



Affiliated to: EIASA, KCASA, S E Region & Swim England

(FOUNDED 1975)

CLUB CONSTITUTION

(Updated June 2019)

**BASED UPON THE SWIM ENGLAND MODEL CLUB
CONSTITUTION**

RULES of Hythe Aqua Swimming Club ("the Club") as at June 2019

1. Name

- 1.1 The name of the Club shall be Hythe Aqua Swimming Club.

2. Objects

- 2.1 The objects of the Club shall be the teaching, development and practice of swimming, artistic swimming, open water, water polo for its members and shall, where appropriate, be to compete. In the furtherance of these objects:

2.1.1 The Club is committed to treating everyone equally within the context of its activity and with due respect to the differences of individuals. It shall not apply nor endorse unlawful or unjustified discrimination, and shall act in compliance with the protections afforded by the Equality Act 2010.

2.1.2 The Club shall implement the Swim England Equality Policy (as may be amended from time to time).

- 2.2 The Club shall be affiliated to S E Region, and shall adopt and conform to the rules of S E Region, and to such other bodies as the Club may determine from time to time.

- 2.3 The business and affairs of the Club shall at all times be conducted in accordance with the Articles, Regulations and Technical Rules of Swim England (“Swim England Regulations”) and in particular:

2.3.1 all competing members shall be eligible competitors as defined in Swim England Regulations; and

2.3.2 the Club shall in accordance with Swim England Regulations adopt Swim England’s Child Safeguarding Policy and Procedures (“Wavepower”); and shall recognise 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 be protected from harm.

2.3.3 members of the Club shall in accordance with Swim England Regulations comply with Wavepower.

- 2.4 By virtue of the affiliation of the Club to S E Region, the Club and all members of the Club acknowledge that they are subject to the regulations, rules and constitutions of:

2.4.1 S E Region; and

2.4.2 Swim England (to include the Code of Ethics); and

2.4.3 British Swimming (in particular its Anti-Doping Rules and Judicial 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 by-law of the Club and any of the Governing Body Rules then the relevant Governing Body Rule shall prevail.

3. Membership

- 3.1 The total membership of the Club shall not normally be limited. If however the Committee considers that there is a good reason to impose any limit from time to time then the Committee shall put forward appropriate proposals for consideration at a General Meeting of the Club. The members shall have the right to impose (and remove) from time to time any limits on total membership (or any category of membership) of the Club.

- 3.2 All persons who assist in any way with the Club's activities shall become members of the Club and hence of Swim England and the relevant Swim England membership fee shall be paid. Assisting with the Club's activities shall include, but not be restricted to, administrators, associate members, voluntary instructors, teachers and coaches, Committee members, helpers, Honorary members, life members, Officers, patrons, Presidents, technical and non-technical officials, temporary members, Vice Presidents and verifiers or tutors of Swim England's educational certificates.
- 3.3 Paid instructors, teachers and coaches who are not members of the Club must be members of a body which accepts that its members are bound by Swim England's Code of Ethics, Swim England Regulations relating to Wavepower, those parts of the Judicial Regulations and procedures necessary for their implementation and whilst engaged in activities under the jurisdiction of Swim England shall be subject to all the constraints and privileges of the Judicial Regulations.
- 3.4 Any person who wishes to become a member of the Club 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). Election to membership shall be determined by the Club Secretary (Membership Officer), other person(s) authorised by the Committee may make recommendation as to the applicant's acceptability.

The Club Secretary (Membership Officer) shall be required to give reasons for the refusal of any application for membership. Any person refused membership may seek a review of this decision before a Review Panel appointed by the Committee ("Review Panel") comprised of not less than three members (who may or may not be members of the Committee). The Review Panel shall (wherever practicable) include one independent member nominated by the S E Region. The person refused membership shall be entitled to make representations to the Review Panel. The procedures for review shall be at the discretion of the Review Panel whose decision shall be final and binding.

