

# THE BARBADOS AMATEUR SWIMMING ASSOCIATION

FOUNDED 1947

## CONSTITUTION OF THE BARBADOS AMATEUR SWIMMING ASSOCIATION

### ARTICLE I

**NAME:-** The name of the Association shall be THE BARBADOS AMATEUR SWIMMING ASSOCIATION hereinafter referred to as "the Association").

### ARTICLE II

**HEADQUARTERS:-** The Headquarters of the Association shall be situated in the parish of Christ Church or at such other place in Barbados as may be decided by a resolution passed by two thirds majority of those present and entitled to vote at the General Meeting of the Association of which not less than seven (7) days notice in writing shall have been given to all member Clubs and Council Members of the Association

### ARTICLE III

**DISCRIMINATION:-** The Association shall not allow any discrimination against member Clubs or individuals (competitors, officials, judges, delegates, etc) on the grounds of race, sex, religion or political affiliations.

### ARTICLE IV

**AIMS AND OBJECTIVES** The objectives of the Association shall be:-

- (a) To promote foster develop and administer Swimming, Diving, Water Polo, Synchronised Swimming, Masters Swimming and Open Water Swimming in Barbados.
- (b) To promote and control and regulate competitions and championships for Swimming, Diving, Water Polo, Synchronised Swimming, Masters Swimming and Open Water Swimming in Barbados.
- (c) To provide Drug Free Sports.
- (d) To maintain relationships with other Associations in the Caribbean and internationally.
- (e) To arrange tours to other countries and to act as host to visiting teams.
- (f) To adopt, enforce and interpret the rules governing the sports of Swimming, Diving, Water Polo, Synchronised Swimming, Masters Swimming and Open Water Swimming generally.
- (g) To affiliate and to prosecute the aims and objectives

of the International Amateur Swimming Federation (FINA) and its Affiliates.

- (h) To borrow money to carry out its objectives and to give security for its indebtedness.
- (i) To accept any gift, property, legacy or device for the furtherance of its objectives.
- (j) To purchase take on lease acquire hold and dispose of such real or personal property as may be necessary for its objective.
- (k) To do all or nay of the things specified above and all such other things as may be deemed incidental or conducive to the attainment of the above objectives or any of them and either alone or in conjunction with others.

#### **ARTICLE V**

#### **MEMBERSHIP**

- (a) The Membership of the Association shall consist of Member Clubs and Honorary Life Vice-Presidents

A MEMBER CLUB shall be any Club in Barbados which is active in either one or more of the sports of Swimming, Diving, Water Polo, Synchronised Swimming, Masters Swimming and Open Water Swimming recognised by the Association and shall include any School College or University in Barbados. All new Clubs must have a minimum of 20 members.

Member Clubs shall register all individual members of their respective Clubs with the Association and shall supply the Secretary of the Association with details and particulars of names and addresses of such Members.

- (b) HONORARY LIFE VICE-PRESIDENTS - The Association may in consideration of meritorious services to the Association elect by simple majority vote past or present officers or representatives as Honorary Life Vice-Presidents of the Association who shall not at any time exceed five (5) in number; provided always that such elected persons shall have been first recommended by the Council.

Such members shall have the right to speak but not the right to vote at meetings of the Council and the Association

The Constitution and Rules of the Member Club must not be in conflict with those of the Association. Where there is conflict the Association's rules shall prevail.

Each Member Club shall acknowledge in its rules that the Association is the only recognised body in Barbados which governs Swimming, Diving, Water Polo, Synchronised Swimming, Masters Swimming and Open Water Swimming locally.

## ARTICLE VI

### APPLICATION FOR MEMBERSHIP

- (a) Application by a member Club for Membership to the Association shall be made on a form prescribed by the Association accompanied by the appropriate application fee.
- (b) All applications shall be accompanied by a copy of the Constitution of the Club, Rules of the Club and the appropriate application fee. Club applicants shall be elected to or refused membership of the Association at a meeting of the Council by a simple majority.
- (c) All subsequent updates or changes to the Constitution must be submitted to the Barbados Amateur Swimming Association within three (3) months of the Annual General Meeting of the Member Club.

