

Swim England London Region

Constitution

As at 7th September 2019



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1. General

1.1. The Amateur Swimming Association (Swim England) Limited London Region is an unincorporated, not-for-profit association, operating as a voluntary body to achieve the aims as laid out in this Constitution, on behalf of its members.

1.2. In these Rules:

1.1.1 "Swim England" shall mean The Amateur Swimming Association (Swim England) Limited" (company number 10931571).

1.1.2 The "Swim England Board" shall mean the Swim England Board.

1.1.3 "London Swimming", "Swim London" or the "Region" shall mean The Amateur Swimming Association (Swim England) London Region.

1.1.4 A "County" shall be one of Essex, Kent, Middlesex or Surrey County ASA associations, which together cover the entire geographic reach of the Region.

1.1.5 "Board" shall mean the Board of the Region

1.1.6 The term "Athlete" shall include "Swimmer", "Diver", "Synchronized Swimmer", "Water Polo Player", "Masters Swimmer", "Open Water Swimmer" and "Disabled Athlete".

1.1.7 "Aquatic Activity" shall include all swimming "Disciplines", being "Pool Swimming", "Open Water Swimming", "Diving", "Synchronized Swimming", "Water Polo" as well as the specialist groups of "Masters Swimming" and "Disabled Athletes" unless the context indicates the contrary.

1.1.8 "Club" shall include all bodies, organisations, leagues, alliances and associations unless the context indicates to the contrary.

1.1.9 "Council" shall mean the Annual Council and other general meetings of the Region.

1.1.10 "Constitution" shall mean this Constitution of the Region.

1.1.11 Words importing the masculine gender shall include the feminine.

1.1.12 Words of the plural number shall include the singular and words of the singular number shall include the plural.

1.2 Any deviation from any provision of these Rules in the first instance only shall not invalidate any procedure or decision unless that deviation raises a material doubt that the procedure or decision has been so affected by the deviation as to prejudice the good management of the Region. Further deviation of the rule to any procedure or decision-making process shall not be allowed.

1.3 It shall be a condition of affiliation or membership that all affiliated clubs, associations, bodies, leagues or alliances shall be subject to and bound by any Swim England Law, Rule, Regulation or Condition which may from time to time apply to them

1.4 If there is a conflict between the Constitution and a decision of the Council, then the constitution shall prevail. If there is a conflict between the Constitution or a decision of the Council and the Swim England Laws, Rules, Regulations or Conditions then the Swim England Laws, Rules, Regulations and Conditions shall prevail.

2. Name

2.1. The Region shall be called The Swim England London Region.

2.2. The formal name shall appear on all official correspondence but for other purposes may be referred to as "London Swimming" or "Swim London". The Board may approve other 'trading' names.

3. Composition

- 3.1. The Region shall consist of the affiliated clubs, associations, organisations, bodies, leagues and alliances and the members thereof as defined by the Swim England and affiliated to the Region in accordance with the criteria set by the Swim England and situated within the City of London and the 32 Greater London Boroughs of Barking and Dagenham, Barnet, Bexley, Brent, Bromley, Camden, Croydon, Ealing, Enfield, Greenwich, Hackney, Hammersmith and Fulham, Haringey, Harrow, Havering, Hillingdon, Hounslow, Islington, Kensington and Chelsea, Kingston upon Thames, Lambeth, Lewisham, Merton, Newham, Redbridge, Richmond upon Thames, Southwark, Sutton, Tower Hamlets, Waltham Forest, Wandsworth and Westminster.
- 3.2. For the avoidance of doubt this includes the following organisations that have affiliated directly to the Region:
- 3.2.1. schools, universities and educational bodies which have an aquatic activity club;
 - 3.2.2. clubs for sports such as triathlon which have aquatic activity as an integral part of their activities; and
 - 3.2.3. private associations, local associations and leagues, which consist of members clubs which may or may not be members of the Region already.

4. Objects

- 4.1. The objects of the Region shall be to:
- 4.1.1. carry out the aims and objects of the Swim England that lie within its jurisdiction;
 - 4.1.2. obey and enforce the laws, rules, resolutions and rulings of the Swim England;
 - 4.1.3. promote, develop and manage aquatic activity within the Region including stimulating opinion in favour of providing proper facilities to the benefit of its member clubs and the broader aquatic community.

5. Responsibilities of the Region

- 5.1. The Region shall:
- 5.1.1. produce, maintain and implement such plans based on strategic criteria set by the Swim England and in such form as the Swim England may from time to time require;
 - 5.1.2. administer the procedures for clubs, organisations, associations, bodies, leagues or alliances as defined in Swim England Law, to affiliate to the Region and to the Counties, which form part of the Region, including any required fee collection;
 - 5.1.3. administer the procedures for associations, bodies and organisations to affiliate to the Region, including any required fee collection;
 - 5.1.4. administer such procedures as the Swim England shall decide from time to time to enable individual club members to be members of the Swim England, including any required fee collection;
 - 5.1.5. administer such procedures as the Swim England and the Region shall decide from time to time to establish and maintain Sub-Regions forming part of the governance, administration and delivery of the sport within the Region;
 - 5.1.6. hold appropriate regional championships under the direction of the Swim England and managed by the appropriate discipline committee;
 - 5.1.7. develop all aspects and disciplines of the sport;
 - 5.1.8. promote governance best practice across the Region;
 - 5.1.9. comply with the requirements and procedures of the Swim England Judicial Laws and Regulations for handling internal disputes as the same may be revised from time to time.
- 5.2. To further its objects the Regions may:
- 5.2.1. organize and assist in the provision of conferences, course of instruction, exhibitions, lectures and other educational activities;
 - 5.2.2. publish and distribute books, pamphlets, reports, leaflets, journals, films, tapes and instructional matter on any medium;
 - 5.2.3. promote, encourage, carry out or commission research, surveys, studies or other work making the useful results available;
 - 5.2.4. enter contracts to provide services to or on behalf of other organisations;