- 3.5 In its consideration of applications for membership, the Club shall not act in a discriminatory manner and in particular, shall adhere to the Equality Act 2010 (as may be amended). Accordingly, (unless the Club chooses to restrict its membership to only people who share the same Protected Characteristic) the Club shall not refuse membership on the basis of a Protected Characteristic within the Equality Act 2010, such as disability; gender or gender identity; pregnancy; race; religion or belief; or sexual orientation. Neither may refusal be made on the grounds of political persuasion.
- 3.6 The Club may refuse membership only for good and sufficient cause, such as conduct or character likely to bring the Club or the sport into disrepute, or, in the case of a swimmer, being unable to achieve the entry standards as laid down and provided by the Club to the applicant for membership.

4. Subscription and Other Fees

- 4.1 The annual members' subscription and coaching and squad fees (as applicable) shall be determined from time to time by the Committee and the Committee shall in so doing make special provision for different classes of membership as it shall determine.
- 4.2 The annual subscription and entrance fee (if any) shall be due on joining the Club and thereafter on the 1st of April each year.
- 4.3 Any member whose subscription is unpaid by the date falling 30 days after the due date for payment may be suspended by the Committee from some or all Club activities from a date to be determined by the Committee and until such payment is made.

- 4.4 The Committee shall, from time to time, have the power to determine the annual membership subscription and other fees. This shall include the power to make such increase in the subscription as shall, where the Club pays the individual Swim England membership fees to Swim England on behalf of members, be consequential upon an increase in individual Swim England membership fees. Any increase in subscriptions shall be advised to the members in writing with the reasons for any increase to be reported to the members at the next Annual General Meeting.
- 4.5 The Executive Officers (or the Committee) shall have the power in special circumstances to remit the whole or part of the fees, including the Swim England membership fees, to address issues of social inclusion.

5. Resignation

- 5.1 A member wishing to resign membership of the Club must give to the Secretary written notice of his/her resignation. A member's resignation shall only take effect when this (Rule 5.1) has been complied with.
- 5.2 The member who resigns from the Club in accordance with Rule 5.1 above shall not be entitled to have any part of the annual membership fee or any other fees returned.
- 5.3 Notwithstanding the provisions of Rule 5.1 above a member whose subscription is more than two months in arrears shall be deemed to have resigned. Where the membership of a member shall be terminated in this way he/she shall be informed in writing that he/she is no longer a member by notice handed to him/her or sent by post to his/her last known address.
- 5.4 The Swim England Membership Department shall be informed should a member resign when still owing money or goods to the Club.

6. Expulsion and Other Disciplinary Action

- 6.1 The Committee shall have power to expel a member when, in its opinion, it would not be in the interests of the Club for the individual to remain a member. The Club in exercising this power shall comply with the provisions of Rules 6.3 and 6.4 below.
- 6.2 Upon expulsion the former member shall not be entitled to have any part of the annual membership fee refunded and must return any Club or external body's trophy or trophies held forthwith. Clubs in exercising this power are required to comply with the provision of Rules 6.3 and 6.4 below.
- 6.3 The Club shall comply with the relevant Judicial Regulations for handling Internal Club Disputes Procedures ("the Procedures") as the same may be revised from time to time. (A copy of the Procedures may be obtained from the Swim England website, Swim England Handbook or from the Office of Judicial Administration).
- 6.4 A member may not be expelled or (subject to Rule 6.5 below) be made the subject of any other penalty unless the panel hearing the complaint shall by a two-thirds majority vote in favour of the expulsion of (or other penalty imposed upon) the member.
- 6.5 The Officers of the Club (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 club activities, when in their opinion, such action is in the interests of the Club. Where such action is taken the incident or matter will thereafter be dealt with in accordance with the appropriate Judicial Regulations.

