

## **SWIM ENGLAND WEST MIDLAND REGION REGULATIONS Jan25**

These regulations are to be read in conjunction with the Articles and in any conflict the Articles takes precedence

### **1 Preamble**

#### **1.1 In these Regulations**

**1.1.1** "ASA" shall mean the Amateur Swimming Association. **1.1.1a** Board is the Board of Directors of **SWIM ENGLAND WEST MIDLAND REGION LTD**

**1.1.2** "Region" shall mean Swim England West Midlands Region

**1.1.3** "Regional Director" shall also refer to any person with a different title performing the equivalent duties;

**1.1.4** "Club" shall include all affiliated bodies, organisations and associations unless the context indicates to the contrary;

**1.1.5** words importing the masculine gender shall include the feminine;

**1.1.6** words of the plural number shall include the singular and words of the singular number shall include the plural;

**1.1.7** the term swimmer shall include artistic swimmer, diver and water polo player unless the context indicates to the contrary;

**1.1.8** a "Committee" shall be deemed as having delegated powers and responsibilities granted by the Board;

**1.1.9** "Sub-committees" and "groups" deal with specific issues and make recommendations to the Board but do not have budgetary responsibility.

**1.2** Any deviation from any provision of these Regulations shall not invalidate any procedure or decision unless that deviation raises a material doubt that the procedure or decision has been so affected by it as to prejudice the good management of the Region.

### **2 Name**

For all legal or official purposes the Association shall be called the "Swim England West Midlands Region Ltd" and for other purposes may be referred to as "Swim England West Midlands".

### **3 Composition**

See Part 1 Item 2 Area of Benefit in the Articles

### **4 Objects**

The objects of the Region shall be as defined as in the Articles Part 1 Item 1

### **5 Responsibilities**

See Part 3 in the articles

### **6. Affiliation See Part 3 in the Articles**

#### **6.1 Application**

**6.1.1** A club, on applying for affiliation to the Region, shall forward to the Regional Office, a copy of its present rules or constitution and state the number of its members, active and honorary, and shall afford such other information as may be required. This requirement also applies to clubs wishing to merge and form a new club.

**6.1.2** The application will be considered by the Club Development Committee (CDC) and a recommendation will be made to the board to accept or decline the application. If the application is declined by the Board then the reasons will be given via the CDC. A club can appeal and that appeal will be considered by the governance committee whose decision will be binding and final on all parties see Articles Part 3 item 7a

#### **6.2 Rules or Constitutions**

**6.2.1** In order to become or to remain affiliated, a club's rules shall conform to the provisions of the Recommended ASA Club Constitution and its guidelines, and any minimum criteria issued by the ASA from time to time. This requirement also applies to clubs wishing to merge and form a new club.

**6.2.2** A copy of a club's rules and latest accounts during the most recent financial year, shall be supplied at the request of the Regional Office. To satisfy Article 7(b) The affiliation of a club failing to submit a copy of its rules and latest accounts on request within 28 days will be liable to suspension by the Board. Any proposed alterations or additions to such rules shall be notified to the Regional Office for approval prior to Implementation.

### **7 Regional fees**

#### **7.1 Clubs**

**7.1.1** Except as otherwise provided in these regulations each affiliated club shall pay to the ASA or the Region as required for every individual member a Regional fee which shall be set by the Management Board before 31<sup>st</sup> October in the preceding year.

**7.1.2** The members for which the regional fee is payable will be the same as those who are required to pay the ASA membership fee.

**7.1.3** Each affiliated club shall receive a copy of the ASA Handbook and Regional Handbook which may be supplied electronically in a suitable format on request.

## **7.2 County Associations**

**7.2.1** Each club affiliated to the Region shall be affiliated to a county within the region. Each affiliated club shall pay to the ASA or the Region as required, a County affiliation fee which shall be set by the County before 31<sup>st</sup> October in the preceding year. Associations, bodies and organisations whose activities are not confined to one county shall not be required to affiliate to a county.

**7.2.2** County Associations shall have free Regional affiliation and shall be entitled to receive one copy each of the ASA and Regional Handbooks without charge or it be supplied electronically, in a suitable format

## **7.3 Leagues, Local Associations and Other Regional Organisations**

**7.3.1** The Regional affiliation fee for Leagues, Local Associations and Other Regional Organisations including Schools Associations and educational establishments whose individual members do not wish to take part in open competitions with affiliated clubs, shall be set by the Board before 31<sup>st</sup> October in the preceding year.

## **7.4 Concessions**

**7.4.1** The Board shall have the authority to remit the whole or part of the Regional affiliation fee

## **7.5 Payment**

The applicable Regional affiliation fee, County affiliation fee and ASA individual membership fees shall be paid to the ASA or the Region as required in one instalment by a date specified by the ASA.

## **7.6 Failure to pay fees in due time**

**7.6.1** The affiliation of a club not having made its return of club membership and paid its liabilities to the Region, the ASA and its County by the specified date shall be suspended with immediate effect until such time as those liabilities are discharged. Any club not having paid its liabilities by one month after the specified date shall be deemed to have resigned.

## **7.7 Resignation**

**7.7.1** A club wishing to resign from the Region shall give notice in writing to that effect before 1<sup>st</sup> January to the Regional Office or it shall be held liable for its Regional affiliation fee for the current year

**7.7.2** Should a club wish to re-affiliate at any time after 1st March, it shall apply to do so as though it were a new club. Such an application shall not have effect until approved by the Board at its next scheduled meeting.

## **8 Suspension**

**8.1** A member of a club which has not paid its liabilities to the Region and/or the ASA by the appointed date or has failed to satisfy the Board that it satisfies its minimum affiliation requirements See sect 6 and 7 shall not be allowed to compete during the period of suspension in any open competition in the name of that club.