- 5.2.5. incorporate or acquire subsidiary organisations;
- 5.2.6. trade in the course of carrying out the Region's objects

6. Responsibilities of the sub-regions

- 6.1. The Board may establish sub regions whose responsibilities shall include but not be limited to:
 - 6.1.1. General
 - 6.1.1.1. Each Sub-Region shall:
 - 6.1.1.1.1. be responsible for managing the sport of swimming within its boundaries subject to the strategic direction of the Region;
 - 6.1.1.1.2. observe the laws, judicial and technical rules of the Association and ensure that they are observed within its jurisdiction;
 - 6.1.1.1.3. follow the resolutions and rulings of the Swim England Sports Governing Board and/or Swim England Council and/or the Regional Council and/or the Regional Board and ensure that they are followed within its jurisdiction
 - 6.1.1.1.4. be accountable to the Region for the proper discharge of its functions.
 - 6.1.2. Administration and Finance
 - 6.1.2.1. Each Sub-Region shall:
 - 6.1.2.1.1. determine the uses to which its funds are allocated within the strategic criteria set by the Region;
 - 6.1.2.1.2. set up and implement a Business Plan including a budget indicating the source of the required funding and how it will be spent, based on the strategic criteria set by the Region;
 - 6.1.2.1.3. set up and implement a Development Plan based on the strategic criteria set by the Region;
 - 6.1.2.1.4. have the authority to set a Sub-Regional element of the affiliation and membership fees due from each of the clubs affiliated to it;
 - 6.1.3. Accountability
 - 6.1.3.1. Each Sub-Region shall
 - 6.1.3.1.1. from time to time submit its Business and Development Plans to the Regional Board or its nominated agent(s) for approval;
 - 6.1.3.1.2. keep accounts showing its income and expenditure against the budget set in its Business Plan, and a balance sheet;
 - 6.1.3.1.3. report annually to the Regional Board, in such a form as it may from time to time require, on its:
 - 6.1.3.1.3.1. activities and any issues arising there from;
 - 6.1.3.1.3.2. financial statements;
 - 6.1.3.1.3.3. performance against its Development Plan.

7. Affiliation

- 7.1. Application
 - 7.1.1. A club, organisation, association, body, league or alliance on applying for affiliation to the Region, shall provide to the Affiliations Officer, a completed application form provided for this purpose by the Affiliations Officer, a copy of its present constitution (its rules) the location where the applicant's principle aquatic activity takes place or their headquarters as well as such other information as the Affiliations Officer may require.
 - 7.1.2. The club, organisation, association, body, league or alliance's name shall reference its locality.
 - 7.1.3. The Affiliations Officer shall seek the views of the appropriate County.
 - 7.1.4. Any decision on affiliation shall be taken by the Board. In deciding whether to grant affiliation the Board must consider the application against the national criteria approved by the Swim England Board.
 - 7.1.5. The Affiliations Officer shall confirm the decision on the application to the Club Secretary.
 - 7.1.6. Affiliation shall commence on the date that it is granted by the Board.
 - 7.1.7. If an application for affiliation is refused the Affiliations Officer shall be required to give reasons for the refusal of the application for membership.

- 7.1.8. Any club, organisation, association, body or league refused affiliation may appeal to the Swim England Board in line with the appropriate Swim England Judicial Laws and Regulations.
- 7.2. Constitutional Rules
- 7.2.1. In order to become or to remain affiliated, a club's rules shall conform to the provisions of the Recommended Swim England Club Constitution and its guidelines, and any criteria issued by the Swim England or the Region from time to time.
- 7.2.2. In order to become or to remain affiliated, the rules of an organisation, association, body or league shall be in line with the categories of affiliation for such organisations as provided for by the Swim England.
- 7.2.3. Any proposed alterations or additions to such rules or constitutions shall be approved by the Affiliations Officer – acting on behalf of the Region's Board - and the club at AGM/Special meeting. Changes shall only become operative when they have been approved and passed at club meeting.
- 7.3. County Affiliation
- 7.3.1. A grant of affiliation to a club, as defined by the Swim England Constitution Laws, shall include affiliation to the County in which its headquarters are situated, defined as the principal location where its aquatics activities take place.
- 7.3.2. A grant of affiliation to an organisation, association, body or league may include affiliation to a County within which the majority of its activity is undertaken:
- 7.3.2.1. Bodies and organisations whose activities make it inappropriate for them to affiliate to a County shall not be required to affiliate to a County association. The decision of the Board shall be final and binding.
- 7.4. Swim England Membership Fees
- 7.4.1. Each affiliated club, shall pay Swim England membership fees as set by the Swim England for each individual club member.
- 7.5. Regional Fees
- 7.5.1. Each affiliated club, shall pay a Regional fee, which shall be set by the Board, before 31st August in the preceding year.
- 7.5.2. If the Board set the fee on a per capita basis it shall specify whether or not members who pay no membership fee to the club must be included in the total for whom a fee must be paid to the Region.
- 7.5.3. The fee may be waived in specific cases at the discretion of the Board whose decision is final and binding.
- 7.6. County Fees
- 7.6.1. Each affiliated club, as defined at 6.3. above, shall pay a County affiliation fee, which shall be set by the County Association before 31st August in the preceding year.
- 7.7. Payment
- 7.7.1. The applicable Regional affiliation fee, County affiliation fee and Swim England individual membership fees shall be paid to the Swim England as required in one instalment by date defined by Swim England Law.
- 7.7.2. Payment for new members not in the annual return shall be as set out by the Swim England.
- 7.8. Failure to Pay
- 7.8.1. The affiliation of a club not having made its return of club membership and paid its liabilities to the Swim England, the Region, and its County by date defined by Swim England Law shall be suspended by the Swim England with immediate effect until such time as those liabilities are discharged or until such date as the Swim England decide