7. Committee

- 7.1 The Committee shall consist of the Chairman, Vice Chairman, Secretary, Treasurer and Welfare Officer (together “the Executive Officers of the Club”) and in addition one representative from each club section: Swim School Representative, Competitive Squad Representative, Water Polo Representative, Masters Representative, Synchronised Swimming Representative and four Executive Members. Elected members must be members of the Club. 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.
- 7.2 The Committee shall appoint a member of the Club as Welfare Officer who must be not less than 18 years of age, who should have an appropriate background and who is required to undertake appropriate training in accordance with Wavepower. The Welfare Officer will have a right to attend Committee meetings without a power to vote.
- 7.3 The Executive Officers and Committee members shall be proposed seconded and elected at the Annual General Meeting each year and shall remain in office until their successors are elected at the next Annual General Meeting and will take office when the Chairman has closed the meeting. Any vacancy occurring by resignation or otherwise may be filled by the Committee. Retiring Executive Officers and members of the Committee shall be eligible for re-election.
- 7.4 Committee meetings shall be held not less than quarterly (save where the Committee itself shall by a simple majority resolve not to meet and deal with outstanding matters by email), and the quorum of that meeting shall be such number as shall represent not less than a simple majority of the Committee members (to include not less than one Executive Officer). The Chairman and the Secretary shall have discretion to call further meetings of the Committee if they consider it to be in the interests of the Club. The Secretary shall give all the members of the Committee written notice of a meeting. Decisions of the Committee shall be made by a simple majority (and in the event of equality of votes the Chairman (or the acting Chairman of that meeting) shall have a casting or additional vote.) The Secretary, or in his/her absence a member of the Committee, shall take minutes.
- 7.5 In the event that a quorum is not present within 30 minutes of the published start time, a meeting shall stand adjourned to the time and date falling seven days after the date of the meeting, or such other date and time as may be determined by the Chairman. If a quorum is not present at the adjourned meeting then those Committee members attending may act for the purpose of calling a Special General Meeting of the members, to which the provisions as to minimum notice contained in Rule 11.1 shall not apply.
- 7.6 In addition to the members so elected the Committee may co-opt further members of the Club who shall serve until the next Annual General Meeting. Co-opted members shall be entitled to vote at the meetings of the Committee and shall not be counted in establishing whether a quorum is present.
- 7.7 The Committee may from time to time appoint from among their number such sub-committees as they may consider necessary (and to remove (in whole or in part) or vary the terms of reference of such sub-committees) and may delegate to them such of the powers and duties of the Committee as the Committee may determine. All sub-committees shall periodically report their proceedings to the Committee and shall conduct their business in accordance with the directions of the Committee. A standing sub-committee will be promoted for each club section.
- 7.8 The Committee shall be responsible for the management of the Club and shall have the sole right of appointing and determining the terms and conditions of service of employees of the Club. The Committee shall have power to enter into contracts for the purposes of the Club on behalf of all the members of the Club. The Committee shall be responsible for ensuring that the Accounts of the Club for each financial year be examined by an independent examiner to be appointed by the

members in General Meeting.

- 7.9 The members of the Committee shall be indemnified by the members of the Club against all liabilities properly incurred by them in the management of the affairs of the Club.
- 7.10 The Committee shall maintain an Accident Book in which all accidents to Club members at swimming related activities shall be recorded. Details of such accidents shall be reported to the insurers in accordance with the Accident/Incident Notification guidelines. The Club shall make an annual return to the Swim England Membership Department indicating whether or not an entry has been made in the prescribed online form.
- 7.11 The Committee shall have power to make regulations, create by-laws (see Rule 13.1) and to settle disputed points not otherwise provided for in this Constitution.