**8.2** An association, body or league which has not paid its liabilities to the Region and/or the ASA by the appointed date has failed to satisfy the Board that it satisfies its minimum affiliation requirements See sect 6 and 7 shall not be allowed to run its own competitions during the period of suspension.

**8.3** Any insurance arranged by the ASA or the Region will not provide cover for any person, club, association, body or organisation relative to any incident occurring during the period of suspension.

## **9 Governance and Operation**

**9.1** There may be three levels of government of the Region:

**9.1.1** The Council;

**9.1.2** The Board;

**9.1.3** The Discipline and other Committees, Officers and Co-ordinators etc.. who are appointed by the Board

**9.1.4** Any person involved in the governance or operation of the region must be a member of the ASA

### **9.2 "The Council " See Articles Part 3 items 8 and 9**

Subject to the foregoing, the Regional nominees and guests shall comprise as a minimum:

**9.2.1** The members of The Council as defined in the articles may vote ,other positions do not confer voting rights

**9.2.2** the Past Presidents of the Region, who may speak

**9.2.3** the Life Members of the Region who may speak

**9.2.4** the Honorary Solicitor. If the Honorary Solicitor is not a member of a club affiliated to the Region he may speak

**9.2.5** The Chair or a Vice Chair of the ASA Independent Disciplinary and Dispute Resolution Panel or the ASA Independent Disciplinary and Dispute Resolution Appeals Panel who is a member of a club affiliated to the Region may attend any General Meeting and may speak

**10. Substitutes** at Council

Only substitutes of Discipline committees are eligible as per Articles 38.3

**11. Quorum at Council** see articles Part 5 item 35

**12 The Council Meeting or AGM**

**12.1** The Council shall have the responsibility to:

**12.1.1** oversee the work of the Board and receive its reports and accounts;

**12.1.2** abide by the standing orders for its conduct;

**12.1.3** consider and decide any proposed additions, alterations or rescissions to these Regulations or Articles

**12.1.4** keep full and accurate minutes of its meetings.

**12.2** In particular, the Council shall:

**12.2.1** at the Annual General Meeting appoint, from time to time:

**12.2.1.1** one or more Auditors or Independent Financial Examiners, as required, who shall not be members of the Board;

**12.2.1.2** an Honorary Solicitor;

**12.2.1.3** the following, unless they are entitled to attend in another capacity as Regional Swim England Members

**12.2.1.3.1** The President;

**12.2.1.4** the required number of County nominated Board members to the Board from the nominations received from the County associations.

**12.2.2** at the Annual General Meeting elect from time to time the following, each of whom shall be a member of a club affiliated to the Region:

**12.2.2.1** the President, who shall be the retiring President Elect unless their resignation, death or a decision of the Board to nominate another person on a resolution passed by four fifths of those present and voting, prevents it;

**12.2.2.2** the President Elect who shall be nominated by the Board;

**12.2.2.3** the Finance Director;

**12.2.2.4** the required number of Directors that are due for election as defined in rule 15.1

**12.2.2.5** the remainder of the required number of Regional Swim England members Including any ex officio appointments made under Rule 12.2.1.3, at least four of the total number of Regional Representatives shall be voting members of the Board. If there are insufficient nominations to fill the number of places available, the Board shall have the authority to appoint persons to fill the remaining place(s);

**12.2.2.6** The Board shall appoint people to lead disciplines and other such duties that require specialist experts.

**12.3** The Council may:

**12.3.1** discuss any matters which are relevant and pass resolutions and orders concerning them;

**12.3.2** 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, Regional Chair and Finance Director shall be ex officio members of any such committee unless the Council directs otherwise;

**12.3.3** elect Life Members of the Region to mark exceptional service to the Region. It shall also confirm (or not) the election of a Life Member by the Board;

**12.3.4** 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 Region has rendered itself unworthy to continue to be affiliated, expel that club The Board has the right to withdraw affiliation but not expel until the council confirms the Boards decision Notice of such a motion must have been previously included in the agenda for the meeting.

**13 Standing Orders for the conduct of the Council**

**13.1** Chair

**13.1.1** The Chair at all meetings of the Council shall be the Chair of the Board if they are present. If they decline, or is unable to act, or in their absence, the Vice-Chair of the Board shall take the chair. If they also decline or is unable to act, or in their absence the meeting shall elect a chair from its members present, who shall be entitled to act in all respects as if they were the Chair.

**13.1.2** The Chair 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 and regulations governing the Council;

**13.1.2.3** have the right to vote on every motion. In the event of an equality of votes, they shall have the casting vote.

**13.2** Motions

**13.2.1** A proposal for consideration at the Annual Council Meeting which does not embody a proposal to change a Company articles but does embody a change to Regulations or not may be submitted:

**13.2.1.1** by the Board; or

**13.2.1.2** by a club, body, association or organisation affiliated to the Region or a member of Council in which case it must be received by the Regional Office not later than twenty eight days immediately preceding the Annual General Meeting of the Council.

Proposals received in accordance with this section shall be sent to the clubs, bodies, associations and organisations entitled to be represented at Council not less than fourteen days before the Annual General Meeting.

**13.2.2** A motion of which due notice has not been given may not be discussed or voted on unless sanctioned by the Chair and two-thirds of the members voting and provided that it does not involve a change to company Articles

**13.2.3** The Annual Report to the ASA from the Region shall be presented at the Annual Council Meeting.

**13.2.4** A member of the Council or a club, body, association or organisation affiliated to the Region that wishes to question or have discussed any item in the published minutes of the last Annual Council Meeting or any subsequent Special Meeting or any minute of the Board, Standing Committee or other committee shall indicate their intention by giving notice to the Regional Office no later than twenty eight days prior to the Annual Council Meeting.