7.8.2. Any club not having paid its liabilities by the due date shall be deemed to have resigned.

7.9. Effect of Suspension

7.9.1. Any suspended club and its members shall not be allowed to, for the period of the suspension in accordance with Swim England Laws and Regulations:

7.9.1.1. participate in or act as an official at any competition held under Swim England or FINA Rules

7.9.1.2. participate in the activities of the Region for the period of the suspension in accordance with Swim England Laws and Regulations;

7.9.1.3. run its own competitions during the period of suspension.

7.9.1.4. be a member of any committee or subcommittee concerned with the governance of aquatic activity under the direction of the Swim England.

7.9.2. Any insurance arranged by the Swim England or Region will not provide cover for any person, club, organization, association, body, league or alliance relative to any incident occurring during the period of suspension.

7.10. Re-application after Suspension or Deemed Resignation

7.10.1. A club that has been suspended by the Swim England for less than one year will be automatically re-instated on payment of any amounts due (including penalties levied by the Swim England and Region).

7.10.2. A club that has been suspended by the Swim England for one year or more or deemed to have resigned shall be subject to re-affiliation as if it was a new application for affiliation should it wish to re-affiliate to the Region and to the Swim England.

7.11. Resignation

7.11.1. A club wishing to resign from the region must give notice in writing to the Affiliations Officer and the Swim England before 1 January or it shall be held liable for its affiliation fee for the current year.

7.11.2. The Affiliations Officer shall confirm the resignation, be it requested or deemed, to the last known address of the club secretary.

8. Government

8.1. There shall be four levels of government of the Region:

8.1.1. the Council;

8.1.2. the Board;

8.1.3. any committees or working groups established by the Board; and

8.1.4. any sub-committees or working groups established by the committees.

8.2. A person who is not a member of a club affiliated to the Region shall not be permitted to be nominated, elected or appointed as a committee member, board member, officer, coordinator, adviser or to any other position which carries the right to vote at any level of government of the Region, or as a delegate of the Region.

9. The Council's Composition

9.1. The Council shall consist of:

9.1.1. the President of the Region who shall be entitled to vote;

9.1.2. the Vice President of the Region who shall be entitled to vote;

9.1.3. the Past Presidents of the Region who may speak but not vote;

9.1.4. the Members of the Board who shall be entitled to vote;

9.1.5. Committee and Sub-Committee members who may speak but not vote unless a club delegate in their own right;

9.1.6. Regional Officers who shall be entitled to vote;

9.1.7. delegates of affiliated clubs elected in compliance with these Rules who shall be entitled to vote; and

9.1.8. one delegate from those sub-regions that have been established in the Region.

- 9.2. All members of the Council to be not less than 18 years of age.
- 9.3. The Chairman or a Vice Chairman of the Swim England Independent Disciplinary and Dispute Resolution Panel or the Swim England Independent Disciplinary and Dispute Resolution Appeals Panel who is a member of a club affiliated to the Region may not be club delegates but shall be entitled to attend and speak at Council but not vote.

10. Delegates to the Council

- 10.1. Each club affiliated to the Region shall be entitled to send a delegate to Council based on the total number of its members in the previous year according to the club's Swim England Annual Return of Club Membership. The number of delegate to which each club is entitled shall be: 3 delegates for clubs with 201 or more members; 2 delegates for clubs with between 51 and 200 members; and 1 delegate for clubs with 50 or less declared members.
- 10.2. Where they have been established, the sub-regions shall be entitled to send a delegate to Council; such a delegate must be a member of a club affiliated to the Region.
- 10.3. Only persons who are members of the Swim England shall be eligible to be members of Council except that a delegate who represents an associated Organization, an Associate Organization or an Affiliated Body may be a member of Council provided that he has been appointed by the organization he represents under its own rules. Such individuals may speak but not vote
- 10.4. Each delegate shall be appointed by the club he represents. The Secretary of the club, or other person authorised so to do, shall sign the delegate authorisation form, supplied for the purpose, as certification that the delegate is a *bona fide* member of the club and that he has been duly appointed a delegate of the club to Council.
- 10.5. No proxy voting is permitted
- 10.6. A delegate shall only be permitted one vote irrespective of the number of clubs, associations, bodies or organisations he may represent.

