCE

- a The Financial year shall end on the 31st August.
- b The funds or other property of the Association shall be applied to the furtherance of the objects of the Association or for any charitable purposes. No funds or other property of the Association shall be paid to or distributed among the members of the Association except as legitimate expenses incurred on behalf of the Association. In the event of dissolution, the funds remaining will be devoted to objectives similar to those of the Association.
- c The Treasurer shall keep proper books of accounts and exercise control over the funds of the Association.
- d The Treasurer will be responsible for the collection and payment of Swim England and Swim England London Region membership fees of individual Members of the Association
- e There shall be four signatories for cheques drawn on the Association accounts: the Treasurer, the Hon Secretary, the Assistant Treasurer and the Assistant Secretary. The Treasurer or the Assistant Treasurer shall sign all cheques drawn on the Association's Accounts. All cheques of £2,000 or over are to be countersigned by any one of the authorised signatories. The Treasurer will have authority to make Bank transfers up to an amount agreed annually by the Executive with the relevant paperwork.
- f The Treasurer is to prepare an annual report and balance sheet, for examination by the Executive at a meeting not more than five weeks after the closing date of accounts. These accounts will then be presented for approval at the Annual Council Meeting.
- g Qualified Examiners shall be appointed annually by the Council at the Annual Council Meeting to examine and report on the accounts of the Association.
- h Debit cards are issued to those members who are responsible for expenses incurred on behalf of the County and those members will be required to keep accurate records and receipts and submit them to the treasurer monthly. Secretaries of the Swimming Committee, Swimming Officials Committee and Competitions will be allocated a petty cash float of £250 and those officers will be required to keep accurate records and receipts and submit them to the treasurer. No member of the Executive shall incur a liability on behalf of the association for a

sum in excess of £100 per item without the express authority of the Executive or an Officers' decision on behalf of the Executive.

7 COMPOSITION OF THE COUNCIL

The Council of the Association shall consist of:

- a The President, the President Elect, the Secretary, the Treasurer plus the Office holders of the Association
- b The Past Presidents of the Association;
- c Club delegates in accordance with the provisions of Rule 10.1.3 of the Swim England London Region Rules.

NOTE: At the date of publication of this handbook, each club is entitled to representation as follows:

- I One from each club comprising up to and including 50 members.
- II Two from each club with a membership between 51 and 200
- III Three from each club comprising 201 or more members.

No club shall have more than three delegates. A new club shall be entitled to representation for the first year according to the number of members at the date of its application for affiliation.

8 ANNUAL COUNCIL MEETING

- a The Annual Council Meeting shall be held in the month of November for presentation, amongst other things, of the Annual Report and Accounts for the year ending 31st August.
- b Nominations for President Elect, the Secretary, the Treasurer and the Office holders and the Executive shall be in the hands of the Secretary by the date of the October Executive Meeting.
- c Notices of Motion for the Council Meeting shall be in the hands of the Secretary not later than 15th September prior to the Council meeting.
- d No proposition for alteration of Rules shall be adopted unless it is passed by at least two-thirds of those present and voting and receives the approval of the Swim England London Region where necessary.
- e The Agenda for the Council Meeting shall be posted or delivered to those persons mentioned in Rule 7a and 7b and to clubs not less than twenty-one days before the meeting.

9 SPECIAL MEETINGS

- a The Executive may call a special Meeting of the Council.
- b The Executive shall call a Special Meeting of the Council within one calendar month of the receipt of a written request signed by not less than six delegates

representing six different affiliated clubs. Such request shall state the business for which the meeting is to be called and no other business shall be transacted.

- c The Agenda for a special meeting shall be posted or delivered to those persons mentioned in Rule 7a and 7b and to clubs not less than twenty-one clear days before the meeting.

10 QUORUM

Fifteen Members of the Council shall form a quorum.

11 PROCEDURE AT COUNCIL MEETINGS

Such appropriate parts of Swim England Laws as govern procedure at Swim England Council Meetings shall govern proceedings at Middlesex County Council Meetings.

12 PRESIDENT

- a The President shall be Chairman of the Executive but shall not hold office for two consecutive years except in exceptional circumstances and with the approval of the Executive.
- b Nominations for President Elect, together with a brief CV, supported by a seconder and signed by the nominee, shall be in the hands of the Secretary by the date of the October Executive Meeting. The proposer and seconder must both be members of the Executive and the nominee must be a member of the Association. Such Past Presidents as are members of the Executive will then, prior to the next following Executive meeting, make a recommendation to the Executive for consideration by Council.

