



BY LAWS

ADOPTED AT ANNUAL GENERAL MEETING 8th MAY 2008

Date of Incorporation: 12TH October 1993

Registered Number: Y18132 – 33

CURRENT ISSUE

First Amendment
Second Amendment
Third Amendment
Fourth Amendment

12th October 2008
12th March 2009
31st March 2009
26th December 2009

BY LAWS AMENDMENTS

Amendment Number	Date	Clause Affected
1	12/10/2008	Addition of Abbreviation Clause 1.2 "Definitions and Interpretations" Addition of New Clauses 25, 26, 27. Subsequent renumbering of following Clauses. Clause 25 renumbered to Clause 28, CL 26 to 29, CL 27 to 30. Addition to renumbered Clause 30, Paragraph (ii), (iii), (iv) – subsequent Renumbering of following clauses Renumbered and Amended Clause 28 to 31 Renumbered and Amended Clause 29 to 32 Addition of New Clause 33, subsequent renumbering of following clauses Renumbered and Amended Clause 30 to 34 Renumbered and Amended Clause 31 to 35 Renumbered and Amended Clause 32 to 36 Addition of New Clause 37, subsequent renumbering of following clauses Renumbered and Amended Clause 33 to 38 Renumbered and Amended Clauses 34 to 39, 35 to 40
2	12 / 03 / 09	Clause 2 Amended to include new Clubs and numbered affiliated Clubs Clause 25 Amended Clause 29 (a) (ii) and (iii) amended Clause 30 (a) (iii) Highlighted Clause 32 amended Clause 33 (c) deleted Table 33.1 Open 50m SC Records added Table 33.2 "Long Course Records" Added Clause 34 (b) amended Clause 34 (e) added Table 34.1 "SMSW Relay Records" Added Table 36.1 "Championship Point Score" added Clause 37, 1st paragraph and (a) amended Table 37.1 and 37.2 "... Short Course "added and deleted from subheading Table 37.2, Open SC 50m Point score added Table 37.3 "Age Championships Long Course "Added Table 37.4 "Open Championships Long Course "Added Clause 38, Amended to "5 to 8 Years Swim Meet Table 38.1, 5 to 8 Years Points score" Added Clause 39, Amended to "Open Water Championships" Table 39.1 "Open water Championships" Added Existing Clauses 38, 39 and 40 renumbered to 40, 41 and 42 New Clause 41 amended
3	31 / 03 / 09	Clause 39 (b) amended
4	26 / 12 / 09	<i>Clause 6 (a) amended</i> <i>Clause 8.7 (a)(b)(c) amended</i> <i>Clause 10 (a) & (l) (iii) amended</i> <i>Clause 13 Title amended</i> <i>Clauses 13 (a)(i)(ii) and (v) Amended</i> <i>Clause 13 (b) to (d) Amended and (e) to (g) Added</i> <i>Clause 33 amended</i> <i>Table 33.2 "SMSW Long Course Records" amended to include Open</i> <i>Form stroke Records</i> <i>Table 37.4 "Open Championships Long Course" amended</i>

THE LATEST AMENDMENTS ARE SHOWN IN ITALICS AND WILL BE IN ITALICS UNTIL ANOTHER AMENDMENT OCCURS.

INTRODUCTION

1. STATUS OF BY-LAWS

1.1 Power to Make By-Laws

These By-Laws are made by Swimming Metro South West Incorporated, under Clause 28. They are binding on all Members. In the event of a conflict between these By-Laws and the Constitution, the Constitution will prevail.

1.2 Definitions and Interpretation (Amend 1)

The definitions in the Constitution apply to these By-Laws. In addition, the following definitions apply:

“**Clause**” means a clause of the Constitution.

“**SMSW**” means Swimming Metro South West Incorporated

“**Competitions**” means and includes:

- (a) any championship (Area or otherwise) organised or conducted by a Club for or on behalf of the Association;
- (b) any championship, competition, series or meeting sponsored by or conducted by or on behalf of the Association.

“**Disciplinary Tribunal**” means the disciplinary tribunal of the Company constituted under By-Law 5.

“**Swimmer**” means an Individual Member who competes at Club or higher level

MEMBER BY-LAWS

2. AFFILIATED CLUBS (AMEND 2)

The following Clubs are Members of the Area:

	Association Clubs	Date Admitted
1	ATLANTIS	1 st April 2008
2	BANKSTOWN SPORTS	1 st April 2008
3	BLACKTOWN CITY	1 st April 2008
4	CAMDEN	1 st April 2008
5	CAMPBELLTOWN	1 st April 2008
6	HOLSWORTHY	1 st April 2008
7	INSWIM	1 st April 2008
8	LIVERPOOL	1 st April 2008
9	MACARTHUR INDOOR	1 st April 2008
10	MACQUARIE FIELDS	1 st April 2008
11	MCCREDIE PARK AQUATICS	1 st April 2008
12	MERRYLANDS	1 st April 2008
13	MOUNT ANNAN	1 st April 2008
14	MOUNT PRITCHARD (MOUNTIES)	1 st April 2008
15	MYSWIM	1 st April 2008
16	NARELLAN ALL STARS	1 st April 2008
17	NEPEAN	1 st April 2008
18	PENRITH	1 st April 2008
19	PENRITH RSL YOUTH	1 st April 2008
20	PICTON	1 st April 2008
21	PRAIRIEWOOD ASC	1 st April 2008
22	REVESBY WORKERS	1 st April 2008
23	RIPPLES ST MARY'S	1 st April 2008
24	SWIMFIT MACARTHUR SWIM CLUB	1 st April 2008
25	SWIM CLUB EMERTON	1 st November 2008
26	TOONGABBIE	1 st April 2008
27	WARRAGAMBA SILVERDALE	1 st April 2008
28	WENDEN	1 st April 2008
29	WENTWORTVILLE RSL YOUTH	1 st April 2008
30	WIZARDS SWIM TEAM	1 st November 2008

3. CLUB DELEGATES

Each Club shall be entitled to appoint two of its Members to be its Delegates to General Meetings of the Association.