11. Powers and responsibilities of the Council

- 11.1. The Council shall have the power and responsibility to:
 - 11.1.1. oversee the work of the Board;
 - 11.1.2. receive reports and accounts from the Board;
 - 11.1.3. abide by the standing orders set out in these Rules;
 - 11.1.4. approve by a two thirds majority of those voting any proposed changes to the Rules subject to the condition that any changes which refer to the mandatory elements of the Rules be approved by the Swim England Council before coming into operation; and
 - 11.1.5. keep full and accurate minutes of its meetings.
- 11.2. The Council shall have the power to, at the Annual Council Meeting:
 - 11.2.1. appoint, from time to time as required:
 - 11.2.1.1. one or more Independent Financial Examiners, who shall not be members of the Board;
 - 11.2.1.2. one or more honorary Life Presidents to mark exceptional service to the Region, who shall not have the right to attendance or vote at Council or Board meetings, unless they are entitled in another capacity;
 - 11.2.1.3. the following, unless they are entitled to attend in another capacity, as members of the Swim England Members' Forum:
 - 11.2.1.3.1. the President;
 - 11.2.1.3.2. the Officers of the Region.
 - 11.2.2. elect the following, each of who shall be a member of a club affiliated to the Region:
 - 11.2.2.1. President of the Region;
 - 11.2.2.2. Vice President of the Region;

- 11.2.2.3. The required number of Board members; and
 - 11.2.2.4. The remainder of the required number of members of the Swim England Members' Forum. Members of the Swim England Members' Forum elected by the Region's Annual Council Meeting shall be expected to attend all Swim England Members Forum meetings until new representatives are elected. They are required to take into consideration discussions within Regional Council Meetings, but can speak and vote at Swim England Members Forum according to their own judgment.
 - 11.2.2.5. In the event that any of the delegates to Swim England Members Forum are unable to attend a meeting, the Board may appoint a substitute.
 - 11.2.3. Appoint and/or elect such persons to such posts as the as the Region may from time to time require to carry out its business or to delegate any or all of these to the Board.
 - 11.2.4. Appointments and elections will be considered when relevant, according to their term of office, which unless otherwise stated in these Rules shall be until the next Annual Council Meeting.
 - 11.2.5. All elections and appointments shall take effect at the end of the Regional Council meeting.
- 11.3. The Council shall have the power to:
- 11.3.1. Discuss any relevant matter and to pass resolutions on those which appear on the agenda.
 - 11.3.2. Appoint and subsequently discharge a special committee to consider and report upon any matter; the number of members of the committee, a quorum and the terms of reference to be determined by the Council.
- 11.4. Decisions of the Council shall be binding on all members

12. Standing Orders for the Conduct of the Council

12.1. Chairman

- 12.1.1. The Chairman at all meetings of the Council shall be the Chairman of the Board if he is present. If he declines, or is unable to act, or in his absence the meeting shall elect a chairman from its members present.
- 12.1.2. The Chairman shall:
 - 12.1.2.1. have unlimited authority upon every question of order;
 - 12.1.2.2. be, for the purpose of the Council meeting, the sole interpreter of the rules governing the Council; and
 - 12.1.2.3. have the right to vote on every motion. In the event of an equality of votes, he shall have the casting vote.

12.2. Motions

- 12.2.1. A proposal for consideration at the Annual Council Meeting which does not embody a proposal to change a Regional Rule may be submitted:
 - 12.2.1.1. by the Board; or
 - 12.2.1.2. by a club, or a member of Council in which case it must be received by the Region Administration and Member Services Officer not later than 28 calendar days immediately preceding the Annual Meeting of the Council.
 - 12.2.1.2.1. Motions must be proposed and seconded by members of an affiliated club.
 - 12.2.1.3. Proposals received in accordance with this section shall be sent to the clubs, entitled to be represented at Council not less than 14 calendar days before the Annual Meeting of the Council.
 - 12.2.1.4. A motion of which due notice has not been given may not be discussed or voted on unless sanctioned by the Chairman and two-thirds of the members voting and provided that it does not involve a change to Regional Rules.

12.3. Annual Report and Minutes

- 12.3.1. The Annual Report of the Region shall be presented at the Annual Council Meeting.
 - 12.3.2. The Annual Report shall contain the annual accounts and cover all areas of the Region's activities.
 - 12.3.3. A member of the Council or a club, body, association organisation or league 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, the Annual Report, the Financial Statements or any minute of the Board, a Subcommittee or Discipline Group shall indicate his intention by giving notice to the Regional Administration and Member Services Officer no later than 28 calendar days prior to the Annual Council meeting.
 - 12.3.4. 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 Rules. The Chairman may, at his discretion, allow discussion on matters in the minutes of meetings held after the end of the Regional year provided that:
 - 12.3.4.1. he is satisfied that the question is of sufficient importance and/or relevance to the meeting; and
 - 12.3.4.2. the minutes have been approved by the Board;
 - 12.3.4.3. a specific question seeking further clarification or information is asked; or
 - 12.3.4.4. a proposal has been made under these rules relating to those minutes.
 - 12.3.5. 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 Chairman and put to the vote without debate.
 - 12.3.6. The Board may send to a member of Council a written answer to a question posed in accordance with this Rule 11.4.6 in which case the member may, at his discretion, withdraw the question and the item in the report may be dealt with as if the question had not been put. The Chairman may, at his discretion, or on request, disclose the contents of the written answer for the information of the members of Council.
 - 12.3.7. Draft minutes to a Council meeting shall be prepared by the Board and be published on the website within three months of a meeting.
 - 12.3.8. A copy of past approved minutes shall be published on the Region's website.
- 12.4. Procedure at Council Meetings
- 12.4.1. Such appropriate parts of Swim England Laws as govern procedure at Swim England Council meetings shall govern proceedings at Regional Council meetings.
 - 12.4.2. Every motion shall be proposed and seconded. Resolutions that emanate from the Board shall be proposed by a member of the Board while those that emanate from a Committee or aquatic activity group shall be proposed by the Chairman of the Committee or aquatic activity group. If the Chairman of the Committee or aquatic activity group is not available the proposal shall be made formally from the Chair and immediately afterwards a substitute, shall be allowed to speak in support of the resolution.
 - 12.4.3. Any amendment shall be disposed of before another amendment is considered. The Chairman may accept, without notice, verbal amendments that do not affect substantially the nature of the proposal under discussion.
 - 12.4.4. 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 his reply, introduce any new matter. The mover of an amendment shall not have the right of reply. When the proposer has completed his reply, no further speaker shall be heard.
 - 12.4.5. A proposal to change the Regional Rules or request changes to Swim England Laws and Technical Rules 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.

