

1.1. This organisation shall be officially known as 'DEVONPORT ROYAL SWIMMING ASSOCIATION AND HUMANE SOCIETY'. This title may on occasion be abbreviated to 'DEVONPORT ROYAL SWIMMING ASSOCIATION' or 'DRSA'.

1.2. The badge of the Association is the coat of arms of the former Borough of Devonport, now incorporated into the City of Plymouth.

1.3. The official Association colours shall be white on a red background but a secondary alternative shall be accepted as black on a red background.

2. OBJECTS

2.1. The object of the Association shall be the promotion of all recognised activities which involve swimming.

2.1.1. The Association is committed to treating everyone equally within the context of its activity. This shall be regardless of for example, ethnic origin, age, sex, religion, disability, political persuasion or sexual orientation on any grounds.

2.1.2. The Association shall implement the ASA Equal Opportunities Policy.

2.2. The Association shall be affiliated to the ASA South West Region, the Devon County Amateur Swimming Association, the City of Plymouth Amateur Swimming Association and such other bodies as the Association may determine from time to time.

2.3. The business and affairs of the Association shall at all times be conducted in accordance with the Laws and Technical Rules of the Amateur Swimming Association ('ASA Laws') and in particular:

2.3.1. all competing members shall be eligible competitors as defined in ASA Laws;

2.3.2. the Association shall adopt the ASA Safeguarding Procedures, recognising that the welfare of children is everyone's responsibility and that all children and young people have a right to have fun, be safe and protected from harm; and

2.3.3. Members of the Association shall comply with the ASA Safeguarding Procedures.

2.4. By virtue of the affiliation of the Association to the ASA South West Region, the Association and all members of the Association acknowledge that they are subject to the laws, rules and constitutions of all of:

2.4.1. the ASA South West Region;

2.4.2. the Amateur Swimming Association (including the ASA/IOS Code of Ethics);

2.4.3. British Swimming (including its Doping Control Rules and Protocols and Disciplinary Code); and

2.4.4.FINA, the world governing body for the sport of swimming in all its disciplines (together 'the Governing Body Rules').

2.5. In the event that there shall be any conflict between any rule or bylaw of the Association and any of the Governing Body Rules then the relevant Governing Body Rule shall prevail.

3. MEMBERSHIP

3.1. Membership shall be defined under three headings:

3.1.1. Full - which includes permission to undertake swimming training and to represent the Association in competitions. This type of membership shall be split into two headings ie, Junior (up to and including 18 years of age in the year of competition) and Senior (covering those over 18 years in the year of competition).

3.1.2. Associate - which limits the member to either non-swimming or social swimming activities only. Both Senior Full and Associate members of at least 18 years of age shall have full voting rights.

3.1.3. Temporary - mainly for visiting students from outside the Plymouth area attending University or College in full time education. This membership will require approval of the Association's Executive and at a fee decided by the same. Temporary membership will not have voting rights but will enable entry to competitions as specified in Rule 15.

3.2. Any person who wishes to become a member of the Association must submit a signed application to the Secretary and in the case of a junior swimmer, the application must be signed by the swimmer's parent or guardian. An application for membership of the Association will not necessarily result in acceptance and the Committee reserves the right to refuse any application for membership which may be considered detrimental to the best interests of the Association. The Association shall not refuse an application for membership on discriminatory grounds whether in relation to ethnic origin, age, sex, religion, disability, political persuasion or sexual orientation.

3.3. If a swimmer has any long-term medical condition which affects his or her ability to participate in any training session, it is the responsibility of the swimmer or a responsible adult in the case of a swimmer under 18 years of age, to notify the Association's Secretary in writing who will advise the Chief Swimming Coach or Head Water Polo Coach for them to take action as required.

4. SUBSCRIPTION AND OTHER FEES

4.1. The annual member's subscription and coaching and squad fees (as applicable) shall be determined from time to time by the Committee and approved at the next Annual General Meeting. The membership year shall run from 1 January to 31 December.

4.2. Members (other than those elected to office within the Association at the Annual General Meeting) that intend to renew their membership shall have until 31 January to do so. After this date their membership will be adjudged to have lapsed and they shall be deleted from the membership list.

4.3. All members elected or serving in official positions within the Association shall renew their membership on or before 14 January each year. The Membership Secretary shall instigate hastening action as necessary and anyone not paying up promptly shall be automatically debarred from holding office until the matter is rectified.

4.4. No member shall be permitted to enter any competition in the name of this Association until they have paid their membership dues in full. This will include any competitions taking place in the period 1st January - 31st March each year. There shall be a period of grace between 1st January and 31st January in which members who have not yet renewed their membership may continue to be available for selection and represent the club.

4.5. Any new member joining the Association after 1 October will have their membership fee reduced as determined by the committee to cover their membership up to the end of the current year.