**13.2.5** A member of the Council or a club, body, association or organisation affiliated to the Region that wishes to question or have discussed any item in the Annual Report or the Financial Statements shall indicate their intention by giving notice to the Regional Office no later than seven days prior to the Annual Council Meeting.

**13.2.6** Questions on the minutes of the Board or any committees appointed by it or by the Council shall normally refer only to those for the Regional year last past as defined in these Regulations. The Chair may, at their discretion, allow discussion on matters in the minutes of meetings held after the end of the Regional year provided that:

**13.2.6.1** they are satisfied that the question is of sufficient importance and/or relevance to the meeting; and

**13.2.6.2** the minutes have been approved by the Board; and

**13.2.6.3** a specific question seeking further clarification or information is asked; or

**13.2.6.4** a proposal has been made under these regulations relating to those minutes.

**13.2.7** Approval of the Annual Report other than those items where due notice has been given of a desire to amend, add or reject, shall be proposed en bloc by the Chair and put to the vote without debate.

**13.2.8** The Chair may send to a member of Council a written answer to a question posed in accordance with this Rule 14, in which case the member may, at their discretion, withdraw the question and the item in the report may be dealt with as if the question had not been put. The Chair may, at their discretion, or on request, disclose the contents of the written answer for the information of the members of Council.

### **13.3** Procedures at Meetings

**13.3.1** Every motion shall be proposed and seconded. Resolutions which emanate from the Board shall be proposed by a member of that Board while those which emanate from a standing or other committee shall be proposed by the co-ordinator of the committee. If the committee co-ordinator is not a member of Council the proposal shall be made formally from the Chair and immediately afterwards the committee co-ordinator, or their substitute, shall be allowed to speak in support of the resolution.

**13.3.2** Any amendment shall be disposed of before another amendment is considered. The Chair may accept, without notice, verbal amendments which do not affect substantially the nature of the proposal under discussion.

**13.3.3** Other than to ask for or to give information or to raise a point of order, no member of the Council may speak more than once in the debate on any proposal. The proposer of the resolution shall have the right to reply to points raised in the debate but he may not, in their reply, introduce any new matter. The mover of an amendment shall not have the right of reply. When the proposer has completed their reply, no further speaker shall be heard.

**13.3.4** A proposal to change the Regional Articles or Regulations shall be carried only if at least two-thirds of those voting are in favour. All other proposals, including amendments to proposals whether to change a Regional Rule or otherwise, shall require a simple majority of those members voting.

**13.3.5** The Council meeting shall be open to the public but, except as provided in these regulations or with the permission of the Chair, nobody except a member of Council may take part in the business. The Council may, at any time, decide to exclude the public. **13.4** Voting as per Articles Part 5 sect 38.1

In addition:

**13.4.1** The Chair shall appoint three scrutineers, one of whom shall supervise the proper conduct of the scrutinising process. They shall receive from each voting member their delegate authorisation form signed in accordance with these rules. On being satisfied that the authorisation form has been fully completed they shall issue to the member a numbered delegate card and voting card(s) if required and shall retain the delegate authorisation form. The delegate shall acknowledge receipt of the card(s) by signing their name in a book supplied for the purpose. An authorisation form which has not been fully completed or which is of doubtful validity shall be referred to the Chair for a decision on whether it is acceptable.

Non voting member may attend and their name, club and ASA number recorded

**13.4.5** The Chair shall appoint two tellers from persons present at the meeting to count the votes. If a show of hands is not conclusive a ballot box will be used and shall be opened and the votes counted in the presence of the delegates to the meeting.

**13.4.6** The result of each ballot shall be announced by the Chair during the meeting and he shall indicate the number of votes cast for each candidate and the number of spoiled voting cards.

**13.4.7** Any discrepancy or irregularity found after the conclusion of the meeting shall be dealt with by the 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.

### **13.5** Changes to Company Articles

**13.5.1** Any proposal to change the Company Articles 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 principle and

intention of the proposal. The Governance committee or person tasked shall draft the wording of the changes to the Regulations to implement the principles and intentions approved by Council.

**13.5.2** A proposal to change to the Articles shall only be considered at the Annual Council Meeting if it has been distributed with the Annual Report, except as provided in this Rule 14, and has been:

**13.5.2.1** made by the Board at a meeting held not less than one month before the published date of the Annual Council Meeting and appears in the minutes of that Board meeting; or

**13.5.2.2** made by a committee or group appointed by the Council or the Board and appears in the minutes of that committee which have been approved by the Board not less than one month before the published date of the Annual Council Meeting; or

**13.5.2.3** made by a club, body, association or organisation affiliated to the Region and has reached the Regional Office at least two calendar months before the published date for the meeting; or

**13.5.2.4** made as a matter of urgency, approved by the Board, sent to the clubs, bodies, associations or organisations affiliated to the Region at least ten days before the meeting and approved as a suitable matter for consideration by Council by at least two-thirds of the delegates voting.

**13.5.3** A proposal to change the Articles shall only be considered at a Special Council Meeting if it has been:

**13.5.3.1** included in the resolution or request for the meeting;

**13.5.3.2** referred to the Board, unless emanating from it. The Board shall indicate its support or opposition and may propose amendments which shall be included on the agenda of the Council Meeting.

**13.5.4** Every proposal to change a Regional Regulation or Articles and/or amendment to it, shall be proposed and seconded separately and shall be open for discussion by any delegate with or without prior indication of intent.

**13.5.5** An amendment to any proposal to change a Regional Regulation or Article may be proposed by any member of Council, supported by another member as a seconder, and shall reach the Regional Office fourteen days prior to an Annual Council Meeting or twenty one days prior to a Special Council Meeting, as the case may be.

**13.5.6** A schedule of all such amendments shall be sent to the clubs, bodies, associations and organisations entitled to be represented at Council at least seven days before the Council Meeting at which they are to be considered.