- 12.4.6. The Council meeting shall be open to the public but, except as provided in these rules or with the permission of the Chairman, nobody except a member of Council may take part in the business. The Council may, at any time, decide to exclude the public.
- 12.4.7. The quorum shall be twenty voting members of Council.
- 12.4.8. No business other than that on the agenda shall be conducted at a Council meeting.
- 12.4.9. For the avoidance of doubt, conditions for all competitions held by the Region shall not be regarded as Rules. The relevant Committee appointed by the Board shall have power to consider and approve changes.
- 12.4.10. At the discretion of the Board, awards and presentations on other matters of interest may be arranged for the interest of Council.

12.5. Voting

- 12.5.1. The President shall appoint three scrutineers, one of whom shall supervise the proper conduct of the scrutinising process. They shall receive from each delegate his 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 delegate a numbered delegate card and voting card if required and shall retain the delegate authorisation form. The delegate shall acknowledge receipt of the card by signing his 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 Chairman of the meeting for a decision on whether it is acceptable.
- 12.5.2. An individual shall have only one vote irrespective of the number of clubs they represent.
- 12.5.3. Unless the Chairman directs otherwise, voting on all motions or amendments shall be by a show of delegate cards.
- 12.5.4. Voting on elections shall be by secret ballot:
 - 12.5.4.1. Any ballot paper containing more votes than the maximum number required or less votes than the minimum number required shall be void.
 - 12.5.4.2. The Chairman shall appoint two tellers from persons present at the meeting to count the votes.
 - 12.5.4.3. Completed voting cards shall be collected by the tellers as directed by the Chairman.
 - 12.5.4.4. The result of each ballot shall be announced by the Chairman during the meeting and he shall indicate the number of votes cast for each candidate and the number of spoiled voting cards.
 - 12.5.4.5. 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.

12.6. Changes to Regional Rules

- 12.6.1. Any proposal to change a Regional Rule 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 Board shall draft the wording of the changes to the Rules to implement the principles and intentions approved by Council.
- 12.6.2. A proposal to change a Regional Rule shall only be considered at the Annual Council Meeting if it has been distributed with the Annual Report, except as provided in this Rule 12.6 and has been:
 - 12.6.2.1. made by the Board at a meeting before 15 July and appears in the minutes of that meeting; or
 - 12.6.2.2. made by a committee or sub-committee appointed by the Council or the Board and appears in the minutes of that committee or sub-committee which have been approved by the Board before 15 July;
 - 12.6.2.3. made by a club affiliated to the Region and has reached the Board before 15 July; or

- 12.6.2.4. made as a matter of urgency, approved by the Board, sent to the clubs, 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.
- 12.6.2.5. A proposal to change a Regional Rule shall only be considered at a Special Council Meeting if it has been:
 - 12.6.2.5.1. included in the resolution or request for the meeting;
 - 12.6.2.5.2. 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.
- 12.6.2.6. Every proposal to change a Regional Rule 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.
- 12.6.2.7. An amendment to any proposal to change a Regional Rule may be proposed by any member of Council, supported by another member as a seconder, and shall reach the Regional Chairman twenty-eight days prior to an Annual Council Meeting or twenty-one days prior to a Special Council Meeting, as the case may be.
- 12.6.2.8. A schedule of all such amendments shall be sent to the clubs entitled to be represented at Council at least fourteen days before the Council Meeting at which they are to be considered.
- 12.6.2.9. Regional Rule changes approved by the Council shall become effective on December 31st following or on any other date agreed at the Council Meeting. If any addition, alteration or rescission of a Swim England Law or Regulation causes a Regional Rule to conflict with it, the Board shall immediately cause the Regional Rules to conform to it.
- 12.6.2.10. Re-numbering of Regional Rules and any consequential alterations shall be at the discretion of the Board.