## ARTICLE VII

### SUBSCRIPTIONS & ENTRANCE FEE

- (a) A Member Club shall pay an entrance fee of \$100.00 in addition to an annual subscription to be determined annually at Council. Schools shall pay and annual subscription only.
- (b) Annual subscriptions shall become due and payable on the 1<sup>st</sup> day of January in each and every year.

## ARTICLE VII

### ARREARS/ TERMINATION OF MEMBERSHIP (1)

Where the subscriptions of a member are in arrears for more than three (3) months, the Secretary of the Association shall notify that member of its arrears and consequent penalty. If the arrears remain unpaid for one (1) month after such notification, the Council may cancel the membership of the defaulting member, The Secretary shall then inform the defaulting member and other members of the cancellation.

- (2) Any former member whose membership was cancelled in accordance with Article VII (i) shall be eligible for renewal of its membership consequent upon settlement of the arrears. The Council shall make the final decision on renewal of membership. In case where membership is renewed the Secretary shall inform all other members within 21 days of the renewal.
- (3) Any affiliation to the Association ends:-
  - (a) If the Member Club no longer exists;
  - (b) If the Member Club withdraws its affiliation, or if
  - (c) the member is expelled.
  - (d) Any Member Club who wants to withdraw its affiliation from the Association shall give written notice to the Secretary. The affiliation ends

immediately. No refunds of fees will be made.

- (e) The Association shall have the power to expel a Member Club fro significant violations of the Constitution and or rules of the Association. The respective Member Club is allowed to appeal this decision. In this case the final decision will be made at the next Annual General Meeting.

#### **ARTICLE VIII**

- REPRESENTATION** (a) Each Member Club shall annually appoint two (2) of its members as representatives to all General Meetings of the Association. Such representatives shall have one (1) vote each at all meetings.

#### **ARTICLE IX**

#### **OFFICERS**

The Officers of the Association shall be elected from among the representatives of the Member Clubs and Council Members and shall be:-

- (a) **President**, who shall be Chairperson of all meetings and as such shall have an original and a casting vote, in the event of a tie in voting, and who shall have authority on all matters of the order and procedure at meetings of the Association.
- (b) **First Vice President**, shall perform the duties of President during the absence of the President.
- (c) **Second Vice President**, shall perform the duties of President during the absence of the President and First Vice President. In the absence of the President First Vice President and Second Vice President, a Chairman shall be elected from among the members present.
- (d) **Secretary**, it shall be the duty of the Secretary to keep a correct record of all meetings of the Council. Give notice of all meetings of Council in the manner prescribed by the Constitution and shall perform such other duties as may be directed to be performed by resolution of the Council not inconsistent with the laws of Barbados and this Constitution.
- (e) **Treasurer**, it shall be the duty of the Treasurer to:
  - (i) report on the financial affairs and all monies belonging to the Association;
  - (ii) be responsible to the Council and General Body of the Association for the presentation of the Financial Statements;
  - (iii) sign cheques and other negotiable instruments on behalf of the Association with the President or with the Vice Presidents acting in accordance with Article IX (b) and (c);
  - (iv) prepare in consultation with the President and to

submit a budget to Council by November 30 for the ensuing year;

- (v) make available for inspection the financial books of the Association as required by the laws of Barbados and to submit for audit when required the accounting books and vouchers of the Association and to present the audited accounts to the meeting of the Council next following upon completion of the related audit.

### LENGTH OF OFFICE

Officers shall be elected at the Annual General Meeting of the Association and shall hold office for two (2) years or until their successors have been elected. All officers shall be eligible for re-election.

Unless otherwise determined by the Constitution or the by-laws or any resolution of the Council and unless an Officer's tenure is sooner determined, an officer shall hold office from the close of the Annual General Meeting for the date on which he/she is elected or appointed until the close of the second Annual General meeting of the Association next following or until his/her successor is elected or appointed, which ever shall first occur.

