



Constitution

CONSTITUTION OF THE COOK ISLANDS AQUATICS FEDERATION

1. Title.

The name of the Federation shall be; **Cook Islands Aquatics Federation Incorporated** hereinafter referred to as **CIAF**.

2. Definitions

- a) **Aquatics - means swimming, open water swimming, diving, high diving, water polo, artistic swimming and Masters programme / activity.**
- b) **WORLD AQUATICS Rules – means the Constitution, Code of Ethics, General Rules, By-laws, Technical Rules, Facilities Rules, Medical Rules, Doping Control Rules, and any other rules and regulations adopted by WORLD AQUATICS.**
- c) **Code of Conduct – applies to all Members of the Cook Islands Aquatics Federation and persons participating in Cook Islands Aquatics Federation Activities**

3. Languages

The official language of CIAF shall be English and Rarotongan. In the meetings a member or representative may speak in any other language, provided he or she provides translation to the official language.

4. Objectives.

- a) To encourage and promote the development of Swimming, Open Water Swimming, Diving, High Diving, Water Polo, Artistic Swimming, at all levels, including Masters.
- b) To affiliate to, adopt and enforce all rules and regulations as established by the WORLD AQUATICS, hereinafter referred to as WA and Oceania Swimming Federation, hereinafter referred to as OSA.
- c) To organize competitions and Championships up to the National level in the aforementioned disciplines.
- d) To encourage and promote water safety.
- e) To participate in such Regional and International events as shall from time to time be decided.
- f) To purchase, rent, borrow funds, or otherwise take on lease, or otherwise acquire any lands, buildings or other properties or facilities which may be required for the purpose of, or conveniently used in connection with any of the objects of the Federation.

5. Membership.

- a) Membership or Affiliation shall comprise those clubs or individuals, accepted at a General Meeting of the Federation and that are fully paid up members of the Federation
- b) WORLD AQUATICS is acknowledged as the International Aquatics body which governs Swimming, Open Water Swimming, Diving, High Diving, Water Polo, Artistic Swimming and Masters Internationally. Each affiliate will be subject to the Rules and Regulations as set down by the WORLD AQUATICS Congress and WORLD AQUATICS Bureau.
- c) **The Athletes Committee represented by up to five (5) members**
- c) Members and Affiliates of CIAF shall comply with the CIAF constitution and WORLD AQUATICS Rules.

6. Suspension of Members.

- a) A Disciplinary Committee, consisting of the President, the Secretary and one other member of the Executive Committee, shall have the right to suspend or discipline any member, or affiliate whose action(s) the committee deems to be detrimental to the aims

and objectives of the Federation, provided that a complaint has been received, by any member of the Executive Committee, in writing and is tabled at an Executive Meeting.

- b)** All members, or affiliates shall be subject to suspension who: **(i)** Violate any rule(s) as set down by WORLD AQUATICS **(ii)** Violates any rule(s) as set down by the Executive Committee.
- c)** All disciplinary actions or suspensions decided upon by the Disciplinary Committee must be given to the party, or parties concerned, in writing.

7. Appeals

- a)** The appeals board shall consist of no less than two thirds (66%) of the constitutionally elected Executive Board.
- b)** All disciplinary action or suspension decisions, shall be delivered to the offender, in writing.
- c)** All appeals against disciplinary actions or suspension decisions must be made, in writing and lodged with an Appeals Board member, no later than forty eight (48) hours, after receipt of the notice of disciplinary action or suspension.
- d)** The decision of the Appeal Board shall be World Aquatics.