4.6. All volunteers who regularly contribute to the club should have the equivalent of the associate membership deducted from their annual membership fee.

4.7. The awarding of life membership is to be recommended by members and approval determined at the Annual General Meeting.

5. RESIGNATION

5.1. A member wishing to resign membership of the Association must give to the Secretary written notice of his/her resignation and the resignation shall only take effect when this has taken place.

5.2. Notwithstanding the provisions of Rule 5.1 a member whose subscription is more than two months in arrears shall be deemed to have resigned. Where membership is terminated in this way the member shall be informed that he/she is no longer a member by written notice handed to him/her, sent by post or by e-mail to his/her last known address.

6. EXPULSION AND OTHER DISCIPLINARY ACTION

6.1. Every member shall be expected to exercise maximum self discipline at all times and to uphold the good name of the Association.

6.2. Due respect should be accorded during training sessions to poolside coaching and teaching staff and this should be extended during competitions to include both team and competition officials.

6.3. The Committee shall have power to expel a member when, in its opinion, it would not be in the interests of the Association for him/her to remain a member. The Association in exercising this power shall comply with the provisions of Rules 6.4 and 6.5.

6.4. The Association shall adopt and comply with the ASA Guidelines for handling internal club disputes ('the Guidelines') as revised from time to time. The Guidelines are set out as an Appendix to the ASA Judicial Laws and appear in the ASA Handbook but a copy of the current Guidelines may be obtained from the ASA Legal Affairs Department.

6.5. A member may not be expelled or made the subject of any other penalty under Rule 6.6 unless the panel hearing the complaint shall by a two-thirds majority vote in favour of said expulsion or penalty.

6.6. The Officers of the Association (or any person to whom the Committee shall delegate this power) may temporarily suspend or exclude a member from particular training sessions and/or wider Association activities when, in their opinion, such action is in the interests of the Association. Where such action is taken the complaint will thereafter be dealt with in accordance with the Guidelines.

6.7. Codes of Conduct for Swimmers, Parents/Carers, Association Officials and Volunteers, Swimming Coaches and Teachers are included as Appendices 1, 2, 3 and 4 to these Rules.

7. COMMITTEE

7.1. The Committee shall consist of the Chairman, Secretary, Treasurer (together “the Executive Officers of the Club”) and Vice Chairman, Assistant Secretary, Assistant Treasurer, Membership Secretary, Competition Secretary, Assistant Competition Secretary, Swimming Secretary, Assistant Swimming Secretary, Water Polo Secretary, Assistant Water Polo Secretary, Masters Representative, Social Secretary, Welfare Officer, Volunteer Coordinator, Trophy Steward, Swim21 Coordinator, Press Secretary, Swimming Members Representative, Water Polo Members Representative, Para Representative, New members Representative, Webmaster Administrator and Shop Coordinator, all of whom must be members of the Association. All Committee members must be not less than 18 years of age though the Committee may allow younger member(s) to attend their meetings without power to vote. The Welfare Officer who must be not less than 18 years of age, who shall not be or a relative of any of the Executive Officers, the Coach, the Club Teachers or the Team Manager should have an appropriate background and is required to undertake appropriate training in accordance with A.S.A Child Safeguarding courses. The Welfare Officer will have a right to attend Committee meetings without a power to vote. All Committee members must be not less than 18 years of age though the Committee may allow younger members to attend their meetings without power to vote. The Committee shall meet at a minimum of bi- monthly intervals throughout the year and accurate minutes shall be taken at each and every meeting and kept as a permanent record. 50% of the recognised complement of Committee members plus one shall constitute a quorum.

7.2. Decisions of the Committee shall be made by a simple majority and in the event of equality of votes the Chairman (or acting Chairman of the meeting) shall have a casting or additional vote.

7.3. The Executive shall have the power to convene meetings at any time to deal with matters of urgency and they may co-opt the services of a relevant facet Secretary or Secretaries to assist as necessary. In such circumstances a minimum of three members shall constitute a quorum.

7.4. The Committee meeting scheduled for October each year shall be known as the Nomination Meeting for the Association’s officers to be put forward for election at the Annual General Meeting (‘AGM’) in November for the forthcoming year.

7.5. The Committee shall be responsible for the management of the Association and shall have the sole right of appointing and determining the terms and conditions of service of

employees of the Association. The post of Chief Swimming Coach is by appointment to office by the general Committee. The Committee shall have power to enter into contracts on behalf of all members for the purposes of the Association. The Committee shall be responsible for ensuring that the Accounts of the Association for each financial year be examined by an independent examiner to be appointed by the members in General Meeting. The Committee shall also have power to make regulations and to settle disputed points not otherwise provided for in these rules.