**13.5.7** Regional Regulation or Article changes approved by the Regional Council shall become effective on 31<sup>st</sup> December following or on any other date agreed at the Council Meeting. If any addition, alteration or rescission of an ASA Law causes a Regional Regulation to conflict with it, the Board shall immediately cause the Regional Regulation to conform with it.

**13.5.8** Re-numbering of Regional Regulations and any consequential alterations shall be at the discretion of the Governance committee.

#### **13.6 Annual General Meeting**

**13.6.1** The Annual General Meeting of the Council shall normally be held in the month of April each year.

**13.6.2** Not less than fourteen days notice of the meeting shall be given to all affiliated clubs and members of the Council.

**13.6.3** The agenda together with a report of the proceedings of the Region, and the financial statement of the preceding year, shall be circulated with the notice convening the meeting.

**13.6.4** The meeting shall be held at such a venue and at such a time as the Board shall determine, which shall be notified to clubs with the notice convening the meeting.

#### **13.7 Special Meeting of Council**

**13.7.1** The Board may call a Special Meeting on its own initiative and shall call one within twenty one days of receiving a written request for a Special Meeting signed on behalf of at least ten different members. Each signatory to the request shall be an officer of their club. No business shall be discussed at such a meeting other than that prescribed by the Board or that stated in the request, as the case may be.

**13.7.2** Not less than fourteen days notice of a Special Meeting shall be given to all affiliated clubs, and the notice shall specify the object of the meeting. The venue and time for such a meeting shall be at the discretion of the Board.

### **14 Nominations, applications and appointments**

**14.1** A group consisting of the President, the Chair of the Board and the immediate Past President shall set criteria, match candidates against those criteria and select a name to be recommended to the Board for nomination as the President Elect. The nomination shall reach the Regional Office not later than two months before the published date of the Annual General Meeting. The name of the nominee together with the name of the club of which he has the longest unbroken membership and the name(s) of any other club(s) of which he is a member, shall be circulated with the notice convening the Annual General Meeting. The nominee must have signified their willingness to stand for election.

**14.2** Nominations for the Finance Director, Swimming Officials Co-ordinator, Records Officer, Licensing Officer, Board Members and Members of ASA Council from any member of a club affiliated to the Region, either as a representative of that club or individually, shall reach the Regional Office not later than two months before the published date of the Annual General Meeting and the name of each nominee together with the name of the club of which he has the longest unbroken membership and the name(s) of any other club(s) of which he is a member, shall be circulated with the notice convening the Annual General Meeting. Each of these nominees shall be proposed and seconded by members from different clubs. The nomination shall be in writing and the nominee shall signify thereon their willingness to stand for election. Any vacancy arising during the term will be opened for the receipt of nominations at the next available Regional Council Meeting. The individual appointed will serve for the remainder of the four year term.

**14.3** Should more than one person be nominated for one position a nominations panel shall be set up and make a recommendation to the Board for approval.

**14.4** The name of the person nominated to be its representative to serve on the Board shall be submitted to the Regional Office not later than fourteen days before the published date of the Annual General Meeting by each County Association affiliated to the Region.

## **15 The Board**

### **15.1 Composition** See Articles Part 4

**15.1.1** The Board shall comprise the following up to a maximum of twelve, each of whom shall be a member of the ASA

**15.1.1.1** the Chair appointed on a four year term;

**15.1.1.2** the Finance Director elected on a four year term;

**15.1.1.3** one representative nominated against criteria of required skills and experience by each County Association affiliated to the Region as the case may be, who shall:

**15.1.1.3.1** be appointed by the Council for a four year term of office. As nearly as possible, one of the representatives shall retire each year. Retiring representatives shall be eligible for reappointment;

**15.1.1.3.2** normally take office from when their appointment has been made at an Annual General Meeting of the Council and shall remain in office until their successor is appointed and takes office;

**15.1.1.3.3** if a nomination has not been made in due time under Rule 15.2, not take office until their name has been submitted to the Regional Director and approved by the Board. They shall remain in office until the next following Annual General Meeting of the Council when their appointment may be confirmed for the remainder of the normal term of office;

**15.1.1.3.4** be entitled to have a substitute, appointed by the County, if they are unable to attend a meeting. but they may not vote

**15.1.1.4** Up to four members, each of whom shall:

**15.1.1.4.1** be elected by the Council from nominations received, against criteria of required skills and experience, for a four year term of office. One of the members shall retire each year. Retiring members shall be eligible for re-election;

**15.1.1.4.2** normally take office from when their election has been made at an Annual General Meeting of the Council and shall remain in office until their successor is appointed and takes office.

**15.1.1.5** Up to three sports specialist/independent members appointed by the Board on an annual basis.

**15.1.2** The Regional Office shall act as the Secretary to the Board.

**15.1.3** Other members of staff, if required to do so by the Chair or the Board, may attend meetings of the Board and may speak if invited to do so by the Chair but may not vote.

**15.1.4** The Board shall have the authority to co-opt such other persons for any specific purpose who may speak but may not vote.

**15.1.5** Any member of the Board who is absent from three consecutive Board Meetings between two consecutive Annual General Meetings, without having received leave of absence or giving any explanation accepted as valid by the Board, shall thereby vacate their or her seat.

**15.1.6** The Board may fill any vacancy which may occur during a term of office. Such a replacement shall take office immediately and remain in office until the next Annual General Meeting of the Council when their appointment or election may be confirmed for the remainder of the normal term of office.

**15.1.7** Members of the Board, on production of an official authorisation, shall be entitled to free admission to all galas and events held in the Region by affiliated clubs or by any other body under Regional permit. **15.1.8** The Board may invite guests to speak but not vote

### **15.2 Meetings**

The Board shall meet as often as it deems necessary or desirable for the good governance of the Region. The Regional Office shall give at least seven days notice of each meeting. Video conferencing may be used if necessary and as long as the Articles and Regulations are adhered to.