8. Ceremonial Positions and Honorary Members/Life Members

- 8.1 The Annual General Meeting of the Club, if it thinks fit, may elect a President and Vice-Presidents. A President or Vice-President need not be a member of the Club on election but shall, *ex officio*, be an honorary member of the Club and must be included in the Club's Annual Return of Members to Swim England.
- 8.2 The Committee may elect any person as an honorary member of the Club for such period as it thinks fit, or as a Life Member, and they shall be entitled to all the privileges of membership except that they shall not be entitled to vote at meetings and serve as Officers or on the Committee unless any such person shall have retained in addition their ordinary membership of the Club. Such honorary members and Life Members must be included in the Club's annual return as to membership.
- 8.3 Once created by the Committee, honorary and/or Life membership categories may only be removed (notwithstanding that persons may hold these categories of membership) at an Annual General Meeting of the Club, when it shall be properly proposed in accordance with these Rules.
- 8.4 A minimum of 21 days in advance of the Annual General Meeting, the Committee shall write to all holders of honorary and/or Life membership effected by the above proposal drawing the proposal to his/her/their attention and inviting him/her/them to attend the Annual General Meeting.
- 8.5 Where the effected holder or holders of the honorary and/or Life membership do not attend or are unable to attend the Annual General Meeting, the Chairman may allow the matter (in so far as it relates to the absent person(s)) to proceed directly to vote, which shall be by show of hands OR secret ballot.

9. Annual General Meeting

- 9.1 The Annual General Meeting of the Club shall be held each year on a date in May or June. The date, time and venue for the Annual General Meeting shall be fixed by the Committee.
- 9.2 The purpose of the Annual General Meeting is to transact the following business:
 - 9.2.1 to receive the Chairman's report of the activities of the Club during the previous year;
 - 9.2.2 to receive and consider the accounts of the Club for the previous year and the report on the accounts of the independent examiner and the Treasurer's report as to the financial position of the Club;
 - 9.2.3 to remove and elect the independent examiner (who must not be a member of the Committee or a member of the family of a member of the Committee) or confirm that

he/she remain in office;

9.2.4 to elect the Executive Officers and other members of the Committee;

9.2.5 to decide on the dissolution of existing honorary and/or Life membership categories;

9.2.6 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 in writing by the proposer and seconder to the Secretary not later than 10th April. 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 Annual General Meeting shall be given in writing to the Secretary not later than 10th April.

10. Special General Meeting

10.1.1 A Special General Meeting may be called at any time by the Committee. A Special General Meeting shall be called by the Club within 28 days of receipt by the Secretary of a requisition in writing signed by not less than seven members entitled to attend and vote at a General Meeting or, if greater, such number as represents one-tenth in number of such members, stating the purposes for which the meeting is required and the resolutions proposed.

11. Procedure at the Annual and Special General Meetings

11.1 The Secretary shall personally be 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 thereat at least fourteen days before the meeting and in the case of the Annual General Meeting a list of the nominees for the Committee posts and a copy of the examined accounts. The Secretary may, alternatively, with the agreement of member(s) concerned distribute these materials by e-mail or similar form of communication. The Notice of Meeting shall in addition wherever possible be displayed on the Club Notice Board where one exists.

11.2 The quorum for the Annual and Special General Meetings shall be seven members entitled to attend and vote at the Meeting or, if greater, such number as represents one-tenth in number of such members.

11.3 The Chairman, or in the Chairman's absence a member appointed by the Committee, shall take the chair. Each member present shall have one vote and resolutions shall be passed by a simple majority. For the procedures for submitting resolutions to be considered at a General Meeting members are referred to Rule 9.3. 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 and to vote on all matters. (Members who have not reached their 16th birthday shall be entitled to be heard and vote only on those matters determined by the Chairman as matters concerning juniors, such as the election of club captains.)

11.4 The Secretary, or in his/her absence a member of the Committee, shall take minutes at the Annual and Special General Meetings.

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 Club.

12. Alteration of the Rules and Other Resolutions

- 12.1 The Rules may be altered by resolution at an Annual or Special General Meeting provided that the resolution is carried by a majority of at least (two-thirds) of members present and entitled to vote at the General Meeting. No amendment(s) to the Rules shall become effective until such amendment(s) shall have been submitted to and validated by such person as is authorised to do so by the Kent County Association/ S E Region.
- 12.2 Any member shall be entitled to put any proposal for consideration at any General Meeting provided the proposal in writing shall have been handed to or posted to the Secretary of the Club so as to be received by him/her not later than 10th April in the case of the Annual General Meeting or, in the case of a Special General Meeting, 21 days before the date of the meeting and thereafter the Secretary shall supply a copy of the proposal or resolution to the members in the manner provided in Rule 11.1.