4. FEES DUE TO THE ASSOCIATION

- (a) Fees payable in accordance with Clause 7 may be payable by all Members including:
- (i) an Individual Member; and
 - (ii) affiliated clubs

- (b) Each Club assigned to the Association in accordance with Clause 6, will pay to the Association in respect of each and every Individual Member a registration fee each year, as defined in By-Law 4(c), provided that fees will not be payable in respect of a:
 - (i) Life Member;
 - (ii) A life member, the patron and the vice patron of a Club;
 - (iii) Individual Member previously registered by another Club in the current year.
- (c) The annual registration fees payable to the Association in respect of each Individual Member shall be as determined at a General Meeting from time to time.
- (d) All registration fees are due on the first day of October in each year.
- (e) Each Club shall furnish a list of Members stating their full names and dates of birth, and registration fees to the Association. Each such list will be accompanied by a certificate from the secretary or other responsible office bearer of the Club stating that all members comprising the list are eligible to compete in accordance with SNSW By-Laws or, separately listed, are members ineligible to compete, and are in all other respects qualified to be members of a Club.
- (f) The annual fees payable to the Association in respect of each Club will be an annual affiliation fee and shall be determined at a General Meeting from time to time. The annual affiliation fees are due on the first day of April each year.
- (g) The Committee may refund any fee which, in its opinion is warranted.

5. DISCIPLINARY BY-LAW

5.1 Establishment of Disciplinary Tribunal

The Committee shall establish a Disciplinary Tribunal to deal with all disciplinary actions and matters under Clause 11.2. A disciplinary action and matter must be solely and exclusively resolved by the Disciplinary Tribunal

5.2 Composition of Disciplinary Tribunal

- (a) A Disciplinary Tribunal of three (3) persons shall be appointed by the Committee for the purpose of hearing disciplinary actions and matters under Clause 11.2. The Committee shall also appoint a member of the Disciplinary Tribunal as chair who in the opinion of the Committee is competent in dealing with disciplinary matters.
- (b) The Committee may call for applications to the Disciplinary Tribunal.
- (c) No Committee member or a member of a Club dealing with a matter relating to a member of that Club shall be a member of the Disciplinary Tribunal.

- (d) Three (3) members of the Disciplinary Tribunal shall constitute a quorum.

5.3 Notice of Alleged Breach

- (a) Where the Committee is advised or considers that a Member has allegedly:
 - (i) breached, failed, refused or neglected to comply with a provision of the Constitution, the By-Laws, the Policies and the rules or any resolution or determination of the Committee; or
 - (ii) acted in a manner unbecoming of a Member or prejudicial to the Objects and interests of the Association and/or swimming; or
 - (iii) brought the Association or swimming into disrepute,the Committee shall notify the chair of the Disciplinary Tribunal.
- (b) The chair of the Disciplinary Tribunal shall, as soon as practicable upon receipt of notice in accordance with By-Law 5.3(a), serve on the Member a notice in writing:
 - (i) setting out the alleged breach of the Member and the grounds on which it is based;
 - (ii) stating that the Member may address the Disciplinary Tribunal at a hearing to be held not earlier than fourteen (14) and not later than twenty eight (28) days after service of the notice;
 - (iii) stating the date, place and time of that hearing;
 - (iv) informing the Member that he do one or more of the following:
 - (a) attend that hearing;
 - (b) give the Disciplinary Tribunal, before the date of the hearing a written statement regarding the alleged breach.

5.4 Disciplinary Tribunal Procedures

- (a) At a hearing of the Disciplinary Tribunal held in accordance with By-Law 5.3(b)(ii), the Disciplinary Tribunal shall:
 - (i) give to the Member every opportunity to be heard;
 - (ii) give due consideration to any written statement submitted by the Member; and
 - (iii) by resolution determine whether the alleged breach occurred.
- (b) The Association and the Member shall not be entitled to legal representation at the hearing of the Disciplinary Tribunal.
- (c) The Disciplinary Tribunal shall hear and determine the alleged breach in whatever manner it considers appropriate in the circumstances (including by way of teleconference, video conference or otherwise) provided that it

does so in accordance with the principles of natural justice. The purpose of the hearing shall be to determine whether the alleged breach occurred.

- (d) If the Disciplinary Tribunal considers that the alleged breach occurred, it may impose any one or more of the penalties set out in By-Law 5.5.
- (e) If the Disciplinary Tribunal considers that the alleged breach did not occur, the matter shall be dismissed.
- (f) Each party shall be responsible for their own costs associated with the Disciplinary Tribunal hearing. The Disciplinary Tribunal has no power to award costs to a party.

5.5 Penalties

If the Disciplinary Tribunal considers that the alleged breach occurred, the Disciplinary Tribunal may impose any one or more of the following penalties:

- (a) impose a warning;
- (b) fine the Member;
- (c) where there has been damage to property, direct that the Member pay compensation to the relevant organisation which controls or has possession of the property;
- (d) cease funding granted or given to it by the Association from a specified date;
- (e) suspend for a specified period and/or terminate any rights, privileges and benefits provided to that Member by the Association;
- (f) cease to sanction events held by or under the auspices of that Member;
- (g) reprimand the Member;
- (h) suspend the Member from membership of the Association for a specified period;
- (i) expel the Member from the Association;
- (j) any other such penalty as the Disciplinary Tribunal considers appropriate.

5.6 Appeal from Decision of Disciplinary Tribunal

- (a) Any Member, the subject of an adverse finding in proceedings in accordance with By-Law 5 may appeal to SNSW in relation to that adverse finding.
- (b) Such appeal shall be dealt with in accordance with the disciplinary procedure set out in SNSW by-laws, policies or rules.

NOTE

For the purpose of By-Law 5 the term “member” does not include a Club.