### **15.3 Quorum**

The quorum at any meeting of the Board shall consist of half the number of members entitled to vote.

### **15.4 Powers and responsibilities**

**15.4.1** The responsibilities of the Board shall include but not be limited to, to:

**15.4.1.1** determine the strategies of the Region within the overall policies and plans agreed by the Council;

**15.4.1.2** consider and decide applications for affiliation to the Region;

**15.4.1.3** carry out any specific duty laid upon it by the Council;

**15.4.1.4** appoint and/or remove paid persons or volunteers as staff;

**15.4.1.5** have day to day management of the affairs of the region including, but not being limited to, the oversight of the production of the Region's Plans for the approval of Council together with their implementation thereafter, and the monitoring and evaluation of the work of the staff;

**15.4.1.6** appoint any officers, and members of the discipline and other committees, not elected by the Council;

**15.4.1.7** monitor and evaluate the work of the discipline and other committees and any other persons appointed to specific tasks within the Region, including the production of full and accurate minutes of their meetings and reports of their other activities;

**15.4.1.8** maintain appropriate channels of communication with Swim England, the County Associations, clubs and individuals.

**15.4.2** In particular, the Board shall:

**15.4.2.1** appoint a Chair from time to time who shall:

**15.4.2.1.1** be appointed from nominations received from the Region's clubs or by open transparent recruitment from inside or outside the sport; They may if necessary appoint a nominations committee for the purpose that will make a recommendation to the Board. See Articles Part 4 Item17

**15.4.2.1.2** hold office for four years and may be invited for further terms up to a maximum of nine years, See Articles Part 4 Item13

**15.4.2.1.3** be subject to removal from office at any time provided that three quarters of the members of the Board are in favour.

**15.4.2.2** at its first meeting after the Annual General Meeting of the Council, appoint:

**15.4.2.2.1** a Vice Chair See Articles Part 4 Item17

**15.4.2.2.1.1** hold office for one year always provided that they continue to be an elected or appointed member of the Board.

**15.4.2.3** set the annual affiliation fee in line with the budget;

**15.4.2.4** set annually and publish the maximum rate per mile that the Region will pay for travel expenses necessarily incurred on the Region's business;

**15.4.2.5** consider and decide any applications for affiliation to the Region subject to any criteria issued by the ASA from time to time;

**15.4.2.6** determine who shall be the authorised signatories of the Region's financial accounts;

**15.4.2.7** ensure that full and accurate minutes of its meetings are kept;

**15.4.2.8** at its first meeting after the Annual General Meeting, appoint the following, each of whom shall be a member of a club affiliated to the Region. Note or equivalent posts

**15.4.2.8.1** the Diving Co-ordinator;

**15.4.2.8.2** the Open Water Co-ordinator;

**15.4.2.8.3** the Water Polo Co-ordinator;

**15.4.2.8.4** the Artistic Swimming Co-ordinator;

**15.4.2.8.5** the Swimming Events and Competitions Co-ordinator;

**15.4.2.8.6** the Swimming Talent Co-ordinator;

**15.4.2.8.7** the Masters Co-ordinator;

**15.4.2.8.8** the Chair of the Club Development Committee;

**15.4.2.8.9** the Swimming Officials Co-ordinator;

**15.4.2.8.10** the Records Officer;

**15.4.2.8.11** the Licensing Officer;

**15.4.2.8.12** the members of the Discipline Committees;

**15.4.2.8.13** the members of the Club Development Committee;

**15.4.2.8.14** the members of the Governance committee;

**15.4.2.8.15** the Panel of Friends

**15.4.2.9** for each Standing Committee, appoint one Board member to be responsible for liaison between the Board and that committee.

**15.4.2.10** in each year prior to that when a nomination for the ASA Vice President is required from the Region, appoint a Presidential Nomination Committee, that shall include the Past Presidents of the ASA from the Region and at least one member of the Board. Three shall form a quorum. The Committee shall set criteria, match candidates against those criteria and select a name to be recommended to the Board for nomination from the Region as the next ASA Vice President and subsequently President;

**15.4.2.11** determine any question arising as to the correct interpretation of any of these regulations or Articles, or any other question not herein provided for;

**15.4.2.12** be accountable to the Regional Council and report to it at such times and in such a form as it may require.

**15.5** the Board may:

**15.5.1** fill any vacancy occurring on the Board, after due notice;

**15.5.2** to mark exceptional service, elect Life Members, provided a majority of two thirds of those present and voting are in favour, subject to confirmation at the next Annual General Meeting;

**15.5.3** contract for services and products other than those covered by staff employed directly or indirectly by the ASA;

**15.5.4** 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 Board. If the Chair of the Board shall be a member of such a special committee they shall not be entitled by virtue of that office to be chair of meetings of such committee;

**15.5.5** 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 unremunerated volunteer person from any elected or appointed office or position, with the exception of the President, the President Elect and the Chair, and replace them;