13. By-Laws

- 13.1 The Committee shall have power to make, repeal and amend such by-laws as they may from time to time consider necessary for the well being of the Club which by-laws, repeals and amendments shall have effect until set aside by the Committee or at a General Meeting.

14. Finance

- 14.1 All moneys payable to the Club shall be reviewed by the Treasurer and deposited in a bank accounts in the name of the Club. No sum shall be drawn from club accounts except by cheque signed by two of the three authorised signatories who shall be approved by the Chairman, Secretary and Treasurer. Any monies not required for immediate use may be invested as the Committee in its discretion think fit.
- 14.2 The income and property of the Club shall be applied only in furtherance of the objects of the Club and no part thereof shall be paid by way of bonus, dividend or profit to any members of the Club, (save as set out in Rule 17.3.).
- 14.3 The Committee shall have power to authorise the payment of remuneration and expenses to any Officer, member or employee of the Club and to any other person or persons for services rendered to the Club.
- 14.4 The financial transactions of the Club shall be recorded by the Treasurer or his/her nominee in such manner as the Committee thinks fit.
- 14.5 The financial year of the Club shall be the period commencing on 1st April and ending on 31st March. Any change to the financial year shall require the approval of the members in a General Meeting.
- 14.6 The Committee shall retain all financial records relating to the club and copies of Minutes of all meetings for a minimum period of six years.

15. Borrowing

- 15.1 The Committee may borrow money on behalf of the Club for the purposes of the Club from time to time at their own discretion [up to such limits on borrowing as may be laid down from time to time by the General Meeting] for the general upkeep of the Club or with the (prior) approval of a General Meeting for any other expenditure, additions or improvements.
- 15.2 When so borrowing the Committee shall have power to raise in any way any sum or sums of money and to raise and secure the repayment of any sums or sums of money in such manner or on such terms and conditions as it thinks fit, and in particular by mortgage of or charge upon or by the issues of debentures charged upon all or any part of the property of the Club.

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

16. Property

- 16.1 The property of the Club, other than cash at the bank, shall be vested in not less than two but not more than four Custodians. They shall deal with the property as directed by resolution of the Committee and entry in the minute book shall be conclusive evidence of such a resolution.
- 16.2 The Custodians shall be elected at a General Meeting of the Club and shall hold office until death or resignation unless removed by a resolution passed at a General Meeting.
- 16.3 The Custodians shall be entitled to an indemnity out of the property of the Club for all expenses and other liabilities properly incurred by them in the discharge of their duties.

17. Dissolution

- 17.1 A resolution to dissolve the Club shall only be proposed at a General Meeting and shall be carried by a majority of at least three - quarters of the members present and entitled to vote. A specific date for the dissolution shall be included in the resolution.
- 17.2 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 Club.
- 17.3 Any property remaining after the discharge of the debts and liabilities of the Club shall be either held in Trust, given to a charity or charities (or other non-profit making organisation having objects similar to those of the Club for the furtherance of such objects) nominated by the last Committee.

18. Acknowledgement

- 18.1 The Members acknowledge that these Rules constitute a legally binding contract to regulate the relationship of the members with each other and the Club.
- 18.2 The following statement must appear on Club membership forms and is to be signed by the member. It must also be 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 _____ Club and confirm my understanding and acceptance that such rules (as amended from time to time) shall govern my membership of the Club. I further acknowledge and accept the responsibilities of membership upon members as set out in these rules.”