COMMITTEE BY-LAWS

6. **COMPOSITION OF THE COMMITTEE** (AMEND 4)

The composition of the Committee as required by Clause 22 may consist of the following:

- (a) Office Bearers, being;

President, Vice President(s), Secretary, Treasurer and *Area Technical Swimming Committee Convener (ATSCC)*(AMEND 4), Registrar, Development Squad Convener and
- (b) Other members;

4 other individual members will constitute the remainder of the committee positions

7. **ELECTION PROCEDURES FOR COMMITTEE**

- (a) Where there is more than one nomination for any position, a ballot for that position shall be held. Where there are nominations for the positions of office bearer and Committee, the positions of the office bearers shall be determined first.
- (b) The Annual General Meeting shall appoint at least two tellers for each ballot.
- (c) Delegates shall record their vote by placing a mark (cross or tick) opposite the name of the candidate(s) of choice for that office.
- (d) On the count of votes in respect of any position, the candidate(s) who has received the highest number of votes shall be declared elected to that position(s).
- (e) In the case of an equality of votes for any position it shall be resolved by lot to eliminate the unsuccessful candidate(s).
- (f) If a ballot paper is not completed in accordance with By-Law 7(c) the ballot paper shall be deemed to be informal.
- (g) The result of the ballot shall be declared at the Annual General Meeting. The declaration of the poll by the chairperson shall include the following information:
 - (i) the number of Delegates eligible to vote;
 - (ii) the number of votes received; and
 - (iii) the number of votes declared valid.

- (h) All ballot papers for the annual elections are to be destroyed after the declaration of the poll.

8. COMMITTEE MEMBER RESPONSIBILITIES

8.1 Committee Members

Committee members shall:

- (a) guide any standing committees to which they may be assigned on all matters affecting the Constitution, By-Laws, Policies and Rules or any previous decision of the General Meeting or the Committee;
- (b) act honestly, independently and with due diligence in all decision making;
- (c) ensure that the resources of the Association are effectively and efficiently managed to fulfil the Objects;
- (d) contribute to the development of the Association strategic and business plans;
- (e) attend any assigned committee and act as the Committee adviser in the formulation of committee work plans;
- (f) act at the Committee direction, as a delegate to any meeting of a Club and advise and guide such meetings on any matters affecting the future of the Association, the Constitution, By-Laws, Policies and rules; and
- (g) present recommendations and reports of any assigned standing committee to the Committee.

8.2 President

The President shall:

- (a) promote the image of the Association at all times and lead the pursuit of the Objects and carry out such duties as requested by a General Meeting and the Committee;
- (b) be responsible for the leadership and overall administration of the Association;
- (c) be the delegate to SNSW and represent the Association on external bodies as determined by the Committee; and
- (d) coordinate the Committee activities and ensure that the Committee properly undertakes its governance role.

8.3 Vice President

- (a) The vice president shall assist the President in carrying out their duties and shall attend to such matters as the President may, from time to time, request.

8.4 Secretary

- (a) The Secretary of the Association must, as soon as practicable after being appointed as secretary, lodge notice with SNSW of his address and contact details.
- (b) The Secretary must ensure full and accurate minutes of all members in attendance, questions, matters, resolutions and other proceedings of each Committee meeting and General Meeting are entered in the Association's minute book.

8.5 Treasurer

The Treasurer of the Association must ensure:

- (a) that all money due to the Association is collected and received and that all payments authorised by the Association are made;
- (b) that correct books and accounts are kept showing the financial affairs of the Association, including full details of all receipts and expenditure connected with the activities of the Association; and
- (c) as soon as practicable after the end of each financial year, a statement containing the following is prepared:
 - (i) the income and expenditure for the financial year just ended, and
 - (ii) the Association's assets and liabilities at the close of the year.

8.6 Registrar

The Registrar shall:

- (a) keep a true and complete record of all Area competition results
- (b) present to the Annual meeting a record of results from all Area Championships and Meets
- (c) verify that all competitors in all Area Championships and Meets are registered with SNSW
- (d) allocate points accordingly for various point scores.
- (e) keep a true record of all swimming records set at Area Championships and Meets and present an accurate list of records to the Annual meeting.

8.7 *Area Technical Swimming Committee Convener* (AMEND 4)

The ATSC Convener shall:

- (a) *act as the Chairperson of the Area Technical Swimming Committee*
- (b) *be the liaison between the ATSC and the Management Committee*

- (c) be the liaison between the relevant SNSW technical committees and the *Area Technical Swimming Committee (AMEND 4)* on all matters related to technical official appointments, development and education

8.8 Development Squad Convener

The Development Squad Convener shall be responsible for the activities of the of the Development squad as may be determined by the Committee from time to time.

9. OFFICERS

9.1 Appointment of Officers Generally

- (a) The Committee may appoint the following officers:
 - (i) equipment officer;
 - (ii) publicity officer,
- (b) Applications shall be invited for the positions specified in By-Law 9.1(a) as determined by the Committee.
- (c) Applications for officer positions specified in By-Law 9.1(a) may include a précis submitted by the applicant of their background, experience and qualifications pertinent to the position.
- (d) The Committee may at any time terminate the appointment of any person appointed to an officer position and any such person may resign from such position by letter delivered to the Secretary.

9.2 Equipment Officer

The equipment officer shall be responsible for the following:

- (a) report disposition or acquisition of the Association equipment to the Secretary for updating of the asset register;
- (b) cause the transporting of equipment owned by the Association from any place of safe custody storage to the Association meets or as otherwise directed by the Committee;
- (c) ensure that all equipment owned by the Association is maintained in good order, and periodically report to the Committee on the condition of the equipment and recommend maintenance, repairs or replacement thereof; and
- (d) provide a capital expenditure budget item for inclusion in the annual budget.

- (e) be responsible for the preparation and safekeeping of medallions and ribbons for all Area Championships and Meets.