**15.5.6** discharge at its discretion a Standing Committee and elect a new committee in its place.

## **16 Standing Orders for the conduct of the Board**

- 16.1** The Board shall be governed by the following regulations.
- 16.1.1** If the Chair is unable or unwilling to act at a meeting the Vice Chair shall take the chair. If he also is unable or unwilling to act the members present at the meeting shall elect a chair from themselves and, in either case, the replacement shall be entitled to act in all respects as if he were the Chair.
  - 16.1.2** The Chair shall have unlimited authority upon every question of order at each meeting of the Board and, for the purpose of any meeting, shall be the sole interpreter of the rules governing the Board.
  - 16.1.3** The minutes of the previous meeting as circulated shall be considered as the first substantive item on the agenda.
  - 16.1.4** The minutes of technical committees or other committees and reports of officers or other individuals shall not be considered unless they have been circulated with the agenda, unless the Chair and the members of the Board agree by a two thirds majority that it will not prejudice the good governance of the Region to do so.
  - 16.1.5** Proposals dealing with new items of business shall not be considered unless they have been circulated with the agenda, unless the Chair and the members of the Board agree by a majority that it will not prejudice the good governance of the Region to do so.
  - 16.1.6** Every motion shall be proposed and seconded.
  - 16.1.7** Any amendment shall be disposed of before another amendment is considered. The Chair may accept, without notice, verbal amendments which do not affect substantially the nature of a proposal under discussion.
  - 16.1.8** Without the consent of the Chair, no member of the Board may speak more than once in the debate on any proposal. The proposer of a resolution shall have the right to reply to points raised in the debate but he may not, in their reply, introduce any new matter. The mover of an amendment shall not have the right of reply. When the proposer has completed their reply, no further speaker shall be heard.
  - 16.1.9** All proposals, including amendments to proposals shall require a simple majority of those members voting unless otherwise specified in these regulations.
  - 16.1.10** The Chair shall have the right to vote on any motion, and in the event of an equality of votes shall have the casting vote.
  - 16.1.11** Unless the Chair directs otherwise, voting on all motions or amendments shall be by a show of hands.
  - 16.1.12** Proxy voting shall not be permitted
  - 16.1.13** Board meetings may be open to the public but, except as provided in these Regulations, or with the permission of the Chair, nobody except a member of the Board may take part in the business. The Board may, at any time, decide to exclude the public.
  - 16.1.14** The minutes of Board Meetings shall be made available to all affiliated clubs and shall be confirmed at the Annual General Meeting. Any question arising from or objection to the confirmation of any minute shall reach the Regional Office twenty eight days before the Annual General Meeting.

## **17 Discipline Committees.** The following regulations and Rules apply if under regional control

- 17.1 Masters, Artistic Swimming and Water Polo Committees**
- 17.1.1 Composition**

The Masters, Artistic Swimming and Water Polo Committees may consist of not less than three and not more than five members and the ex officio members as detailed.
  - 17.1.2 Appointment**

The Board shall appoint not less than three and not more than five members to the committee from nominations received from the committee secretaries.
- 17.2 Swimming Committees**
- 17.2.1 Events and Competitions Committee**
    - 17.2.1.1 Composition**

The Committee shall consist of the Open Water Co-ordinator, BSCA member, Licensing Officer, Swimming Officials Co-ordinator, IT and results Co-ordinator, Talent committee representative and one representative from each of the county associations affiliated to the Region. Supported by appropriate officers of the ASA.
  - 17.2.2 Talent Committee**
    - 17.2.2.1 Composition**

The Committee shall consist of a representative from the Events and competitions committee, four performance coaches and one coach representative from each of the county associations affiliated to the Region, one to have specific focus on age-group coaching. Supported by appropriate officers of the ASA.
- 17.3 Provisions applicable to Committees**
- 17.3.1 Standing Orders**

Except where varied by any provision of this Rule 26, the applicable sections of the Standing Orders for the conduct of the Board shall apply to each Committee in all respects as if it were the Board.
  - 17.3.2 Ex officio members**
    - 17.3.2.1** The Co-ordinator of each Committee shall be a voting member of that Committee.
    - 17.3.2.2** The member of the Board charged with the duty of liaison with a Committee shall be a member of that committee, without the power to vote.
  - 17.3.3 Regional Officers**
    - 17.3.3.1** The following may attend any meeting of any Committee without the power to vote and shall be given notice of all such meetings: **17.3.3.1.1** The President; **17.3.3.1.2** The Regional Operations Manager or equivalent



**17.3.3.1.3** The Chair of the Board;

**17.3.3.1.4** The Finance Director;

**17.3.4** Meetings

Discipline committees shall meet as often as they deem necessary or desirable for the good governance of the Region. The Committee Co-ordinator shall give at least seven days notice of each meeting to all the voting and non-voting members including but not being limited to the Board liaison member, and all persons with the right to attend meetings including but not being limited to the President, the Regional Director, the Chair of the Board and the Finance Director.

**17.3.5** Quorum

The quorum at any meeting of any group shall be half the number of appointed or elected members. Any ex officio members shall not be taken into account when calculating the quorum of a group but those with a vote, attending a meeting, shall be included in the number of members present required to satisfy the quorum.

**17.3.6** Co-option

Each committee shall have power to co-opt members for any special purpose, without the power to vote.

**17.3.7** Substitutes

17.3.7.1 Should a Co-ordinator of a committee be unable to attend any meeting of that committee he shall appoint a substitute who shall be a member of the relevant committee.

17.3.7.2 Should a Co-ordinator of a sub-committee of a committee be unable to attend any meeting of that sub-committee he shall appoint a substitute who shall be a member of the relevant-committee.

17.3.7.3 Should a Co-ordinator of a sub-committee of a committee with an ex officio seat on the committee be unable to attend any meeting of the committee he shall appoint a substitute who shall be a member of the relevant sub-committee.

**17.3.8** Chair

At its first meeting, each committee shall elect a Chair only from its own previously elected or appointed voting members.

**17.3.9** Minutes

Each committee shall keep full and accurate minutes of its meetings, including a list of those present, which shall be submitted for approval to the Board.