HYTHE AQUA BY – LAWS

THIS SECTION SHOULD BE READ IN CONJUNCTION WITH SECTION 13 OF THE CLUB CONSTITUTION

Club By-laws

1. Temporary membership may be granted at the discretion of the Executive Committee.
2. Second claim membership of Hythe Aqua Swimming Squads will only be allowed in the following circumstances; a member of good standing who, for the purposes of education or work, takes up temporary residence at such a distance as to render training with and representing Hythe Aqua a practical impossibility, and wishing to continue in similar activities to those provided by the Club, joins another Club operating a “First Claim Member Only” rule or similar restrictive practice, may after consideration by the Executive Committee be permitted to hold “second-claim” membership of Hythe Aqua Swimming Squads. See by-laws 12(b), 12(c) & 12(d) for other club sections.
3. A Junior member for subscription purposes shall be under the age of 18 years on the 1st July of that membership year.
4. Family membership includes the member, their spouse or partner and any of their children/dependents entitled to Junior Membership
5. Members who are in full time education residing outside of Kent, shall be entitled to student membership.
6. Participation in Club Championships will be limited to those members who have Hythe Aqua as the swimming club of which they have the longest unbroken membership.
7. All individual Junior (as defined by the Clubs Constitution) Club Members who qualify for and attend National Championships, relevant to the water sports and disciplines pursued by the Club, shall be eligible to apply to the Executive Committee for a maintenance donation per championship qualified for and attended, up to a maximum of three donations per individual, per club year.
8. The Committee will consist of: Chairman, Vice Chairman, Secretary, Treasurer and Welfare Officer (together “the Executive Officers of the Club”) and in addition one representative from each club section: Swim School Representative, Competitive Squad Representative, Water Polo Representative, Masters Representative, Synchronised Swimming Representative and four Executive Members.
9. Upon resignation, all club equipment, trophies etc must be returned immediately to the Hon Secretary
10. For the purposes of training and pool hire the Hythe Aqua Masters training sessions will be known as Hythe Masters Swimming Club and will be accounted for separately to the main club accounts, although these accounts will be aggregated with the main club accounts and reported to the Hythe Aqua AGM at the end of each financial year. All individuals attending Hythe Masters will be fully paid up Hythe Aqua club members and members of the ASA as Hythe Aqua".
11. For the purposes of accounting each club section will run its own accounts/banking arrangements, with full accounts being reviewed by the Club Treasurer and reported annually to the Hythe Aqua AGM.

12. **Club Championships** – Hythe Aqua will hold two swimming championships per year. These will be known as the Sprint Championships and the Club Championships. In addition, and depending upon weather conditions the club will also attempt to hold a sea swim championship annually.

11(a) Sprint Championships

The age groups will be 8yrs & Under – 25 metres, 9/10yrs, 11/12yrs, 13/14yrs, 15/16yrs & Open all 50 metres for all four strokes. There will be male and female competitions across all distances/age groups.

11 (b) Club Championships

The age groups for the club championships will be: 8yrs & Under, 9/10yrs, 11/12yrs, 13/14yrs, 15/16yrs & Open over all four strokes.

Age Group Strokes

8yrs & Under 25 metres strokes + 100m IM

9/10yrs 50 metres strokes + 100m IM

11/12, 13/14, 15/16 & Open 100 metres all strokes + 200m IM

There will also be an Open competition for the following distances:

200m Breaststroke, 50m Freestyle, 200m Freestyle, 400m Freestyle, 200m Backstroke, 200m Butterfly, 400m IM, 100m IM, 800m Freestyle (Girls/Ladies) & 1500m Freestyle for (Boys/Men)

There will be male and female competitions across all distances/age groups.

11(c) Sea Swim Championships

The sea swim championship distances will be determined by the Head Swimming Coach each year depending upon prevailing weather conditions. Medals and trophies will be awarded to male and female competitors in the following age groups: 12yrs & under, 13/14yrs & 15yrs+.

11(d) General Club Championship Conditions

The Club Championships will be open only to Club Members who have Hythe Aqua as their longest unbroken membership.

Club Championship age groups will be determined by a swimmers age on the 31st December.

Club Records will be determined by the swimmers age on the day of the swim.

