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# ASSA Bylaws

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## 1. BYLAW 1 - INTERPRETATION

- 1.1. In these Bylaws:
  - 1.1.1. "AFFILIATED CLUB" shall mean a Club granted affiliation under Bylaw 13.
  - 1.1.2. "AFFILIATED SWIMMER" shall mean a swimmer registered under Bylaw 15.
  - 1.1.3. "ANNUAL MEETING" shall mean the annual general meeting of the ASSA as required by the Societies Act, R.S.A. 1980, c. S-18.
  - 1.1.4. "ASSA" shall mean the Alberta Summer Swimming Association.
  - 1.1.5. "BOARD" shall mean the Board of Directors of the ASSA as appointed or elected under Bylaw 6.
  - 1.1.6. "CLUB" shall mean a Society, organized group of persons or a corporation having as its or their main objective the instruction and participation in competitive swimming.
  - 1.1.7. "DIRECTOR" or "DIRECTORS" shall mean a member or members of the Board.
  - 1.1.8. "FINA" shall mean the competitive swimming programs of Federation Internationale de Natation Amateur .
  - 1.1.9. "MEMBER" shall mean:
    - a. any Affiliated Club as represented by the Authorized Voting Delegates
    - b. any swimmer affiliated under Bylaw 15.
    - c. A coach of an affiliated club
    - d. A parent or guardian of an affiliated swimmer
  - 1.1.10. "MEMBERSHIP" shall mean the sum of the Members of the ASSA.
  - 1.1.11. "MEMBERSHIP MEETINGS" or "MEETINGS OF THE MEMBERSHIP" shall mean the Annual Meeting, General Meeting and any Special Meetings
  - 1.1.12. "PROVINCIAL CHAMPIONSHIP" shall mean the provincial championship swim meet ("Provincials") which is sponsored and sanctioned by the ASSA.

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- 1.1.13. "REGIONAL CHAMPIONSHIP" shall mean the regional championship swim meet held in each Region ("Regionals") which is sponsored and sanctioned by ASSA and at which competitive swimmers from the region qualify for participation in the Provincial Championship.
- 1.1.14. "REGISTERED SWIMMER" shall mean a swimmer registered under Bylaw 15.
- 1.1.15. "S/NC" shall mean Swimming/Natation Canada, formerly the Canadian Amateur Swimming Association.
- 1.1.16. "SUMMER SWIMMING SEASON" shall refer to the period May 1st through September 30th in any year.
- 1.1.17. "SWIM ALBERTA" shall mean that organization in Alberta affiliated with SN/C.
- 1.1.18. The ASSA shall accept the following definitions from the Swimming Rules of Swimming/Natation Canada.
  - a. "SHALL" shall mean that an action is mandatory.
  - b. "SHOULD" shall meant that the action is preferred under normal conditions
  - c. "MAY" shall mean that the action is optional at the discretion of the swimmer, coach, officer, or official involved.

### 2. BYLAW 2 - PURPOSE

- 2.1. The ASSA is a society registered under the laws of the Province of Alberta whose objects shall be to:
  - 2.1.1. promote, foster, teach, and perpetuate the art and sport of competitive swimming,
  - 2.1.2. provide an organized program through affiliated clubs to offer competitive swimming during the summer season, and
  - 2.1.3. foster and encourage the total development of each swimmer including physical fitness, healthfulness, sportsmanship, leadership and self esteem

### 3. BYLAW 3 - AFFILIATION WITH OTHER SWIMMING ORGANIZATIONS

- 3.1. The ASSA shall maintain a partnership with Swim Alberta which furthers the objects of the ASSA.

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- 3.2. The ASSA shall adopt the rules and regulations of Swim Alberta and S/NC except as modified by this Bylaw or any rules and regulations adopted by the ASSA.

### **4. BYLAW 4 - REGIONS**

- 4.1. The Province shall be divided into Regions as set out in Schedule A (for reference only) of this Bylaw.
- 4.2. The number and geographic boundaries of the Regions may be changed upon:
  - 4.2.1. a two-thirds majority of the Board of Directors of ASSA,
  - 4.2.2. ratification at the General Meeting.
- 4.3. For the purposes of regional championships (“Regionals”), only Competitive Swimmers registered with affiliated clubs in that Region may participate.

### **5. BYLAW 5 - ASSA OFFICE**

- 5.1. The ASSA shall maintain an office in the Province of Alberta at the residence of the President or such other place as the Executive Committee may from time to time designate.

### **6. BYLAW 6 - BOARD OF DIRECTORS**

- 6.1. The management of the ASSA shall be vested in a Board of Directors.
- 6.2. A Board of Directors shall consist of:
  - 6.2.1. President
  - 6.2.2. Vice-President
  - 6.2.3. Secretary
  - 6.2.4. Treasurer
  - 6.2.5. Past President
  - 6.2.6. Records and Trophies Chairperson
  - 6.2.7. Region Representatives
  - 6.2.8. Officials Chairperson
  - 6.2.9. Provincial Meet Manager
  - 6.2.10. Computer Liaison
- 6.3. With the exception of Region Representatives and the Provincial Meet Manager, the Directors shall continue to hold office for two years beginning October 1st in the year of their election or appointment.