12.7. Annual Council Meeting

- 12.7.1. The Board shall be responsible for organising any Council meetings.
- 12.7.2. The Annual Meeting of the Council shall be held in September.
- 12.7.3. Not less than three months' notice of the date, time and venue of the meeting shall be given to all affiliated clubs, other organisations and members of the Council.
- 12.7.4. A nomination pack with forms for the nomination of elected Office Holders due for election, forms to give notice of motions for the Annual Council Meeting or to propose changes to these Rules or request changes to Swim England Laws or Technical Rules, shall be sent out by the end of May to all Club secretaries.
- 12.7.5. All nominations, notices of motions and proposals shall be returned as directed in the nomination pack. An individual may not propose or second themselves on their own nomination form.
- 12.7.6. The agenda together with a report of the proceedings of the Region, the financial statement of the preceding year, any nominations for office and the resolutions to be considered at the meeting shall be circulated to members not later than the date laid down by the Swim England.
- 12.7.7. The agenda for an Annual Council Meeting shall include: approval by Council of draft minutes from previous meetings; adoption by Council of the Annual Report and approval of the regional Accounts; review of the Swim England Annual Report and Accounts; elections and appointments as required by these Rules; inauguration of President and Vice President; consideration of any submitted motions and proposed changes to these Rules, motions to request changes to Swim England Laws and Technical Rules which if accepted will be submitted to Swim England Council by the Region.
- 12.7.8. The agenda pack shall contain a copy of the Annual Report prepared by the Board, the agenda, draft minutes from previous Council meetings, details of those nominated for election, full details of any proposed motions, of changes to the Rules or changes to Swim England Laws or Technical Rules, a delegate authorisation

form to include a reminder of how many delegates the clubs are allowed to authorize. The agenda pack shall be made available generally for information. For an adjourned meeting no agenda pack shall be necessary.

- 12.7.9. 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.
- 12.7.10. Only in the event of exceptional circumstances shall the Annual Council Meeting be postponed by the Region Board once the date, time and venue has been fixed and advised to members. A postponed Annual Council Meeting shall normally be reconvened on a date one month after the original date and a minimum of 14 days' advance notice given to the members of the rescheduled date, time and venue. At this meeting, the same agenda as originally issued shall be used.
- 12.7.11. In any event no more than 15 months shall elapse between any two consecutive Annual General Meetings.
- 12.7.12. If the meeting commences but is adjourned for want of time (or other good reason); the adjourned meeting shall be held in a period not exceeding two months. The members present at the meeting will be notified there and then of the adjourned date if practicable. If not and the meeting is adjourned for not more than 28 days all members shall receive 7 days' notice in writing or by electronic means of the adjourned meeting; otherwise all members shall receive not less than 14 days' notice in writing or by electronic means of the adjourned meeting.

12.8. Special Council Meeting

- 12.8.1. The Board may call a Special Meeting of Council on its own initiative at any time.
- 12.8.2. The Board shall notify the members of the arrangements for holding a Special Meeting of Council within twenty-one days of receiving a written or electronic request for a Special Meeting to be held stating the business of the meeting and signed by delegates from at least twenty different clubs, organisations, associations, bodies, or leagues. The meeting shall be held within two months of the receipt of the request to hold the meeting.
- 12.8.3. A Special meeting of Council shall be called in response to a resolution to that effect passed at the Annual Council Meeting or at any other Special Meeting of Council or following an adjournment of an earlier Council Meeting.
- 12.8.4. In the case of a Special meeting of Council called by the Board or in response to a resolution to that effect passed at any meeting of Council not less than fourteen days' notice shall be given to all affiliated clubs, organisations, associations, bodies or leagues 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.
- 12.8.5. No business shall be discussed at such a meeting other than that prescribed by the Board or that stated in the request or resolution as the case may be.
- 12.8.6. A subject which has been voted upon at a Council meeting shall not be discussed again by Council within six months, unless approved by at least two thirds of the Board.
- 12.8.7. Having called a General Meeting, it may only proceed to business if the correct quorum of members is present within 30 minutes after the time fixed for the meeting; otherwise, the meeting if convened at the requisition of the members shall be dissolved; if convened by the direction of the Board it shall be adjourned to the same time in the following month save that the adjourned meeting may proceed to business whatever the number of members present.

12.9. Nominations, Applications and Appointments

- 12.9.1. The Vice-President shall
 - 12.9.1.1. be nominated by the County Associations and the Board in rotation; and
 - 12.9.1.2. normally take office from when his election has been made at an Annual Council Meeting and shall remain in office until his successor is appointed and takes office.
- 12.9.2. The President shall:
 - 12.9.2.1. be nominated by the County Associations and the Board in rotation;

- 12.9.2.2. be the retiring Vice President; and
- 12.9.2.3. normally take office from when his election has been made at an Annual Council Meeting and shall remain in office until his successor is appointed and takes office.
- 12.9.3. Nominations for the President and Vice President, the Board Members and Regional Representatives shall reach the Region not later than the date specified by the Board.
 - 12.9.3.1. The name of each nominee, shall be circulated with the Agenda for the Annual Council Meeting.
 - 12.9.3.2. The name of the nominee shall be circulated together with the name of the club of which he has the longest unbroken membership and the name(s) of any other club(s) organisations, associations, bodies or leagues of which he is a member.
 - 12.9.3.3. Each nominee shall be proposed and seconded by members from different clubs, organisations, associations, bodies or leagues.
- 12.9.4. A nomination not made by the Board shall be in writing or by electronic means and the nomination form shall be signed by the proposer, the seconder and with the exception of a nomination for Life Membership by the nominee who shall signify thereon his willingness to stand for election.