13 HONORARY LIFE PRESIDENTS

The Council may, in recognition of exceptional services rendered to the County, elect Honorary Life Presidents. Nominations as Honorary Life Presidents shall be proposed by those Past Presidents as are members of the Executive and referred to Council for approval.

14 OFFICERS and OFFICE HOLDERS

- a The following shall be elected annually by Council at the Annual Council meeting of delegates and Past Presidents:
 - I President Elect
 - Secretary
 - Treasurer and Trustee
 - II Assistant Secretary
 - Assistant Treasurer and Trustee
 - Secretary Diving Committee

Secretary Masters Committee
Secretary Swimming Committee
Secretary Swimming - Age Group Competitions
Secretary Swimming – Championships
Secretary Swimming Officials Committee
Secretary Artistic Swimming Committee
Secretary Trophies
Secretary Water Polo Committee

III Legal Adviser
 Medical Officer
 Welfare Officer
 Health and Safety Officer

- b The President, the Secretary and the Treasurer shall be the Officers of the Association.
- c The President elect together with those persons mentioned in 14a(l) shall be the Office Holders of the Association.

NOTES:

- (i) **In the event that urgent decisions are required between meetings of the Executive relating to matters other than those within the Terms of Reference of the Technical Committees those decisions shall be made by the Officers of the Association and be reported to the next following meeting of the Executive.**
- (ii) **In the event that urgent decisions are required relating to matters within the Terms of Reference of a Technical Committee, and it is not reasonably practicable to convene a meeting of the Committee, such decisions shall be made by the Chairman and Secretary of that Committee and reported to the next following meeting of the Committee.**

15 SWIM ENGLAND LONDON REGION COUNCIL

One member of the Executive shall be appointed as delegate to the Swim England London Region Council.

16 THE EXECUTIVE

The management of the Association shall be in the hands of the County Executive, which shall be composed of the following members:

- a The Officers of the Association
- b The President Elect
- c The Office Holders

- d Past Presidents
- e Members elected by the Council from the delegates.

17 DUTIES AND POWERS OF THE EXECUTIVE

a **The Executive shall:**

- I Meet not less frequently than once in every alternate month (except in the months of July and August). Nine (9) members shall form a quorum to include at least one of the officers.
- II Transact the business of the Association, and observe and enforce the Rules of the Association and orders of the Council.
- III Exercise financial control over the affairs of the Association.
- IV Appoint the Standing Committees referred to in Rule 18.
- V Make changes to Conditions for Championships and Competitions of the Association on the recommendation of the appropriate Technical Committee and report such changes to the next following Council.
- VI Be responsible for publication of the Association's Handbook and for the incorporation therein of any alterations authorised by the Council.
- VII Appoint the Association's delegates to the Swim England London Region Council.

b **The Executive shall have power to:**

- I Suspend the membership of any Past-President, Officer or Member of the Executive who uses, for the purpose of publication or comment in the public press, information respecting matters that are still under consideration of the Executive or any of its committees. The resolution to suspend shall be passed by at least two thirds of such persons as, being entitled so to do, vote in person.
- II Declare that any member, other than the President, the President elect or a Past President, who has been absent from three consecutive meetings has vacated his seat.
- III Fill any vacancy occurring on the Executive. The unsuccessful candidates at the preceding Annual Council Meeting, in order of voting, and if still eligible, shall have the first refusal.
- IV Appoint officials for the Association's Swimming, Diving, Masters, Artistic Swimming and Water Polo Championships and other competitions.
- V Delegate such of its powers as it may think fit, and on such terms as it may determine, to a Standing or Technical Committee.
- VI If there is a conflict between the Constitution and a decision of the County Executive, the Constitution will prevail. If there is a conflict between the Constitution or a decision by the County Executive and Swim England Laws, Rules, Regulations or Conditions, then the Swim England Laws, Rules, Regulations or Conditions will prevail.