9.3 Publicity Officer

The Publicity Officer shall be responsible for the following:

- (a) promotion of the objects of the Area
- (b) submission by way of press releases of Area results, activities and upcoming events to media outlets
- (c) compilation and distribution of newsletters to Area affiliated clubs and members through electronic or traditional methods

10. **STANDING COMMITTEES** (AMEND 4)

- (a) Standing committees specified in By-Law 10(l), shall be elected at the Annual General Meeting for a one year term, *except for Area Technical Swimming Committee (ATSC)*.
- (b) Every person appointed, unless ceasing to hold office in consequence of death, resignation or removal from office, will continue to hold office until the completion of their respective term or the appointment of the new standing committee.
- (c) Nominations shall be invited for the positions on standing committees specified in By-Law 10(l) at least forty five (45) days prior to the date of the Annual General Meeting and the closing date for nominations shall be at least thirty (30) days prior to the date of the Annual General Meeting. A list of nominees shall be included on the agenda paper for the Annual General Meeting.
- (d) Nominations for positions on standing committees may include a précis submitted by the nominee, of their background, experience and qualifications pertinent to the position.
- (e) The Committee may at any time terminate the appointment of any standing committee and any such person may resign from a standing committee by letter delivered to the Secretary.
- (f) A member of any standing committee who is absent from three consecutive meetings without explanation acceptable to the Committee shall be declared to have vacated such standing committee membership and the Committee shall appoint another member in his place.
- (g) A quorum for a meeting shall be fifty percent plus one (50% + 1) of the voting members on each standing committee.
- (h) The President shall be ex-officio member of all standing committees.

- (i) Each standing committee shall receive and consider all matters, correspondence and proposals which are referred to it by the Committee and which fall within the scope of the functions of the standing committee as stated in these By-Laws.
- (j) All standing committees shall:
 - (i) identify and minimise areas of risk within the standing committee's area of responsibility;
 - (ii) contribute to the administration of all phases of their particular facet of the sport within the rules and policy limits, delegated to the standing committee;
 - (iii) refer any undecided policy items to the Committee for determination;
 - (iv) where necessary work in conjunction with other standing committees within the Association;
 - (v) if so decided by the standing committee invite a person to attend a meeting to speak on a specific matter;
 - (vi) subject to the approval of the Committee, have the power to co-opt additional members as deemed necessary; those members will be entitled to voice without vote;
- (k) The standing committee secretary shall:
 - (i) in consultation with the standing committee chairman issue, through the Secretary, notices convening meetings;
 - (ii) cause accurate minutes to be kept of all meetings;
 - (iii) deliver to the Secretary within seven days, in the format approved by the Committee, a copy of all minutes, reports and recommendations arising from standing committee meetings for reference to and consideration by the Committee; and
 - (iv) cause all standing committee correspondence to be directed through the Secretary.
- (l) Subject to the Constitution there shall be a standing committee for the following:
 - (i) a selection and development committee;
 - (ii) a competition committee;
 - (iii) *an Area Technical Swimming Committee (ASTC);(AMEND 4)*
 - (iv) a finance committee;
- (m) The composition of each standing committee and the duties and terms of reference relating to each standing committee are set out in By-Laws 11 to 13.

11. SELECTION & DEVELOPMENT COMMITTEE

- (a) The selection & development committee shall comprise of
- (i) three (3) Individual Members from three separate Clubs elected at the Annual General Meeting;
 - (ii) one (1) representative from the Area swimming coaches; and
 - (iii) the Development Convener who shall act as convener.
- (b) The selection function of the selection & development committee shall be to:
- (i) On every occasion when a team is to be selected to represent the Association, the Committee shall notify the selection committee of its requirements.
 - (ii) The selection committee shall by a specified time submit to the Committee a list of names of Individual Members totalling the number required by the Committee and graded in such a manner as the selection committee, in the absence of any direction from the Committee, considers appropriate to the type of team or squad required.
 - (iii) The selection committee may further, at its discretion, recommend an increase or decrease in the team complement.
 - (iv) The Committee shall have the right to adopt the recommendations in whole or part.
 - (v) It may reject any recommended Individual Member but shall not add to the list without a prior recommendation from the selection committee.
- (c) The development function of the selection & development committee shall be to:
- (i) review the development criteria for the Association, ensuring that it is not in conflict with the criteria set out by Swimming NSW Ltd from time to time.
 - (ii) Communicate the criteria to the Association Clubs, call for nominations, allocate nominees to the squads & advise nominees of the squad they are allocated to or otherwise.
 - (iii) Recommend coaches to the Office Bearers & advising the coaches of their allocation; &
 - (iv) Attend a development or similar meet.

12. COMPETITION COMMITTEE

- (a) The functions of the competition committee shall be to:
 - (i) review the competitive swimming programme of the Association at the completion of each meet and recommend to the Committee alterations where necessary;
 - (ii) each year submit to the Committee qualifying times (if any) as required for the Association events for summer and winter seasons;
 - (iii) prior to 30 September and 31 March in each year prepare programmes for Association swimming meets for submission to the Committee for approval and such consolidated programmes shall cover the ensuing summer and winter activities respectively;
 - (iv) carry out at the request of the Committee any duty related to the conduct of Association meets; and
 - (v) generally comply with the provisions of By-Law 10.
- (b) The membership of the competition committee shall be:
 - (i) the Registrar who shall be the Chairperson;
 - (ii) a suitably qualified coach nominated by the Area coaches members and endorsed by the Committee;
 - (iii) three (3) suitably qualified Members elected at the Annual General meeting in accordance with By-Law 10
- (c) The operation of the competition committee shall be as agreed by the competition committee members from time to time.

13. **AREA TECHNICAL SWIMMING COMMITTEE (ATSC)**^(AMEND 4)

- (a) The functions of the *Area Technical Swimming Committee* shall be to:
 - (i) conduct uniform programs for the training ~~examination and accreditation~~ *and assessment* of Area technical officials. All ~~examination assessment~~ papers will be forwarded to SNSW;
 - (ii) conduct *assessments* ^(AMEND 4) of officials prior to initial appointment as technical officials at Area meets;
 - (iii) roster qualified technical officials for all Area swimming meets. Assess technical official's performance at these meets;
 - (iv) encourage eligible persons to qualify and actively participate in the sport as technical officials at all levels;

- (v) arrange, as authorised by *SNSW and Area* Committee forums, seminars and workshops for the dissemination of information regarding rules and procedures for the conduct of Area meets; and
- (vi) generally comply with the provisions of By-Law 10.
- (b) *The membership of ATSC shall consist of all SMSW, Swimming Australia Ltd. accredited swimming referees. (AMEND 4)*
- (c) *Prior to Annual General Meeting of the Area, ATSC shall elect a Member of that Committee to act as a Convener (ATSCC), and Chairperson at their Meetings. (AMEND 4)*
- (d) *Prior to Annual General Meeting of the Area, ATSC shall elect four (4) other members to act as Assistants to the Convener. (AMEND 4)*
- (e) *All ATSC Members may be co opted, from time to time, to assist ATSCC to complete specific duties. (AMEND 4)*
- (f) *Each ATSC member shall have one (1) vote. (AMEND 4)*
- (g) *The operation of the ATSC shall be agreed by ATSC Members, from time to time. (AMEND 4)*