### ARTICLE X

### COUNCIL

- (a) The Council of the Association shall comprise 15 persons duly constituted as following:-

1. The Officers of the Association as hereinbefore provided.
2. The (10) representatives from Member Clubs.
3. The Honorary Life Vice-Presidents, without vote.
4. The Immediate Past President, without vote.

**Immediate Past President.** The Immediate Past President shall also be included in the Council provided that the holder of that office has not been removed from office during his/her tenure.

- (b) Seven days notice of any Meeting of Council shall be given by the Secretary provided that in cases of emergency the President shall at any time summon a meeting on giving forty-eight (48) hours notice thereof. ✓
- (c) the Council shall meet at least once in every month and at such other times as shall be determined by the Council or the President.
- (d) Should any vacancy occur among the officers of the Association due to death resignation or absence from four (4) consecutive meetings without justification of any member of the Council such vacancy shall be filled by the Council from among the representatives. Any member appointed by

the Council shall hold office until the next following Annual General Meeting of the Association.

- (e) At all meetings of the Council forty percent (40%) of its members (excluding the Honorary Life Vice-Presidents and Immediate Past Presidents) and of whom not less than three shall be officers shall form A QUORUM.

#### **ARTICLE XI**

#### **POWERS OF THE COUNCIL**

The Council shall have and exercise the following powers, authorities functions obligations:

- (a) To manage the affairs and business of the Association.
- (b) To promote, regulate, organise and manage al competitions which may be held by the Association from time to time.

#### **SANCTIONS**

- (a) To prohibit any act or practice by Member Clubs which in the opinion of the Council is detrimental to the interest of sports violate the rules of the Constitution and to deal with any Member Club disregarding such prohibition, in such manner as the Council may think proper in accordance with the Constitution.
- (b) To impose penalties on member Clubs for any infringement of the laws of sport or of the Rules and Regulations of the Association.
- (c) To take such disciplinary action as it may deem necessary in cases of misconduct or any other undesirable behaviour of any Member Club at any competition or tournament as may be held by the Association or at which the Association is represented.
- (d) To decide all doubtful and disputed points in connection with the sport and the Laws of Barbados thereof and the Rules and Regulations of the Association.
- (e) To consider and deal with any matters pertaining to applications for affiliation and membership that may be referred to the Council and to decide on al questions as to the right of representation at General meetings of any Member Clubs and Council Members to attend such General Meetings.
- (f) To employ, with power to dismiss, any person to perform such duties and functions and for such remuneration as the council might deem fit.
- (g) To borrow money and to arrange for the repayment thereof.
- (h) To delegate all or any of its powers to its duly appointed Committees.
- (i) To do all such things in the interest of the sport and the Association as it may deem expedient.

**GENERAL MEETINGS  
& RESOLUTIONS**

**ARTICLE XII**

The Annual General Meeting of the Association shall be held on or before the last day of April of each year at such place as the Association may appoint. The Association's year shall run from the first day of January to the 31<sup>st</sup> day of December.

The business of the Annual General Meeting shall be conducted in the following manner:-

1. Reading of the Notice convening the Annual General Meeting.
2. Roll call and accreditation.
3. Reading and confirmation of the minutes of the previous Annual General Meeting.
4. Presentation of audited statements of the financial affairs of the Association for the year ended.
5. Presentation of report on the activities of the Association for the year.
6. Election of Officers in accordance with the provisions of Article VII hereof.
7. Appointment of an Auditor.
8. Appointment of Bankers.
9. Resolutions.
10. Fixing the subscription for the ensuing year.
11. General Business.

Fourteen (14) days notice in writing of the Annual General Meeting shall be given to all Member Clubs, Council and other Members.

**ARTICLE XIII**

**RESOLUTIONS**

Any Member Club may present a resolution for consideration at an Annual General Meeting, as long as notice by way of a copy of such resolution is sent to the Secretary at least one (1) month prior to the Annual General Meeting and is duly signed by the Secretary of the Club. Any Council Member may present a resolution for consideration at an Annual General Meeting as long as notice by way of a copy of such resolution is sent to the Secretary at least one (1) month prior to the Annual General meeting.