13. The Board

13.1. Composition

- 13.1.1. The Board shall comprise the following, each of whom shall be a member of a club affiliated to the Region and shall be not less than 18 years of age:
 - 13.1.1.1. the Chairman;
 - 13.1.1.2. the Regional Executive Officer;
 - 13.1.1.3. nine members, each of whom shall:
 - 13.1.1.3.1. be elected by the Council from nominations received, against criteria of required competency skills, for a three-year term of office. One third of the members shall retire each year.
 - 13.1.1.3.2. normally take office from when his election has been made at an Annual Council Meeting and shall remain in office until his successor is appointed and takes office.
 - 13.1.1.3.3. be eligible for re-election.
- 13.1.2. The President and Vice President may attend meetings of the Board and may speak but may not vote (unless attending as a voting Board member)
- 13.1.3. Other members of the Region's staff must attend meetings of the Board if required to do so by the Board. They may speak if invited to do so by the Chairman but may not vote.
- 13.1.4. The Board may invite other people to the meeting. They may speak if invited to do so by the Chairman but may not vote.
- 13.1.5. In addition to the members so elected the Board shall have the authority to co-opt not more than three other persons for any specific purpose who shall serve up to the next Annual Council Meeting. Co-opted members may speak at meetings of the Board but may not vote and shall not be counted in establishing whether a quorum is present. Co-opted members shall be not less than 18 years of age.
- 13.1.6. 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 his seat.
- 13.1.7. The Board may fill any vacancy which may occur. Such a replacement shall take office immediately and remain in office for the remainder of the normal term of office.

- 13.1.8. 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.

13.2. Meetings

- 13.2.1. The Regional Administration and Members Services Officer shall give at least seven days' written notice of each meeting along with the supporting papers for the meeting.

13.3. Quorum

- 13.3.1. The quorum at any meeting of the Board shall consist of not less than half the number of members entitled to vote.

13.4. Powers and responsibilities

- 13.4.1. The responsibilities of the Board shall include but not be limited to:

- 13.4.1.1. determine the strategies of the Region within the overall policies and plans agreed by the Council;
- 13.4.1.2. consider and decide applications for affiliation to the Region;
- 13.4.1.3. carry out any specific duty laid upon it by the Council;
- 13.4.1.4. 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 and monitoring thereafter, appoint and/or remove any officers, and members of the Committees, Discipline Groups and other working groups, not elected by the Council;
- 13.4.1.5. monitor and evaluate the work of the Committees, Discipline Groups and other working groups, the Sub-Regions 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;
- 13.4.1.6. general superintendence of any sub-regions it establishes; and
- 13.4.1.7. maintain appropriate channels of communication with the County Associations, clubs and individuals.

- 13.4.2. In particular, the Board shall:

- 13.4.2.1. appoint a chairman from time to time who shall:
- 13.4.2.1.1. be appointed from a list of nominations received from the Region's clubs or from an outside body or organisation;
- 13.4.2.1.2. hold office for four years and not be re-appointed for more than two consecutive terms of office;
- 13.4.2.1.3. be subject to removal from office at any time provided that three quarters of the members of the Board are in favour;
- 13.4.2.2. set the annual affiliation fee in line with the budget;
- 13.4.2.3. consider and decide any applications for affiliation to the Region subject to any criteria issued by the Swim England from time to time;
- 13.4.2.4. determine who shall be the authorised signatories of the Region's financial accounts;
- 13.4.2.5. ensure that full and accurate minutes of its meetings are kept;
- 13.4.2.6. appoint the members of the aquatic activity committees;
- 13.4.2.7. appoint the officers of the region
- 13.4.2.7.1. the Chairman of the Region
- 13.4.2.7.2. the Chairman of the Finance and Administration Committee, who shall also be, Finance Officer
- 13.4.2.7.3. the Affiliations Officer
- 13.4.2.8. appoint the members of committee for Finance and Administration
- 13.4.2.8.1. Officers of the Region;
- 13.4.2.8.2. the Regional Executive Officer
- 13.4.2.8.3. other members as it sees fit
- 13.4.2.9. appoint the Panel of Friends;
- 13.4.2.10. ;

- 13.4.2.11. determine any question arising as to the correct interpretation of any of these rules, or any other question not herein provided for;
- 13.4.2.12. be accountable to the Council and report to it at such times and in such a form as it may require.
- 13.4.3. The Board may:
 - 13.4.3.1. 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 Council Meeting;
 - 13.4.3.2. contract for services and products other than those covered by staff employed directly or indirectly by the Swim England;
 - 13.4.3.3. appoint a special committee to consider and report on any matter, the number of and appointment of the members of the committee and a quorum to be determined by the Board. If the Chairman of the Board shall be a member of such a special committee he shall not be entitled by virtue of that office to be chairman of meetings of such committee;
 - 13.4.3.4. may from time to time make, repeal or alter such Regulations as they think fit as to the management of the Region and its affairs, apart from where consent of the Regional Council is needed as prescribed by the Regulations. The Regulations shall be binding on all members of the Region and Regional Council;
 - 13.4.3.5. may make a majority decision without holding a meeting
 - 13.4.3.6. discharge at its discretion a subcommittee, aquatic activity group or working group and elect a new committee, discipline group or working group in its place.