14. FINANCE COMMITTEE

The Finance Committee shall:

- (i) consist of the Treasurer and four (4) individual or life members elected at the Annual General Meeting
- (ii) meet as required by the treasurer, and shall meet at least twice each financial year.
- (iii) The Finance Committee shall meet before the Annual General Meeting of Swimming Metro South West Incorporated & draw up the budget for the following year.
- (iv) The proposed budget shall be submitted at the Swimming Metro South West Incorporated Committee meeting or general meeting prior to the Annual General meeting each year.
- (v) the Committee will present its recommendations to the Annual General Meeting.

The duties of the Finance Committee shall be:

- (i) assist the Treasurer in his various duties as requested.
- (ii) Recommend the Association's affiliation fee to apply from April 1st next following, for ratification at the Annual General Meeting.

- (iii) Examine the financial position of Swimming Metropolitan South West Incorporated periodically and make recommendations in regard to raising of finances and disbursements of money for the benefit of Swimming Metro South West Incorporated.
- (iv) Estimate the administration expenses for the ensuing year, including administration expenses allocation to the Officers & the ALEC Convenor.

SWIMMING BY-LAWS

15. LAWS AND RULES GOVERNING SWIMMING METRO SOUTH WEST INCORPORATED

The technical laws of FINA as adopted by Swimming NSW from time to time shall (where practicable) be applicable and binding on all competitions held in the Area.

16. ELIGIBILITY

- (a) A person who is not an Individual Member or Life Member shall not nominate for, nor hold office except the office of patron, vice patron and auditor.
- (b) A person elected patron or vice patron who is not an Individual Member or Life Member, shall be deemed to be a Member whilst holding such office. The holding of office shall not entitle a person to compete in a meet unless such person is otherwise duly eligible to compete.

17. PERMITS TO HOLD MEETS

- (a) In all cases where permits to hold meets are granted by the Association, each Club agrees to see that the rules governing the sport are strictly enforced and each Club shall insist that all swimming races and competitions shall be stated in advertisements, entry forms, programs and all official notices as going to be held and shall actually be held under the rules of SAL and SNSW.

[Note: In connection with this By-Law, the words "conducted under the Rules of SAL & Swimming NSW" shall appear in every entry form and program and each Club is responsible to see this direction is implemented.]

- (b) No Club shall postpone or cancel an invitation swim meet without providing at least 24 hours notice to the Secretary, as well as, the Secretary of all participating Clubs.

18. FORFEIT OF FEES AND PRIZES FOLLOWING DISQUALIFICATION

Where a Swimmer is disqualified or suspended in respect of an event, all fees paid and prizes won by such Swimmer shall be forfeited. The committee of the Club holding the event will have full power to confiscate any prize and redistribute or deal with the matter at its discretion.

MISCELLANEOUS BY-LAWS

19. PATRONS

Such persons as shall be invited annually by the Committee to grant their patronage and subject to their concurrence, the Committee will submit the names to the Annual General Meeting for endorsement.

20. SERVICE AWARD

- (a) The Association shall recognise outstanding service to the Association by an Individual Member who shall be eligible to receive the service excellence award provided that the nominated member has given at least ten years outstanding service to swimming.
- (b) Candidates for the award may be nominated by any Member.
- (c) The criteria is not based on length of service alone but shall also include the scope of the nominees contribution beyond the norm of ordinary duties of office.
- (d) Nominations shall be submitted in writing to the Secretary by 31 March each year on the approved nomination form and shall include swimming specific qualifications.
- (e) The Committee will determine from the nominations the recipients of the service excellence award. No more than five service excellence awards will be awarded in any one year.
- (f) The service excellence award will be presented to the recipient at an Annual General Meeting.

21. COLOURS

The colours of the Association will be: White, Light Grey (PMS421C), Dark Grey (PMS421C), Lime Green (PMS375C) and Electric Blue (PMS PROCESS CYAN C)

22. BADGES

The badge of the Association shall be in a shape of a slanted oval, highlighting the south west corner of the oval and bearing the words "*Swimming Metro South West*" (fonts: Arial and Modified 1979), with a "moving" shark centred on the oval, with its head pointing to the south east quadrant.

"Swimming Metro South West" can be abbreviated as "SMSW"

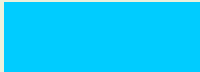

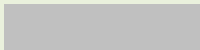

The badge is shown in diagram.

The badge shall not be made or worn without written permission of the Committee.



swimming metro
SOUTH WEST

LOGO COLOURS:

Shark		Electric Blue (PMS PROCESS CYAN C)
Outer curves		Lime Green (PMS 375 C)
Oval		Light Grey (PMS 421 C)
Portion Oval		Dark Grey (PMS 423 C)

LOGO WORDING FONT

Swimming Metro: Helvetica Neue Ultra Light

South West: 1979

23. AVAILABILITY OF AMENDED PAGES

Where an addition to, amendment or rescission, wholly or in part, is made to the Constitution, By-Laws, Policies or rules, updated copies of the relevant pages shall be available on request to the Members within two calendar months of any such addition to, amendment or rescission of, whether wholly or in part or otherwise shall be posted on the Associations website.

COMPETITION BY-LAWS

24. SWIMMING METRO SOUTH WEST INCORPORATED CHAMPIONSHIPS AND OTHER SWIM MEETS

The Committee shall determine the order of events and the duration of the Championships and such other swim meets as it determines from time to time, giving as much notice as possible to members.

The Committee shall also determine annually the format for the conduct of the Championships Meet for the ensuing year; PROVIDED THAT the format so determined shall be advertised at the time of calling entries for the Meet.