18 STANDING AND TECHNICAL COMMITTEES

Standing and Technical Committees shall be elected annually by the Executive as follows:-

a **General Purpose Committee**

- I Which shall consist of five members elected from the Executive. The Committee shall have the power to co-opt.
- II The Committee shall advise the Executive on all matters referred to it by the Executive.

b **Diving Committee**

This Committee shall consist of the Secretary of the Diving Committee and five elected members. The Committee shall:-

- I Advise the Executive on all matters relating to Diving.
- II Encourage the provision of suitable facilities.
- III Select Association Diving representatives and nominate representatives for Regional events when necessary.
- IV Compile lists of Association Diving Officials.
- V Recommend Officials for Association Diving Championships and other competitions when necessary.
- VI Be responsible for the organisation and promotion of such Diving Championships and competitions as directed by the Executive or Council.
- VII Make recommendations to the Executive for changes to Conditions for the Diving Championships and competitions of the Association.
- VIII Submit budgets as required.

c **Finance Committee**

- I This Committee shall consist of five members elected from the Executive, one of whom shall be the Assistant Treasurer. The Treasurer of the Association shall act as the Committee Secretary.
- II The Committee shall consider every item of expenditure by the Association and shall advise the Association each year on the appropriate level of entry fees, and spectator admission charges, for the various Championships and Competitions.

d **Masters Committee**

This Committee shall consist of the Secretary of the Masters' Committee and three elected members. The Committee shall:-

- I Advise the Executive on all matters relating to Masters' events.
- II Encourage the provision of suitable facilities for training and competition.
- III Be responsible for the organisation and promotion of Association Masters' events.

- IV Select Masters teams to represent the Association.
- V Make recommendations for changes to the Conditions for the Masters' Championships and Competitions of the Association.
- VI Submit budgets as required.

e **Swimming Committee**

This Committee shall consist of the Secretary of the Swimming Committee, the Secretary Swimming Age Group Competitions, the Secretary Swimming Championships and the Assistant Secretary Swimming Committee and five elected members. The Committee shall:-

- I Assist and advise in the training of swimming.
- II Promote courses and select swimmers to attend them.
- III Select Association swimming representatives and nominate representatives for Regional events when necessary.
- IV Advise the Executive on all matters relating to swimming.
- V Be responsible for the organisation and promotion of such Swimming Championships and Competitions as directed by the Executive or Council.
- VI Make recommendations to the Executive for changes to the Swimming Championships and Competitions.
- VII Organise and manage Development days, Inter-County teams, overseas teams as agreed by the Executive and Disability Galas.
- VIII Submit budgets as required.

f **Swimming Officials Committee**

This Committee shall consist of the Secretary of the Swimming Officials Committee and six elected members (each of the elected members shall be a Swim England Licensed Official). The Committee shall:-

- I Prepare and deal with the members wishing to become swimming officials, in accordance with the British Swimming training guidelines. They shall advise the Executive on all related matters.
- II Arrange courses and examinations as necessary.
- III Submit budgets as required.

g **Artistic Swimming Committee**

This Committee shall consist of the Secretary of the Artistic Swimming Committee and five elected members. The Committee shall:-

- I Make arrangements for the Association Championships, Competitions and when necessary, Swim England or Regional events.
- II Appoint the Association Coach and Manager.
- III Select swimmers for the County Squad.
- IV Compile a list of the Association Artistic Swimming Officials.

- V Conduct conferences and seminars for Officials and coaches.
- VI Conduct courses and examinations for Examiners and scorers.
- VII Conduct training courses for swimmers and trainee coaches.
- VIII Make recommendations to the Executive for changes to the Conditions for the Synchronized Swimming Championships and Competitions of the Association.
- IX Submit nominations to Swim England for International Officials.
- X Submit budgets as required.

h Water Polo Committee

This Committee shall consist of the Secretary and Chair of the Water Polo Committee and a representative of each club competing in the Water Polo Championships. The Secretary of the Water Polo Committee shall act as the Secretary of the Selection Committee. The Committee shall: -

- I Advise the Executive on all matters relating to Water Polo.
- II Encourage the provision of suitable facilities.
- III Select the Association Water Polo representatives and nominate representatives for Regional events when necessary.
- IV Be responsible for the organisation and promotion of such Water Polo Championships and Competitions.
- V Make recommendations to the Executive for changes to the Conditions of the Water Polo Championships and Competitions.
- VI Submit budgets as required.

i Affiliation Committee

- I The Committee shall consist of three elected members.
- II The Committee shall respond to any requests from London Region for comments regarding new affiliations and changes to the names of affiliated clubs.
- III The Committee shall report to the Executive.

j Disputes & Disciplinary Committee

- I The Committee shall consist of three elected members of the Executive Committee, with at least two of them being qualified Swim England Referees. The Committee has the right to call upon further expertise as required.
- II The Committee shall deal with matters of a disciplinary nature, as referred to it by the Executive, or by any of the sub-committees, or by an individual member of Swim England.
- III Pursue any upheld Complaint to its conclusion, either directly, or by referring it to the appropriate higher authority.