14. Standing Orders for the Conduct of the Board

14.1. The Board, the Committees and the Discipline Groups shall be governed by the following rules.

14.1.1. Chairman

- 14.1.1.1. The Chairman at all meetings must be the Chairman of the Regional Board if he is present, able and willing to act. In his absence, inability or unwillingness the meeting must elect a chairman. The chairman must be given:
 - 14.1.1.1.1. unlimited authority upon every question of order and must be, for the purpose of such meeting, the sole interpreter of the rules governing the Board;
 - 14.1.1.1.2. the right to vote on every motion. In the event of an equality of votes, he must have the casting vote.

14.1.2. Procedures at Regional Board Meetings

- 14.1.2.1. The minutes of the previous meeting shall be considered as the first substantive item on the agenda.
- 14.1.2.2. The minutes of technical and other committees, reports of officers or other individuals shall not be considered unless they have been circulated with the agenda, unless the Chairman and the members of the Board agree by a two thirds majority that it will not prejudice the good governance of the Region to do so.
- 14.1.2.3. Every motion must be proposed and seconded.
- 14.1.2.4. Any amendment must be disposed of before another amendment is considered. The Chairman may accept, without notice, verbal amendments which do not affect substantially the nature of a proposal under discussion.
- 14.1.2.5. Without the consent of the Chairman, no member of the Board may speak more than once in the debate on any proposal. The proposer of a resolution must have the right to reply to points raised in the debate but he may not, in his reply, introduce any new matter. The mover of an amendment must not have the right of reply. When the proposer has completed his reply, no further speaker must be heard.
- 14.1.2.6. All proposals, including amendments to proposals must require a simple majority of those members voting unless otherwise specified in these rules.
- 14.1.2.7. Unless the Chairman directs otherwise, voting on all motions or amendments must be by a show of hands. Proxy voting must not be permitted.

- 14.1.2.8. The Board meeting may be open to the public but, except as provided in these Rules, or with the permission of the Chairman, nobody except a member of the Board may take part in the business. The Board may, at any time, decide to exclude the public.

15. Finance

- 15.1. The Region shall be a not for profit organisation and the income and the property of the Region shall be applied solely towards the promotion of the Objects.

15.2. Money

- 15.2.1. The Region's monies shall be held in such bank accounts and/or investments as approved from time to time by the Regional Board.
- 15.2.2. The Board may
- 15.2.2.1. may set aside funds for special purposes or as reserves against future expenditure.
- 15.2.2.2. at its own discretion, borrow money for the purposes of the Region up to such limits on borrowing as may be laid down from time to time by the Annual Council Meeting.
- 15.2.2.3. open and operate bank accounts and other facilities for banking and draw, accept, endorse, issue or execute promissory notes, bills of exchange, cheques and other instruments when so borrowing, the Board is empowered to create a charge over the assets of the Region, if any such security is required.
- 15.2.3. The Region's financial year shall end on March 31st.
- 15.2.4. Except as detailed in Rule 16 (Dissolution) none of the income or property of the Region may be paid or transferred directly or indirectly by way of a dividend, bonus or otherwise by way of profit.

15.3. Indemnity

- 15.3.1. The trustees, every member of the Regional Board, employee, servant and agent of the Region shall be indemnified by the Region and it shall be the duty of the Region to pay all costs, losses and expenses which any such person may incur or for which he may become liable by reason of any contract entered into or act or thing done by him in good faith in the discharge of his duties.

15.4. Expenses

- 15.4.1. The trustees, members of the Regional Board, any other duly appointed Regional Committee or Panel or any person duly appointed by the Region to act with its authority must be paid their expenses necessarily incurred through that membership or appointment by the Region at the prevailing Swim England rates.

15.5. Property

- 15.5.1. The Board may
- 15.5.1.1. purchase, rent or by any other means acquire and take options over any property whatever, and construct, maintain, alter and equip any buildings or facilities; and any rights or privileges of any kind over or in respect of any property
- 15.5.1.2. dispose of or deal with all or any of its property with or without payment and subject to such conditions as the Board think fit
- 15.5.1.3. insure the property of the Region against any foreseeable risk and take out other insurance policies as are considered necessary by the Board to protect the Region
- 15.5.2. Trustees and custodians
- 15.5.2.1. all property of the Region, other than cash at the bank, must be vested in not less than two and not more than four trustees. They must deal with the property as directed by resolution of the Board and entry in the minutes shall be conclusive evidence of such a resolution;
- 15.5.2.2. the trustees shall be elected at a Council Meeting of London Swimming and shall hold office until death or resignation, unless removed by a resolution passed at a Council Meeting. The Chairman shall be responsible for enacting the directions of the Council on the election or removal of trustees in accordance with the section 36 of the Trustee Act 1925.

- 15.5.2.3. The Board shall not be allowed to fill a vacancy for a trustee without Council approval.

16. Dissolution

- 16.1. Any proposal to wind-up or dissolve the Region shall only be considered at the Annual Council Meeting or at a Special Council Meeting called for that purpose. The proposal must be approved by a two thirds majority of those voting.
- 16.2. If upon the winding up or dissolution of the Region there remains after the satisfaction of all its debts and liabilities any property or funds whatsoever and:
- 16.2.1. if the Region has benefited from mutual trading the same must be distributed among the affiliated clubs in such proportions as the clubs may mutually agree;
 - 16.2.2. if the Region has not benefited from mutual trading the same must be transferred to any successor body, organisation or association or in default of such a body to the Amateur Swimming Association.