25. SWIMMING METRO SOUTH WEST INCORPORATED CONDUCTED MEETS (AMEND 2)

- (a) Each year, SMSW shall conduct:
 - (i) A Long and Short course Championships and / or non championship events for both Open and Age groups separately for both male and female swimmers
 - (ii) A Five (5) to Eight (8) Years meet in an indoor 25 metre pool.
 - (iii) A Long course Sprint Meet each year.
 - (iv) An Open Water Swimming Championship, in the Summer Season.
 - (v) Two (2) Open non restricted meets each year, one in summer and one in winter season
- (b) The allocation of Host Clubs to SMSW Meets shall be decided at Annual General Meeting, and host Clubs advised of their requirements
- (c) Clubs allocated a Meet shall advise the SMSW Secretary of their ability or Or inability to host Meet, and / or Session, ONE (1) CALENDER MONTH, Prior to the allocated Meet (or Session).

26. RULES PERTAINING TO SMSW MEETS (AMEND 1)

- (a) SMSW shall call for and appoint a Meet Director and Announcer for its Championships and other conducted meets.
- (b) SMSW shall not conduct Time Trials during its Championships.
- (c) SMSW shall print Marshalling, Starting and Warm up Instructions in its Championship Programs and other conducted meets.
- (d) The Referee shall have the authority to commence a race prior to the swimmers in the previous race leaving the water.

- (e) SMSW shall comply with Rules and Conditions as set down by the host venue

27. ENTRY TO SMSW VENUES (AMEND 1)

All appointed Swimming Officials, SMSW Officers and their spouses shall be admitted free of charge.

Coaches shall be admitted free of charge on production of their current National Accreditation Card.

28. CHAMPIONSHIP CONDITIONS OF ENTRY (AMEND 1)

- (a) The Committee shall approve qualifying time for entry to championship events
- (b) All entrants in Swimming Metro South West Incorporated Championship shall abide by and be subject to the By-Laws and the SNSW general rules, swimming rules, open water swimming rules, by-laws, policies, and published procedures as applicable.

29. CHAMPIONSHIP ENTRANT REQUIREMENTS (AMEND 2)

- (a) The Swimming Metro South West Incorporated Championships are open ONLY to the following:
 - (i) Swimmers who are registered with a Club affiliated with Swimming Metro South West Incorporated and meet the entry qualifying time (if any) for the event; and
 - (ii) Visiting swimmers, by decision of the Committee, at any Championship Event or Series
 - (iii) Visiting swimmers may be eligible to claim a visitors' medal at any Swimming Metro South West Incorporated Championship event. In addition, a visiting swimmer will not be eligible to hold a Swimming Metro South West Incorporated record for any event(s).
- (b) In the event of a question arising as to the eligibility of any swimmer under this By-Law to represent or score points in any event for any Club the swimmer so affected shall be at liberty to refer that question to the Committee.

30. CHAMPIONSHIP ENTRY FORM, AGE DETERMINATION (AMEND 2)

- (a) Swimming Metro South West Incorporated Championship entry and age determination shall require:
- (i) an entry for a Swimming Metro South West Incorporated Championship event shall be made at the direction of the Committee either electronically or on the official Association form or card provided which shall include the entrant's best time for the distance, in accordance with the conditions of entry, showing the meet and date when the time was established, being equal to or better than the qualifying time approved for this event (if any), current registration number, and in the case of an age event, date of birth and the entry shall be endorsed by the secretary or other responsible official of the entrants Club and forwarded to the Association together with the entry fee; and
 - (ii) Nominations from Clubs close with the Registrar ten (10) working days prior to the date set down for the meet
 - (iii) Where entries are submitted electronically completed entry cards, summary sheet and payment must be received by the Registrar within four (4) working days of the closing date.
 - (iv) Late entries will not be accepted. Entries received through the mail after closing time, and stamped three (3) days prior to the closing date, shall be accepted regardless of the time received.
 - (v) An entrant in an Age Championship shall be of the specific age on the first day of the meet series and if the Committee so desires, shall produce a certificate of registration of birth or other satisfactory evidence of date of birth signed by the parent or guardian of the entrant.

31. CHAMPIONSHIP ENTRY FEE (AMEND 1)

The Management Committee shall set an entry fee for the following:

- (a) Individual Events; and
- (b) Team Relay Events.

Such fees will be advised to the Members at the Annual General Meeting.

32. SWIMMING METRO SOUTH WEST INCORPORATED SWIMMING CHAMPIONSHIPS (AMEND 2)

Championships and non – championships events, in male and female competition, in Open and Age groups, SHALL BE selected from Table 32.1, and / or as it may be determined by the Management Committee from time to time

TABLE 32.1

Events	Distances in metres					
	50	100	200	400	800	1500
Freestyle	50	100	200	400	800	1500
Backstroke	50	100	200			
Breaststroke	50	100	200			
Butterfly	50	100	200			
Individual Medley		100	200	400		
Club Freestyle Relay	4 x 50	4x 100	4 x 200			10 x 50
Club Medley Relay	4 x 50	4x 100				

NOTE

The order of events and the duration of the championships shall be determined by the Committee on recommendations from the Competition Committee and shall give as much notice as possible of such determination to Members.

33. SWIMMING METRO SOUTH WEST INCORPORATED RECORDS (AMEND 4)

The Association shall recognise records established for the individual and team events being swum in the championships as listed in Table 33.1 *and 33.2(AMEND 4)*

SMSW Records shall only *be (AMEND 4)* established at SMSW conducted meets under the following conditions

- (a) An Age Record can be established in an Open Event.
- (b) An Open Record can be established in an Age Event

TABLE 33.1 (AMEND 2)

SWIMMING METRO SOUTH WEST						SHORT COURSE RECORDS					
Dist	Stroke	9yrs & Under	10yrs	11yrs	12yrs	13yrs	14yrs	15yrs	16yrs	Senior	Open
50m	Freestyle	x	x	x						x	x
100m	Freestyle				x	x	x	x	x		x
200m	Freestyle										x
400m	Freestyle										x
800m	Freestyle										xx
1500m	Freestyle										xxx
50m	Backstroke	x	x	x						x	x
100m	Backstroke				x	x	x	x	x		x
200m	Backstroke										x
50m	Breaststroke	x	x	x						x	x
100m	Breaststroke				x	x	x	x	x		x
200m	Breaststroke										x
50m	Butterfly	x	x	x						x	x
100m	Butterfly				x	x	x	x	x		x
200m	Butterfly										x
100m	Individual Medley	x	x	x							x
200m	Individual Medley				x	x	x	x	x		x
400m	Individual Medley										x