7.6. There shall be a Swimming Sub-Committee and a Water Polo Sub-Committee established annually, each of which will meet at least quarterly with accurate minutes taken of all meetings. These and any other sub-committees set up will be answerable to the Committee which will oversee the appointment of all sub-committees' memberships.

7.7. All sub-committees are answerable to the Committee, to whom any change of policy should be reported.

7.8. The Committee shall maintain an Accident Book in which all accidents involving Association members at swimming related activities shall be recorded. Details of such accidents shall be reported to the ASA Office and the Association shall make an annual return of accidents to the ASA in the prescribed form.

7.9. All records which relate to the Association's activities eg, financial, membership, competition, etc, which are produced either manually or on computer shall be regarded as being the property of the Association. Any member of the Executive shall have the right to view these records on request at any time.

7.10. Where any records relating to individual members are intended to be maintained on computer, the member's permission shall be sought to comply with the Data Protection Act 1998 (as updated). Implicit consent can be obtained by giving members the opportunity to read the data protection notice of the ASA which can be via the Association's Secretary, membership form, notice board or the Association's website. For health and medical details, explicit individual consent by signature is required.

8. OFFICERS

8.1. The sitting Member of Parliament for the Plymouth, Devonport constituency shall be formally invited to be the Association's President.

8.2. The election of officers shall form part of the agenda for the Association's AGM and they will hold office until the next AGM when they shall retire. Any vacancy occurring by resignation or otherwise may be advertised to the membership and then be filled by the Committee but any member so chosen shall retire at the next Annual General Meeting but shall be eligible for re-election at that Meeting. Retiring officers shall be eligible for re-election.

8.3. Where a single nomination for a post has been received/accepted, that person shall be automatically elected to that position.

8.4. Where there is more than one nomination for any post then a secret ballot of all the Senior, Full and Associate members present shall be undertaken to decide the appointment. Independent tellers shall be appointed to collect and count the votes and the result shall be

decided on a simple majority. In the event of a tie, the Chairman shall decide the outcome with a casting vote.

8.5. Where no nomination has been received by the required date, any nominations from the floor of the AGM shall be considered.

9. ANNUAL GENERAL MEETING

9.1. The AGM of the Association shall be held in November each year on a date fixed by the Committee which shall be communicated to all members along with details of all nominations received.

9.2. The purpose of the AGM is to transact the following business:

9.2.1. to receive the Committee's reports of the activities of the Association during the previous year;

9.2.2. to receive and consider the accounts of the Association for the previous year prepared by the Treasurer and examined by a competent independent person. The Treasurer must also produce interim financial reports at each Committee meeting;

9.2.3. to remove and elect the independent examiner of the Association's accounts or confirm that he/she remain in office;

9.2.4. to elect the Executive, other officers and members of the Committee;

9.2.5. to decide on any resolution which may be duly submitted in accordance with Rule 9.3.

9.3. Nominations for election of members to any office or for membership of the Committee shall be made to the Secretary in writing or email by the proposer and seconder at least two hours prior to the October Committee meeting. The nominee shall be required to indicate in writing on the nomination form his/her willingness to stand for election. Notice of any resolution proposed to be moved at the AGM shall also be given in writing or email to the Secretary prior to the October Committee meeting.

10. SPECIAL GENERAL MEETING

10.1. A Special General Meeting ('SGM') may be called at any time by the Committee. An SGM shall also be called by the Secretary within 28 days of receipt by him/her of a requisition in writing signed by not less than seven members entitled to attend and vote at a General Meeting, stating the purpose(s) for which the meeting is required and the resolution(s) proposed.

11. PROCEDURE AT THE ANNUAL AND SPECIAL GENERAL MEETINGS

11.1. The Secretary shall be personally responsible for the handing out or sending to each member at his/her last known address a written agenda giving notice of the date, time and place of the General Meeting together with the resolutions to be proposed at least 21 days before the meeting and in the case of the AGM a list of the nominees for the Committee posts and a copy of the examined accounts. The Secretary may alternatively, with the

agreement of the members concerned, distribute these materials by email or similar form of communication and display them on the Association's Notice Board.

11.2. The quorum for the Annual and Special General Meetings shall be 15 members entitled to attend and vote at the Meeting.

11.3. The Chairman, or in his/her absence a member selected by the Committee, shall take the chair. Each member present shall have one vote and resolutions shall be passed by a simple majority unless it is in respect of a rule change in which case a two thirds majority is required. The procedures for submitting resolutions to be considered at a General Meeting are specified in Rules 9.3, 10.1 and 12.

11.4. In the event of an equality of votes the Chairman shall have a casting or additional vote. Only paid up members who have reached their 16th birthday shall be entitled to be heard on any matters. In addition, members who have not reached their 18th birthday shall only be entitled to vote on those matters determined by the Chairman as matters concerning juniors, such as the election of Association captains.