**18 Diving Co-ordinator**

**18.1** The duties of the Diving Co-ordinator shall include, but not be limited to:

**18.1.1** advising the Board on all matters relating to diving;

**18.1.2** normally representing the Region on the ASA Diving Committee;

**18.1.3** normally representing the Region on the Event Management Group(s) for the Midland Diving Championships and competitions;

**18.1.4** selecting diving representatives of the Region as required;

**18.1.5** nominating divers for national events or trials as required;

**18.1.6** nominating a person to be appointed to the Club Development Committee as required;

**18.1.7** compiling the Regional Panel of diving officials;

**18.1.8** reviewing the relevant section of the Regional Development Plan a minimum of three times in each year and to report the outcome to the Board;

**18.1.9** taking such other action to further the discipline of diving within the Region as he deems appropriate;

**18.1.10** appointing or consulting with such persons as may be necessary or desirable to assist in their performance of their duties;

**18.1.11** reporting to the Board on the actions taken in the performance of their duties and the result of them at such times and in such a form as it may require.

**19 Masters Committee**

**19.1** The Masters Committee shall consist of those defined in Regulations 17.1 and 17.3.2.

**19.2** The duties of the Committee shall include, but not be limited to:

**19.2.1** recommending the required number of members to the Event Management Group(s) to manage the Midland Masters Championships and competitions;

**19.2.2** selecting Masters swimming teams representative of the Region as required;

**19.2.3** encouraging and supervising activities in the Region for the improvement of Masters swimming;

**19.2.4** appointing officials for Masters representative matches;

**19.2.5** reviewing the relevant section of the Regional Development Plan at each of its meetings and to report the outcome to the Board;

**19.2.6** advising the Board on all matters relating to Masters swimming;

**19.2.7** dealing with any Masters swimming matters referred to it by the Board;

**19.2.8** reporting to the Board at such times and in such a form as it may require.

**19.2.9** nominating a person to be appointed to the Club Development Committee as required.

**20 Open Water Co-ordinator**

**20.1** The duties of the Open Water Co-ordinator shall include, but not be limited to:

**20.1.1** recommending the required number of members to the Event Management Group(s) to manage the Midland Open Water Championships and competitions;

**20.1.2** selecting open water swimming teams representative of the Region as required;

**20.1.3** encouraging and supervising activities in the Region for the improvement of open water swimming;

**20.1.4** appointing officials for Open Water Swimming representative matches;

- 20.1.5 reviewing the relevant section of the Regional Development Plan at each of its meetings and to report the outcome to the Board;
- 20.1.6 advising the Board on all matters relating to open water swimming; 20.1.7 dealing with any open water swimming matters referred to it by the Board;
- 20.1.8 reporting to the Board at such times and in such a form as it may require. 21

#### **Swimming Committees**

21.1 The Swimming committees shall consist of those defined in Regulations 17.2 and 17.3.2.

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

21.2.1 Events and competitions committee

21.2.1.1 overseeing the effective implementation of regional events;

21.2.1.2 nominating a person to be appointed to the Club Development Committee as required. 21.2.2 Talent committee

21.2.2.1 supporting the development of talented swimmers in the region.

#### **22 Artistic Swimming Committee**

22.1 The Artistic Swimming Committee shall consist of those defined in Regulations 17.1 and 17.3.2.

22.2 The duties of the Artistic Swimming Committee shall include, but not be limited to:

22.2.1 recommending the required number of members to the Event Management Group(s) to manage the Midland Artistic Swimming Championships and competitions;

22.2.2 promoting Inter-Regional Artistic swimming matches when so required;

22.2.3 selecting Artistic swimming teams representative of the Region as required;

22.2.4 appointing officials for Artistic Swimming representative matches;

22.2.5 promoting training courses and select those to attend them;

22.2.6 nominating Artistic swimmers for national trials, events or courses as required;

22.2.7 nominating a person to be appointed to the Club Development Committee as required;

22.2.8 reviewing the relevant section of the Regional Development Plan at each of its meetings and to report the outcome to the Board;

22.2.9 advising the Board on all matters relating to Artistic swimming;

22.2.10 dealing with any Artistic swimming matters referred to it by the Board;

22.2.11 reporting to the Board at such times and in such a form as it may require;

22.2.12 appointing additional members to assist them in the performance of their duties and inform the Board of these appointments.

#### **23 Water Polo Committee**

23.1 The Water Polo Committee shall consist of those defined in Regulations 17.1 and 17.3.2.

23.2 The duties of the Water Polo Committee shall include, but not be limited to:

23.2.1 recommending the required number of members to the Event Management Group(s) to manage the Midland Water Polo Championships and competitions;

23.2.2 promoting Inter-Regional water polo matches when so required;

23.2.3 selecting water polo teams representative of the Region as required;

23.2.4 nominating players for national trials or matches as required;

23.2.5 nominating a person to be appointed to the Club Development Committee as required;

23.2.6 encouraging and supervise activities in the Region for the improvement of the game of water polo;

23.2.7 reviewing the relevant section of the Regional Development Plan at each of its meetings and to report the outcome to the Board;

23.2.8 appointing additional members to assist them in the performance of their duties and inform the Board of these appointments;

23.2.9 advising the Board on all matters relating to water polo;

23.2.10 appointing annually at its first meeting a Water Polo Officials Committee consisting of a Secretary and not less than three and not more than five other members. The Committee may co-opt for a specific purpose up to three additional members without the power to vote. The Water Polo Co-ordinator shall be an ex officio member of the Committee without the power to vote.

23.3 The duties of the Water Polo Officials Committee shall include, but not be limited to:

23.3.1 electing a Chair from its own members at its first meeting each year;

23.3.2 compiling and maintaining the Regional list of water polo officials by examination and/or evaluation;

23.3.3 appointing officials to water polo matches as required;

23.3.4 disseminating information on the rules of water polo;

23.3.5 reviewing and recommending changes to the rules of water polo;

23.3.6 conducting a programme of education and training for new and existing water polo officials;

23.3.7 advising the Water Polo Co-ordinator on any matter relative to water polo officials;

23.3.8 taking such other action to benefit water polo officials within the Region as it deems appropriate;

23.3.9 dealing with any water polo matters referred to it by the Water Polo Committee;

23.3.10 reporting to the Water Polo Co-ordinator at such times and in such a form as it may require.