- IV Aim to address any matter referred to the Committee with the parties as amicably and as informally as possible, always reserving the right to institute a more formal process of judicial investigation if necessary.
- V The Committee has the right to impose an appropriate sanction, including but not limited to a warning, fine or suspension.
- VI The Committee shall report action taken, to the Executive in all instances

19 STANDING COMMITTEE GENERAL PROVISIONS

- a Each Standing Committee shall set a quorum at its first meeting following the Annual Council Meeting;
- b Each Standing Committee shall elect a Chairman at its first meeting following the Annual Council Meeting. No individual shall be Chairman of more than one committee in any year.
- c An individual may not serve as Chairman of a Standing Committee for more than two consecutive years;
- d Each Standing committee shall elect such sub-Committees as it deems necessary.
- e The President, the President elect, the Secretary and the Treasurer shall be ex-officio members of all Standing Committees with the exception of the Swimming Officials Committee and the Disputes and Disciplinary Committee.

20 COUNTY AWARDS

County Badges may be awarded at the discretion of the Executive to:-

- a Those individuals who represent the Association in Championship events for disciplines within its remit.
- b Those individuals eligible to represent the Association in Championship events who gain first place in individual Swim England Championships
- c Those individuals eligible to represent the Association in Championship events who have been awarded International representative honours in Swimming, Diving, Water Polo, Artistic Swimming or Open Water;
- d Those representing the Association in non-championship events for Swimming, Masters, Diving, Water Polo or Artistic Swimming.
- e Association Team Managers, Chaperones, Association Officers, and those helpers who render service to the Association.

21 TROPHIES

- a Perpetual trophies exist for the Association's Championships, Competitions and, in some cases, for special achievements and these trophies remain the property of the Association
- b Winners shall be entitled to hold, subject to c) below, the relevant trophies upon which their names shall be engraved at the expense of the Association;

- c A trophy may be held from the time of giving to the Trustees a formal acknowledgement of receipt and an undertaking to return it, in a good and clean condition, together with any plinth and/or case, in accordance with directions to be given by the Trustees or by the Trophy Secretary;
- d If the winner is under 18 years of age the receipt must be countersigned by a parent, guardian or an authorised official of his/her club. In the case of team events an authorised member of the winning club shall sign.
- e Trophies must remain in the bona fide possession of their holders and may not be taken out of Great Britain.
- f A copy of the Trophy Receipt Form shall be given to the trophy holder.
- g The Trustees must be notified immediately of:
 - I Any loss of, or damage to, a Trophy;
 - II Any change of address of the holder of a Trophy
- h Penalties - Holders will render themselves liable to penalties as follows:-
 - I For failure to return the trophy by the date directed - £25;
 - II For the return of a trophy in a condition unsuitable for immediate presentation - £25;
 - III For damage to a trophy whilst in their possession the holder shall be required to reimburse the Association for the cost of the repair or provide a suitable replacement.

22 INDEMNITY

Every member of the Executive shall be indemnified by the Association and its members jointly and severally for any act authorised by the Executive which they do on behalf of the Association and which is written within the scope of the Rules for the time being of the Association.

23 TRUSTEES

- a The property of the Association, other than cash at the bank, shall be vested in not less than two, nor more than three Trustees. They shall deal with the property as directed by resolution of the Executive and entry in the minute book shall be conclusive evidence of such a resolution.
- b The Trustees shall be elected at a Council Meeting of the Association and shall hold office until death or resignation unless removed by a resolution passed at a Council Meeting.
- c The Trustees 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.
- d The Secretary of the Association is nominated as the person to appoint new Trustees within the meaning of section 36 of the Trustees Act 1925. A new Trustee

or new Trustees shall be nominated by resolution of the Executive and the Secretary shall by deed duly appoint the person or persons so nominated by the Executive as the new Trustee or Trustees of the Association and the provision of the Trustee Act 1925 shall apply to any such appointment. Any statement of fact in any such deed of appointment shall in favour of a person dealing bona fide with the Association or the Executive be conclusive evidence of the fact so stated.

24 DISSOLUTION

- a A resolution to dissolve the Association shall only be proposed at a general meeting 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.
- b The dissolution shall take effect from the date specified in the resolution and the members of the Committee shall be responsible for the winding-up of the assets and liabilities of the Association.
- c Any property remaining after the discharge of the debts and liabilities of the Association shall be given to a charity or charities (or other non-profit making organisation having objects similar to those of the Association) for the furtherance of such objects nominated by the last committee.

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