Any new club member participating in the Club Championships must have had their membership previously approved by the Club Secretary.

There will be no time trials or swimming for time only allowed in the championships.

Any swimmer failing to report at the published time will only be allowed to compete if space is available in the heats.

13. **Membership of Club Competitive Sections** – Hythe Aqua significantly subsidises its competitive sections of the club and therefore some additional payments and limitations have been placed on these sections for members that do not have Hythe Aqua as their club with the longest unbroken membership. The aim of these by-laws is not to preclude individuals from participating in these disciplines with other clubs but to ensure that there is a commitment to compete for Hythe Aqua when requested to do so.

12(a) Swimming Squads

Membership of the Junior and Senior Squads is limited to those swimmers that have Hythe Aqua as their longest unbroken membership club. Except for those swimmers covered by by-law 2 and members of the East Invicta Excel Swimming Squad.

12(b) Synchronised Swimming

Members of other ASA affiliated clubs may be allowed to participate in the activities of this section providing they agree to compete in synchronised swimming competitions representing Hythe Aqua when requested to do so. Members of other swimming clubs will be required to pay an additional annual membership fee, the level of which is to be determined annually by the Club Treasurer. This by-law has been introduced to ensure that participants in this section agree to compete for the club when required. It does not preclude the individual from belonging to any other clubs offering similar disciplines.

12(c) Water Polo

Members of other ASA affiliated clubs may be allowed to participate in the activities of this section providing they agree to compete in water polo competitions representing Hythe Aqua when requested to do so. Members of other swimming clubs will be required to pay an additional annual membership fee, the level of which is to be determined annually by the Club Treasurer. This by-law has been introduced to ensure that participants in this section agree to compete for the club when required. It does not preclude the individual from belonging to any other clubs offering similar disciplines.

12(d) Masters

Members of other ASA affiliated clubs may be allowed to participate in the activities of this section providing they agree to compete in Masters competitions representing Hythe Aqua when requested to do so. Members of other swimming clubs will be required to pay an additional annual membership fee, the level of which is to be determined annually by the Club Treasurer. This by-law has been introduced to ensure that participants in this section agree to compete for the club when required. It does not preclude the individual from belonging to any other clubs offering similar disciplines.

12(e) General Membership

When the Executive Committee consider membership applications of Hythe Aqua by individuals of other ASA affiliated clubs, they will take into consideration any previous membership of Hythe Aqua.

**A partnership between Folkestone Sports Centre Swimming Club and
Hythe Aqua Swimming Clubs**

Byelaw No:13

“Financial Arrangements”

Introduction:

Folkestone Sports Centre Swimming Club and Hythe Aqua Swimming Clubs will deliver the financial management of the Shepway Swimming Club through the activities of the Shepway Swimming Club Treasurer and the associated Shepway SC Executive Committee.

As a general principle any cost agreed by the Shepway Swimming Club Executive Committee will be supported on a 50/50 basis by Folkestone Sports Centre Swimming Club and Hythe Aqua Swimming Clubs.

Byelaw – Financial Arrangements:

As a general principle (unless otherwise agreed by the Shepway SC Executive Committee) costs will be borne equally by Folkestone Sports Centre Swimming Club and Hythe Aqua Swimming Club.

Gala/League Coach Hire – competitive quotations to be obtained and any remaining costs after the collection of fares*, to be split between Folkestone Sports Centre SC and Hythe Aqua SC. (*coach fares to be set by the Shepway SC Executive Committee).

Shepway SC Pool Hire - remaining costs after the collection of swim/training fees* to be split between Folkestone Sports Centre SC and Hythe Aqua SC. (*swim/training fees to be set by the Shepway SC Executive Committee).