**ARTICLE XIV**

**EXTRAORDINARY  
GENERAL MEETING**

An Extraordinary General Meeting of the Association may except in accordance with the provisions of Article XVII hereof, be convened on not less than seven (7) days notice in writing at the instance of the Council or on the requisition of not less than 25 % of the Member Clubs in good standing

with the Association who in such requisition given to the Secretary shall set out the purpose of the Meeting. Such requisition shall be summoned by the Secretary within seven (7) days of the receipt by the Secretary of such requisition.

The Notice of an Extraordinary General Meeting shall be given to all Member Clubs and Council Members and shall therein state the purpose for which the meeting is called and only the specific matter for which such meeting has been summoned shall be dealt with and considered.

#### **ARTICLE XV**

##### **QUORUM**

A quorum at all General Meetings shall be not less than Fifty percent (50%) of the Council of the Association and not less than Fifty-one (51%) of the representatives.

If within thirty(30) minutes of the time appointed for the meeting a quorum is not present at a meeting of which due notice shall have been given such meeting shall stand adjourned to the same day in the next week at the same time and place or if that day be a public holiday the next succeeding day other than a public holiday and the members then present shall constitute a quorum.

The President and failing him/her the First or Second Vice President shall preside as Chairperson at every General Meeting of the Association. If there is neither the President or Vice Presidents present within fifteen (15) minutes of the time appointed for the holding of the meeting the members present and forming a quorum shall by a simple majority choose one of the members to be Chairperson who shall preside at that meeting.

##### **WAIVER OF NOTICE**

Whenever notice of a meeting is required to be given under the provisions of this Constitution a waiver in writing signed by the persons entitled to the said notice whether before or after the time stated therein shall be deemed equivalent thereto. Attendance at any meeting by a Member Club or Council Member shall be conclusively deemed a waiver of notice of that meeting unless objection is made at the commencement of such meeting to the failure to give proper notice.

#### **ARTICLE XVI**

##### **CONDUCT OF BUSINESS BY**

##### **CORRESPONDENCE**

Between meetings and in cases of emergency the Association may conduct its business and make decisions by correspondence, telephone or any other electronic media.

#### **ARTICLE XVII**

##### **ALTERATIONS TO CONSTITUTION**

No part of this Constitution may be amended, rescinded or altered except at an Annual General Meeting or Extraordinary General meeting specifically summoned for that purpose and passed by a majority of no less than two-thirds of those present and entitled to vote.

Notice of any proposed alteration or amendment to this Constitution intended to be introduced at a General Meeting shall be furnished in



writing to the Secretary not less than one (1) month before such meeting.

**ARTICLE XVIII**

**DISSOLUTION**

The Association may on a resolution passed by a two-thirds majority of its membership decide to dissolve the Association whereupon on a specific date appointed by the Association, the Council shall proceed to realise the property of the Association and after the discharge of all liabilities the balance, if any, shall be donated to such charities as shall be determined by the Association or shall be donated to the Government of this island to be used for the benefit of sport in the island and upon completion of such donation this Association shall be dissolved.

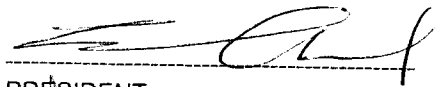
**ARTICLE XIX**

**INTERPRETATIONS**

In case any doubt shall arise as to the meaning of any of the Articles or any regulation or bye-law of the Association the interpretation placed thereon by the Council shall be final and binding upon all members of the Association.

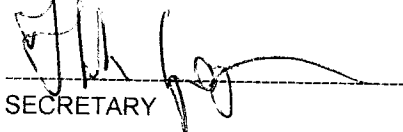
This Constitution of the Barbados Amateur Swimming Association is hereby approved and adopted and shall come into operation forthwith.

SIGNED SONIA O'NEAL



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PRESIDENT

SIGNED HANESH GOPWANI



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SECRETARY

Dated this 7<sup>th</sup> day of MAY 2003

APPROVED