#### **24 Club Development Committee**

24.1 The Club Development Committee will consist of a Chair appointed by the Board and members nominated by the Diving, Artistic Swimming, Water Polo, Swimming and Masters committees, together with a representative appointed by each of the County Associations affiliated to the Region.

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

24.2.1 ensuring the development of effective pathways across all disciplines through clubs working together;

24.2.2 identifying and supporting development requirements of clubs;

24.2.3 overseeing development and funding programmes for the region;

- 24.2.4 recognising good practice by clubs and promote these as such;
- 24.2.5 considering applications for SwimMark accreditation in line with ASA criteria and make recommendations accordingly;
- 24.2.6 advising the Board on all matters relating to club development;
- 24.2.7 dealing with new applications for affiliation and to recommend to the Board whether to accept or to reject them;
- 24.2.8 advising the Board on all matters relating to affiliation or membership.

## **25 Governance Committee**

- 25.1 The Governance Committee will consist of one board member appointed as Head of Governance with suitable knowledge and experience, the Chair of the Board and one other member appointed by the Board
- 25.2 The duties of the Governance Committee shall include, but not be limited to:
  - 25.2.1 advising the Board on all matters regarding the rules of the Region to ensure uniformity of presentation, clarity, the absence of ambiguity and conformity of principle each with the other;
  - 25.2.2 reviewing on behalf of the Region all proposals for new rules or conditions or changes to existing rules or conditions to endeavour to ensure that they meet the criteria set out in this rule;
  - 25.2.3 drafting and submitting to the Board for its approval, in time for implementation on the due date, and inclusion in the current year's Handbook, suitable wording for all changes to Regional Rules agreed in principle and intention by the Council;
  - 25.2.4 consulting fully with the appropriate Discipline or other committee whenever changes to rules or conditions which may affect them are involved, before submitting any drafts or amendments to proposals under this rule;
  - 25.2.5 providing guidance and advice to the Board, the Standing and other committees on the rules and conditions of the Region;
  - 25.2.6 dealing with any rules matters referred to it by the Board;
  - 25.2.7 reporting to the Board at such times and in such a form as it may require.
  - 25.2.8 dealing with any governance matters referred to it by the Board;
  - 25.2.9 reporting to the Board on the actions taken in the performance of their duties and the result of them at such times and in such a form as it may require;
  - 25.2.10 providing to the Board such information relating to affiliation or membership as it may from time to time require to act on affiliation appeals.
- 25.3 Any matter which the Governance committee is unable to resolve shall be referred to the Board.

## **26 Records Officer**

- 26.1 The duties of the Records Officer shall include, but not be limited to:
  - 26.1.1 maintaining a full list of all current and past Regional records;
  - 26.1.2 checking and ratifying all swimming records notified to them or made in Regional events or made when competing in a Regional team;
  - 26.1.3 signing each Record Certificate awarded in addition to the President;
  - 26.1.4 dealing with any matters associated with records referred to them by the Board;
  - 26.1.5 advising the Board on all matters relating to records;
  - 26.1.6 reporting to the Board on the actions taken in the performance of their duties and the result of them at such times and in such a form as it may require.
- 26.2 Any matter which the Records Officer is unable to resolve shall be referred to the Chair. If he also is unable to resolve the matter it shall be referred to the Board.

## **27 Licensing Officer**

- 27.1 The duties of the Licensing Officer shall include but not be limited to:
  - 27.1.1 processing applications for the licensing of meets, including the receipt of fees and the acceptance or rejection of each application;
  - 27.1.2 appointing an observer for such licensed meets, or parts thereof, that he deems appropriate to ensure that the meet fulfils the criteria for licensing, and to receive their report;
  - 27.1.3 advising the Swimming Events and Competitions Committee on all matters relating to licensed meets;
  - 27.1.4 reporting to the Swimming Events and Competitions Committee on the actions taken in the performance of their duties and the result of them at such times and in such a form as it may require.

## **28 Welfare Officer**

- 28.1 The duties of the Welfare Officer shall be integrated into the role of the governance committee and should include, but not be limited to:
  - 28.1.1 advising the Board on all matters relating to welfare issues and particularly those relating to child protection;
  - 28.1.2 reviewing the relevant section of the Regional Development Plan a minimum of three times in each year, and to report the outcome to the Board;
  - 28.1.3 providing guidance to County Welfare Officers on child protection issues, and to advise counties and clubs on setting up child protection training;
  - 28.1.4 monitoring the ASA Child Protection Policy, and to ensure that any changes are reflected in the Regional Child Protection Policy;
  - 28.1.5 ensuring any potential child protection concerns that have not already been notified by a club or a county to the ASA Legal Department are so notified as soon as possible;
  - 28.1.6 advising standing committees and other relevant persons on child protection practice to ensure that all Regional events have appropriate procedures in place;
  - 28.1.7 appointing or consulting with such persons as may be necessary or desirable to assist them in the performance of their duties;
  - 28.1.8 dealing with any Welfare issues referred to them by the Board;

**28.1.9** reporting to the Board on the actions taken in the performance of their duties and the result of them at such times and in such a form as it may require.

**29 Panel of Friends**

**29.1** The Panel of Friends who shall be members of the ASA, from nominations made by a club, body, organisation or County and open recruitment, with no restriction on the other unremunerated posts they may hold within the ASA.

**29.2** The duties of the Friends shall be as directed by the ASA to include, but not be limited to, to assist at the discretion of the Judicial Administrator, within the judicial process, by providing advice and/or support to persons making or being the subject of a complaint, protest appeal under the ASA Judicial Laws and Rules.