8. Finance

- a)** All affiliates shall pay an annual subscription which shall be determined from time to time by the AGM.
- b)** The Federation financial year shall be the calendar year
- c)** Subscriptions shall fall due before the AGM.
- d)** Any funds belonging to, or collected on behalf of the Federation, shall be lodged in a bank account established for this purpose, at a bank on Rarotonga, or in New Zealand and all cheques, drafts or such like promissory notes drawn on this account shall be signed by two of the following Executive Officers: the President, the Vice President, the Treasurer or the Secretary.
- e)** All funds and other property of CIAF (from public funds, private donations, affiliation fees etc.) shall be applied to the furtherance of the objectives of CIAF or for any other charitable purpose. No funds or other property of CIAF shall be paid to or distributed among the members of CIAF, without the authorisation of the Executive. In the event of dissolution, the funds remaining shall be devoted to objectives similar to those of CIAF.
- f)** The annual CIAF Financial Statements shall be audited by External Auditors, reviewed by the Treasurer and approved by the Bureau and shall be made public if required.
- g)** The appointment of an Auditor shall be appointed at the AGM.

9. Office Bearers.

- a)** The following Office Bearers shall be elected as the Federation Executive Board:

The President

The Vice President

The Secretary

The Treasurer

Committee members (not exceeding three (3))

The Chair of Athletes Committee

- b)** The officers shall be elected by the members present at the Annual General Meeting
- c)** All previously serving officers may be eligible for re-election
- d)** Any position on the Executive Board that becomes vacant for any reason, may be filled at the discretion of the elected Executive Board, until the following Annual General Meeting or a Special General Meeting
- e)** Any person being nominated for any of the positions of President, Vice President, Secretary, or Treasurer, shall have served as an elected Executive Committee member for one year before the nomination for any of the said positions shall be accepted and shall be of Cook Islands descent as per the Cook Islands Act 1915.

f) Members of the CIAF Committee are not personally liable for the debts and obligations of CIAF.

g) Executive members can be elected for a maximum of four (4) full terms with any period of time served before 2018 to be disregarded in calculating the number of full terms that a person has served as an Executive member. The President can be elected for a maximum of four (4) full terms as President irrespective of terms served before as Executive Member.

h) The age limit for elected members of the Executive Board shall be 75 years.

i) Representation of the Executive Board shall consist of at least 30% of each gender

10. The Annual General Meeting.

a) The AGM shall be held during the calendar year and shall include:

(i) Receiving and adopting previous AGM minutes

(ii) Receiving and adopting the Annual Report from the President.

(iii) Receiving and adopting the Treasurer's Report including the balance sheet and accounts for the previous year ending 31st of December.

(iv) **Appointment of an Auditor.**

(v) **Annual membership fee.**

(vi) Election of the Office Bearers / Executive every 4 year term.

(vii) Dealing with other appropriate matters.

(viii) Notification of the AGM shall be made to Members directly and/or by General Notice not less than 14 days prior to the proposed AGM date.

11. Voting Rights.

a) Voting on any decision, or for any position, shall be by a show of hands or, by secret ballot where this has been requested.

b) A simple majority of all present at any Executive meeting, Special General Meeting, or Annual General meeting shall be sufficient to carry a resolution or motion, except for Constitutional changes, additions or amendments.

c) Each person in attendance at any Federation meeting shall not have the right to exercise more than ONE vote on any matter.

d) In any event of an indecisive vote, the President shall have one additional casting vote, except with regard to her or his own election.

e) Voting by proxy shall not be permitted.

f) Absentee voting may be permitted, if it is in writing and if received by the secretary before the relevant meeting.

g) If a nomination to the Executive Committee is received in writing, it must be accompanied by a written acceptance of the nomination by the person being nominated.

h) A person shall not nominate themselves.

12. Alteration of Constitution.

The Constitution shall not be amended, any clauses rescinded, nor any new rules added unless notice of the changes has been given to each affiliate or member, in writing, fourteen (14) days before an Annual General Meeting or Special General Meeting. Any changes shall require a two thirds majority of those present and entitled to vote.

13. Sub – Committees

Sub-committees may be established by the Executive Committee when necessary.