TABLE 33.2 (AMEND 4)

SWIMMING METRO SOUTH WEST						LONG COURSE RECORDS					
Dist	Stroke	9yrs & Under	10yrs	11yrs	12yrs	13yrs	14yrs	15yrs	16yrs	Senior	Open
50m	Freestyle									x	X
100m	Freestyle	x	x	x	x	x	x	x	x		x
200m	Freestyle										x
400m	Freestyle										x
800m	Freestyle										xx
1500m	Freestyle										xxx
50m	Backstroke									x	X
100m	Backstroke	x	x	x	x	x	x	x	x		x
200m	Backstroke										x
50m	Breaststroke									x	X
100m	Breaststroke	x	x	x	x	x	x	x	x		x
200m	Breaststroke										x
50m	Butterfly									x	X
100m	Butterfly	x	x	x	x	x	x	x	x		x
200m	Butterfly										x
200m	Individual Medley	x	x	x	x	x	x	x	x		x
400m	Individual Medley										x

Notes applying to Tables 33.1 & 33.2

x
xx
xxxDenotes a Record may be established
Denotes Female Only
Denotes Male Only

34. RELAY EVENTS (AMEND 2)

- (a) In relay events the names of the swimmers and the order in which they are to swim shall be submitted in writing to the Chief Recorder or delegate prior to the commencement of the session at which the relays are to be swum.
- (b) In Club relays, a maximum of one (1) swimmer from a younger age group may participate.
- (c) A swimmer may only appear in one (1) relay team list for that event.
- (d) Where a Club enters more than one (1) relay team in an event, only the team highest placed in order of finish shall score points.
- (e) In relay events, records may be established as per Table 34.1 “SMSW RELAY RECORDS” (AMEND 2)

Table 34.1 “SMSW RELAY RECORDS” (AMEND 2)

SMSW Records may be established in the following events:

	LONG COURSE		SHORT COURSE	
10 Years & Under	4 x 50m Freestyle	4 x 50m Medley	4 x 50m Freestyle	4 x 50m Medley
11 & 12 Years	4 x 50m Freestyle	4 x 50m Medley	4 x 50m Freestyle	4 x 50m Medley
13 & 14 Years	4 x 50m Freestyle	4 x 50m Medley	4 x 50m Freestyle	4 x 50m Medley
15 years & Over	4 x 50m Freestyle	4 x 50m Medley	4 x 50m Freestyle	4 x 50m Medley
OPEN	10 x 50m Freestyle			

35. SWIMMING METRO SOUTH WEST INCORPORATED CHAMPIONSHIP AWARD
(AMEND 1)

Swimmers competing at Swimming Metro South West Incorporated Championship shall be awarded a medal, or finalist awards, of special design approved by the Committee, PROVIDED THAT:

- (i) In a Team Event, at SMSW Championship, medals shall be made to the members of the teams placed First, Second and Third
- (ii) In Individual Events, at SMSW Championships, medals shall be awarded to the competitors placed First, Second and Third
- (iii) In Individual Events, at Swimming Metro South West Incorporated Championships a finalist ribbon, or other appropriate award, will be awarded to those swimmers, other than the medallist, who are placed in Fourth (4th) to Tenth (10th) Place

36. SWIMMING METRO SOUTH WEST INCORPORATED CLUB PREMIERSHIP

(AMEND 1)

- (a) Points shall be allocated in order of placing of first claim members of SMSW Incorporated Clubs in all SMSW Incorporated Championships.
- (b) Points shall be awarded in each of the following categories:
 - (i) Male Point Score Long Course,
 - (ii) Female Point Score Long Score
 - (iii) Male Point Score Short Course
 - (iv) Female Point Score Short Course
 - (v) Open water Swimming Point Score
 - (vi) Overall Combined Points Score
- (c) Any SMSW Club placed first, in any categories, shall receive the Swimming Metro South West Incorporated Premier title.
- (d) For Finals, the points shown in the Table 36.1, for placing in Events as in By-Law 32, shall include Timed Finals for individual and relay events for the first TEN placings.

TABLE 36.1 “ CHAMPIONSHIPS POINT SCORE” (AMEND 2)

1 st place	35 points		
2 nd place	30 points	8 th place	11 points
3 rd place	26 points	9 th place	8 points
4 th place	23 points	10 th place	5 points
5 th place	20 points		
6 th place	17 points		
7 th place	14 points		

- (e) Where two (2) or more individual swimmers or relay teams are accorded the same placing, the appropriate points shall be allocated for that placing and the next one or more respective numerical placing's shall be deleted accordingly.
- (f) Points shall be awarded only to Swimming Metro South West Incorporated registered swimmers or teams in order of finishing in the final of that event.
- (g) Where a swimmer / team is disqualified or does not achieve the entry qualifying time (if any) for the event, points shall not be awarded.

37. SMSW INDIVIDUAL AGE AND OPEN CHAMPIONS (AMEND 2)

A point score will be conducted, during SMSW Championships, to determine a Male and Female SMSW Age and Open Champion in each Championship (Refer Tables 37.1 and 37.3 “Age Championships” and Table 37.2 and 37.4 “Open Championships”)

- (a) Points shall be awarded in order of placing 1st to 10th as in Table 36.1 in By-Law 36 d.
- (b) Points will not be awarded to individuals, in relay events
- (c) Points awarded for Open events will not be considered for Age Championship Point Score Events.
- (d) Points awarded for Age Championships Events will not be considered for Open Championship Point Score
- (e) Where a swimmer is disqualified, or does not achieve the published qualifying standard, points shall **NOT** be awarded.