SHEPWAY SWIMMING CLUB

**A partnership between Folkestone Sports Centre Swimming Club and
Hythe Aqua Swimming Clubs**

Byelaw No: 14

“Movement Between Clubs”

Introduction:

Folkestone Sports Centre Swimming Club and Hythe Aqua Swimming Clubs desire that the Shepway Swimming Club initiative is a true partnership. Therefore, this byelaw between the two clubs has been developed to enable joint working, whilst preserving the membership of both clubs and also recognising that in a minority of cases movement may be beneficial to keeping the swimmer engaged in the sport of swimming.

Byelaw – Movement Between Clubs:

Shepway Swimming Club is a partnership initiative and therefore does not promote the movement of swimmers between Folkestone Sports Centre Swimming Club and Hythe Aqua Swimming Clubs, as this undermines the partnership concept across the Shepway District, resulting in a lack of trust and confidence and ultimately a failure of the Shepway Swimming Club initiative in the longer term.

Coaches/Teachers and Executive Committee Members from both Folkestone Sports Centre Swimming Club and Hythe Aqua Swimming Club are prohibited from engaging in recruitment activity aimed at members of the partner club for the benefit of their home club.

This includes such activities as offering free trials to partner club swimmers, together with other inducements aimed at encouraging movement by an individual swimmer. The Shepway Swimming Club Committee may if necessary request Folkestone Sports Centre and Hythe Aqua Swimming Clubs Executive Committees to exclude coaches/ officials from further engagement in the partnership if individuals are found to be engaging in this type of activity.

There will inevitably be a limited number of occasions when movement between the clubs is desirable, such as to maintain future participation in the sport due to a “house move” for example. When this occasion arises, it should be handled in the following manner:

- a. The Coach receiving the request will ask the moving swimmer to formally inform their previous Club Secretary of their requested move and provide background reasons to support their request.
- b. The request will be passed to the Shepway Swimming Club Secretary who will convene a meeting of the Head Coaches and Chairs of Folkestone Sports Centre Swimming Club and Hythe Aqua Swimming Clubs who will consider the request. Their decision is final.
- c. Swimmers will not be allowed to commence training with their requested club until a final decision has been made.
- d. Any such movements will be routinely reported to the Shepway Swimming Club Executive Committee Meetings.

SHEPWAY SWIMMING CLUB

**A partnership between Folkestone Sports Centre Swimming Club and
Hythe Aqua Swimming Clubs**

Byelaw No: 15

“Team Selection & Training”

Introduction:

Folkestone Sports Centre Swimming Club and Hythe Aqua Swimming Clubs will carry out team selection for the Shepway Swimming Club led by the respective Head Coaches supported by Team Managers. Where two teams are competing, selection will be based upon recorded swim times over the preceding 12 months balanced against enabling opportunities for both clubs to have swimmers competing.

Shepway SC members will not generally swim in each other's home club training sessions, except where specified below and following payment of the cost as defined by the home club.

Shepway SC training will be invitation only and provided at a cost set by the Shepway SC Executive and subsidised as defined in the relevant byelaw associated with financial management usually on a 50/50 basis.

Byelaw – Team Selection & Training:

Team selection will be based upon recorded times that have been achieved in the preceding 12 months.

Where two teams are competing, one team will be focussed towards competitive performance with the other team being a development team. Wherever possible team selection will be mindful of achieving balance and equity between the two home clubs.

No challenge to team selection will be possible, the home clubs Head Coach's decisions are final.

There will be no general access to each home clubs training sessions except in the following exceptional circumstances:

- A swimmer who is attending **all** available sessions in their home club and wants to attend more training – this must be agreed by both Head Coaches.

Swimmers from Folkestone Sports Centre Swimming Club and Hythe Aqua Swimming Club may be invited to attend additional training as part of the Shepway SC training programme. The issue of an invitation to a swimmer is at the sole discretion of the relevant Head Coach and will be based upon fitness, attendance and competition availability.

Members of Shepway SC who are not fully paid up members of either Folkestone Sports Centre SC or Hythe Aqua SC will only be selected for competition if there is space within the swimming programme. They will also not be able to participate in the Shepway SC training programme as this will be subsidised by the home clubs.