Persons who are not affiliates or members of the Executive Committee may be engaged on sub-committees

All sub-committees shall be chaired by a CIAF Executive Committee member at all times.

14. Conduct of Meetings.

a) The place and date of meetings of all committees shall be decided by the Executive Committee.

- b)** The quorum for each meeting shall be no less than half the total number of committee or sub-committee members.
- c)** A special general meeting shall be convened at the written request of no less than three (3) members or affiliates to consider such matters as are referred to in the request. Such a meeting shall take place fourteen (14) days after receipt of the request. Members and/or affiliates may propose subjects to be added to the agenda, and shall submit proposals no later than seven (7) days prior to the meeting.
- d)** If an Annual General Meeting or Special General Meeting is called and if a quorum is not present thirty (30) minutes after the scheduled time, the meeting shall be reconvened at the same time and the same venue seven (7) days later and if there is still no quorum thirty minutes after the scheduled time of the meeting, the meeting may proceed as though there were a quorum, whether there is a quorum or not.
- e)** Decisions regarding day to day business of the Federation may be made through consensus via electronic mail (email)

15. Compliance with WORLD AQUATICS Rules.

a) The official rules of the Federation shall be those applied by WORLD AQUATICS and shall be applicable as appropriate and as decided upon by the Executive Committee as seen necessary to promote the aims and objectives as stated in Article (2) (a), (b), (c), (d), (e) and (f).

b) The Federation supports and permits in-competition and out-of-competition doping controls by WORLD AQUATICS.

c) The constitution and rules of CIAF do not conflict with those of WORLD AQUATICS. Where there is a conflict, WORLD AQUATICS Rules shall prevail.

d) CIAF will seek approval of the WORLD AQUATICS Bureau for any change of name and/or constitution before such changes are valid.

e) CIAF acknowledges in its national rules that WORLD AQUATICS is the only recognised body in the world which governs Aquatics internationally.

f) CIAF is obliged to act in accordance with the decisions of the WORLD AQUATICS Congress and the WORLD AQUATICS Bureau.

g) CIAF is obliged to include within its constitution a provision, which allows out-of-competition doping, control by WORLD AQUATICS per CIAF Constitution clause 14(b).

h) CIAF is obliged to manage its affairs independently and not be influenced by third parties.

i) CIAF is obliged to notify WORLD AQUATICS of the dates and the location of the elections, and to provide the minutes of its congress to WORLD AQUATICS no later than sixty (60) days after conclusion of the congress.

j) CIAF is obliged to ensure that their own members comply with the WORLD AQUATICS Rules, regulations, directives and decisions of the WORLD AQUATICS bodies.

k) A WORLD AQUATICS Bureau member shall be an ex-officio member with a voting right in the bureau and the general assembly of his/her national federation.

l) CIAF shall comply with the WORLD AQUATICS Anti-Doping Rules. WORLD AQUATICS Rules including Anti-Doping Rules shall be deemed as incorporated into and shall be directly applicable to and shall be agreed to and followed by Competitors, Competitor Support Personnel, coaches, physicians, trainers, managers, officials, medical or paramedical personnel, team leaders, and club and representatives under the jurisdiction of CIAF.

m) CIAF shall comply with the Objectives and Rules of the Aquatics Integrity Unit (AQIU)

16. Registered Office.

The Registered Office of the Federation shall be at a location decided upon by the Executive Committee.

17. Common Seal

The Common Seal shall consist of a rubber stamp with the words 'Common Seal of in the centre of a circle. The outer circle shall contain the words 'Cook Islands Aquatics Federation Incorporated'.

The Common Seal shall be affixed upon all documents, deeds etc., as necessary, after a resolution to this effect by the Executive Committee.

17. Federation Dissolution

If the Federation is to be dissolved for whatever reason, and there remains after the satisfaction of all debts and liabilities, any monies or property, the same shall be distributed as agreed by all members, or affiliates, present at a meeting convened for that purpose