TABLE 37.1 “AGE CHAMPIONSHIPS - SHORT COURSE”(AMEND 2)

SMSW Age Champion (Male & Female) will be determined by awarding points for the following events					
	FREESTYLE	BACKSTROKE	BREASTSTROKE	BUTTERFLY	INDIVIDUAL MEDLEY
9Yrs & Under	50m	50m	50m	50m	100m
10 Years	50m	50m	50m	50m	100m
11 Years	50m	50m	50m	50m	100m
12 Years	100m	100m	100m	100m	200m
13 Years	100m	100m	100m	100m	200m
14 Years	100m	100m	100m	100m	200m
15 Years	100m	100m	100m	100m	200m
16 Years	100m	100m	100m	100m	200m
Senior (17 Yrs & Over)	50m	50m	50m	50m	

TABLE 37.2 “OPEN CHAMPIONSHIPS - SHORT COURSE” (AMEND 2)

SMSW Open Champion (Male & Female) will be determined by awarding points for the following events					
	FREESTYLE	BACKSTROKE	BREASTSTROKE	BUTTERFLY	INDIVIDUAL MEDLEY
OPEN	50m	50m	50m	50m	
OPEN	100m	100m	100m	100m	100m
OPEN	200m	200m	200m	200m	200m
OPEN	400m				400m
OPEN	800m *				
OPEN	1500m **				

TABLE 37.3 “AGE CHAMPIONSHIPS - LONG COURSE” (AMEND 2)

SMSW Age Champion (Male & Female) will be determined by awarding points for the following events					
	FREESTYLE	BACKSTROKE	BREASTSTROKE	BUTTERFLY	INDIVIDUAL MEDLEY
9Yrs & Under	100m	100m	100m	100m	200m
10 Years	100m	100m	100m	100m	200m
11 Years	100m	100m	100m	100m	200m
12 Years	100m	100m	100m	100m	200m
13 Years	100m	100m	100m	100m	200m
14 Years	100m	100m	100m	100m	200m
15 Years	100m	100m	100m	100m	200m
16 Years	100m	100m	100m	100m	200m
Senior (17 Yrs & Over)	50m	50m	50m	50m	

TABLE 37.4 “OPEN CHAMPIONSHIPS - LONG COURSE” (AMEND 4)

SMSW Open Champion (Male & Female) will be determined by awarding points for the following events					
	FREESTYLE	BACKSTROKE	BREASTSTROKE	BUTTERFLY	INDIVIDUAL MEDLEY
OPEN	<i>50m</i>	<i>50m</i>	<i>50m</i>	<i>50m</i>	
OPEN	100m	100m	100m	100m	200m
OPEN	200m	200m	200m	200m	400m
OPEN	400m				
OPEN	800m x				
OPEN	1500m xx				

x Denotes Female only

xx Denotes Male only

38. 5 TO 8 YEARS SWIM MEET (AMEND 2)

A Combined points-score will be conducted during SMSW’s 5 – 8 Years Swim Meet:

- (a) The calculated first eight places shall be awarded points.
- (b) Points will be awarded as per TABLE 38.1
- (c) Where a Club enters more than one (1) relay team in an event, only the team highest placed in order of finish, shall score points.
- (d) In Team Events (Relays), medals shall be awarded to the members of the Teams Placed First (1st), Second (2nd) and Third (3rd).
No ribbons will be issued for teams placed Fourth (4th) to Eighth (8th) Place
- (e) In Individual Events, medals shall be awarded to the competitors placed First (1st), Second (2nd) and Third (3rd).
- (f) In Individual Events, finalist ribbons shall be awarded to the competitors Placed Fourth (4th) to Eighth (8th) Place.

TABLE 38.1 “ 5 TO 8 YEARS POINTSCORE” (AMEND 2)

1 st Place	35 points	5 th Place	20 points
2 nd Place	30 points	6 th Place	17 points
3 rd Place	26 points	7 th Place	14 points
4 th Place	23 points	8 th Place	11 points

39. OPEN WATER CHAMPIONSHIPS (AMEND 3)

- (a) SMSW Championships, and / or Open Water Series, shall be conducted using a format as directed by Management Committee (as proposed by Competition Committee)
- (b) A point score shall be conducted, during SMSW Open Water Championships, and any Open Water Series as determined by Management Committee, to determine a Male and Female SMSW Age and Open, Open Water Champions (Refer Table 39.1 “SMSW Open Water Championships”)
- (c) Points shall be awarded in order of placing 1st to 10th as per Table 36.1 in By Law 36 d.

TABLE 39.1 “ OPEN WATER CHAMPIONSHIPS (AMEND 2)

SWIMMING METRO SOUTH WEST OPEN WATER AGE AND OPEN CHAMPIONSHIPS	
AGE	Distance
13 Years	5 Kms
14 Years	5 Kms
15 Years	5 Kms
16 Years	5 Kms
17 Years and Over	5 Kms
OPEN	10 Kms

40. EMERGENCY POWERS (AMEND 2)

Under special circumstances the Committee may:

- (a) Cancel or suspend all or any Championships as set out in By-Law 25; and
- (b) Suspend By-Law 35 and approve other awards for events and places in lieu of medals

41. APPROVED MEETS, FORWARDING OF RESULTS (AMEND 2)

Where the Area approves the conduct of a Meet, for the purpose of the establishment of qualifying standards by a Club, in accordance with current SAL and SNSW Policy,

The Club shall forward, or cause to be forwarded to:

- (a) The Area Registrar - a complete set of results for the meet within seven (7) days of the meet being held; and
- (b) SNSW - the names of swimmers and the respective times established being equal to or better than the qualifying standard for an Australian or State Championship Event within seven (7) days of the meet being held or by the closing date for entries for the Championship Event.

42. JURY OF APPEAL AND PROTESTS (AMEND 2)

- (a) For Swimming Metro South West Incorporated Championships and other swim meets, the Jury of Appeal shall be composed of the Committee and such other Committee appointed delegates (jury members) for the purpose. The Jury will consist of any three jury members with one of their number as chairman. The decision of the Jury is final.
- (b) The rules for protest, their acceptance and conduct of the Jury of Appeal process shall be in accordance with Swimming NSW General Rule GR23 as amended from time to time.

END OF BY LAWS AS of AMENDMENT 4, 26th December 2009