11.5. The Chairman shall at all General Meetings have unlimited authority upon every question of order and shall be, for the purpose of such meeting, the sole interpreter of the Rules of the Association.

12. ALTERATION OF THE RULES AND OTHER RESOLUTIONS

12.1. Any proposed future amendments to these rules can be introduced by submitting them in writing to the Hon Association Secretary in accordance with Rule 9.3. All such submissions shall be signed by the proposer and a seconder, both of whom must have extant membership of the Association. Every submission so received shall be placed on the agenda for debate at the Annual or Special General Meeting. To be accepted the alteration to the rules requires a majority of at least two thirds of the members present and entitled to vote at the General Meeting.

12.2. No amendment(s) to the rules shall become effective until such amendment(s) have been submitted to and validated by such person as is authorised to do so by the ASA South West Region.

13. FINANCE

13.1. All moneys payable to the Association shall be received by the Treasurer and deposited in a bank account in the Association's name. No sum shall be drawn from that account except by cheque signed by two of the three signatories who shall be the Chairman, General Secretary and Treasurer. Any moneys not required for immediate use may be invested as the Committee at its discretion thinks fit.

13.2. The income and property of the Association shall be applied only in furtherance of the objects of the Association and no part thereof shall be paid by way of bonus, dividend or profit to any member of the Association.

13.3. The Committee shall have power to authorise the payment of remuneration and expenses to any officer, member or employee of the Association and to any other person or persons for services rendered to the Association.

13.4. The financial transactions of the Association shall be recorded by the Treasurer in such manner as the Committee thinks fit.

13.5. The financial year of the Association shall be the period commencing on 1 October and ending on 30 September. Any change to the financial year shall require the approval of the members in a General Meeting.

13.6. The Committee shall retain for a minimum period of six years all financial records relating to the Association and copies of minutes of all meetings.

14. BORROWING

14.1. The Committee may at its own discretion borrow money on behalf of the Association up to such limits as may be laid down from time to time in General Meeting, for the purposes and general upkeep of the Association or, with the approval of a General Meeting, for any other expenditure, additions or improvements.

14.2. When borrowing, the Committee shall have power to raise any sum(s) of money and secure its repayment on such terms and conditions as it thinks fit, in particular by mortgage of, charge upon or issue of a debenture charged upon all or any part of the property of the Association.

14.3. The Committee shall have no power to pledge the personal liability of any member of the Association for the repayment of any sums so borrowed.

15. COMPETITIONS

15.1. No member of this Association shall be permitted to partake in any competition unless it is being promoted under ASA Law by a body that is affiliated to the region in which it is being held or that the promoter has obtained a permit from the region in accordance with ASA Law.

15.2. Where the requirement is specified within the conditions of a competition, each competitor shall be ASA registered for that activity. ASA registration shall be controlled within the Association by the Membership Secretary in accordance with ASA Law.

15.3. First Claim status as defined in the ASA law is required for swimmers to take part in any internal Association competition. Swimmers without First Claim status may swim for times only and are not entitled to any titles.

15.4. Eligible swimmers who are up to date with their membership and training fees may enter any number of events in the internal Association competitions. The longer distance championship events are only open to swimmers aged 9 and over. The limitations in force with respect to the Novices Gala shall apply (Rule 4.4 covers the requirements for external competitions).

15.5. Each Association trophy awarded to winners of internal competitions shall be signed for at the time of receipt and returned to the Trophy Steward at a time to be determined by the Committee to allow for organisation of the annual presentation evening.

15.6. There is a process for swimmers to transfer from Development to Competition training. This will be a progression decided between the swimmer, their parent(s) and the Chief Swimming Coach.

16. DISSOLUTION

16.1. A resolution to dissolve the Association shall only be proposed at a General Meeting and will require to be carried by a majority of at least three quarters of the members present and entitled to vote. A specific date for the dissolution shall be included in the resolution.

16.2 The dissolution shall take effect from the date specified in the resolution and the members of the Committee shall be responsible for the winding-up of the assets and liabilities of the Association.

16.3 Any property remaining after the discharge of the debts and liabilities of the Association shall be given to a charity, charities or other non-profit making organisation (having objects similar to those of the Association for the furtherance of such objects) nominated by the Executive.

17. ACKNOWLEDGEMENT

17.1 The members acknowledge that these rules constitute a legally binding contract to regulate the relationship of the members with each other and the Association.

The following statement needs to appear on Association membership forms and is to be signed by the member and countersigned by the parent, or a person having parental responsibility for the member, if under 18 years of age:

I acknowledge receipt of the rules of Devonport Royal Swimming Association and confirm my understanding and acceptance that such rules (as amended from time to time) shall govern my membership of the Association. I further acknowledge and accept the responsibilities of membership as set out in these rules.

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the bottom.

Chairman Devonport Royal Swimming Association