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- 6.4. With the exception of the Past President, a Director shall be:
  - 6.4.1. a Registered Swimmer eighteen years of age or older,
  - 6.4.2. involved in coaching with an Affiliated Club, or
  - 6.4.3. a parent or guardian of a Registered Swimmer at the time of appointment or election under Bylaw 6.3
- 6.5. With the exception of the Past President, Region Representatives and the Provincial Meet Manager, all other Directors shall be elected by the members at the Annual Meeting.
  - 6.5.1. The President, Treasurer, Officials Chairperson and Computer Liaison shall be elected at the Annual Meeting in the years ending in an even digit.
  - 6.5.2. The Vice-President, Secretary and Records and Trophies Chairperson shall be elected at the Annual Meeting in the years ending in an odd digit
- 6.6. The Affiliated Clubs in each Region shall elect two (2) persons from the Region to act as Region Representatives on the Board.
- 6.7. The Past President shall be the most recently serving President of the ASSA prepared to serve on the Board.
- 6.8. The Provincial Meet Manager shall be appointed by the Board and such appointment may be an individual or the appointment may be shared by two or more persons.
- 6.9. The resignation of a Director shall become effective upon receipt by the President or Secretary of written notice.
- 6.10. With the exception of the President and a Region Representative, where a Director resigns or that person's position otherwise becomes vacant, the Executive Committee shall appoint a person to serve in that position until the next Annual Meeting
- 6.11. Where the President resigns, the Vice-President shall assume the position of President and the position of Vice- President shall be filled by appointment under Bylaw 6.10.
- 6.12. Where a Region Representative resigns or that person's position otherwise becomes vacant, the Affiliated Clubs in the Region shall elect a new Region Representative.
- 6.13. The Board, upon a two thirds (2/3) majority vote, may remove a Director from the Board prior to the normal expiry of the Director's term for:

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6.13.1. absence from three consecutive meetings of the Board without the Board's approval, or

6.13.2. just cause.

6.14. No Director shall be eligible for remuneration or honorarium in compensation for duties as a Director.

### **7. BYLAW 7 - EXECUTIVE COMMITTEE**

7.1. An Executive Committee comprised of the President, Vice-President, Secretary and Treasurer, shall be formed and shall be responsible for:

7.1.1. carrying out the duties assigned to it under this Bylaw and any Rules and Regulations established by Board.

7.1.2. carrying out the directives of the Board or the Membership .

7.1.3. making such decisions and taking such actions as may be necessary and expedient to ensure the proper operation of the ASSA, provided such decisions and actions are consistent with these Bylaws, Rules and Regulations, and directives of the Board and Membership.

7.2. The Executive Committee shall, no later than three months prior to the Annual Meeting, appoint a Nominating Committee whose duty it shall be to present eligible and willing nominees for those Directors' positions to be elected at the Annual Meeting.

7.3. A member of the Executive Committee shall not participate in coaching with any Affiliated Club.

7.4. Members of the Executive Committee who wish to have signing authority may be requested to provide a Criminal Records Check at the request of the ASSA Board of Directors.

### **8. BYLAW 8 - OFFICERS**

8.1. The Officers of the Association shall consist of:

8.1.1. President

8.1.2. Vice-President

8.1.3. Secretary

8.1.4. Treasurer

8.1.5. Past President

### **9. BYLAW 9 - DUTIES OF DIRECTORS**

9.1. The PRESIDENT shall:

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- 9.1.1. Preside at all meetings of the Membership, Board and Executive Committee
- 9.1.2. Vote only in the case of a tie vote
- 9.1.3. Call the meetings of the Membership, Board and Executive Committee
- 9.1.4. Act as representative, or appoint a designate, of and spokesperson for the ASSA including serving as ASSA representative on the Swim Alberta Board
- 9.1.5. Be an ex-officio member of all committees
- 9.2. The VICE PRESIDENT shall:
  - 9.2.1. In the temporary absence of the President, have the authority of and perform the duties of the President
  - 9.2.2. Shall receive any complaints regarding the conduct of a member, determine if there are sufficient grounds to proceed, and establish a panel to investigate the complaint under Rule 3 Grievance Procedure.
  - 9.2.3. Shall present a report to the Board indicating the number of grievances heard, the results and if there are any issues which are outstanding or need Board action.
  - 9.2.4. Ensure that the ASSA rules and regulations are reviewed and updated annually and distributed to the Members prior to May 1 in each year.
- 9.3. The SECRETARY shall:
  - 9.3.1. Take minutes and keep an accurate record of the proceedings of the meetings of the membership, the Board and the Executive Committee and shall provide electronic copies of minutes no later than 30 days following the meeting
  - 9.3.2. Provide notice to Members and Directors in accordance with Bylaw 12.13 which shall include time and location of the meeting.
  - 9.3.3. File such returns, information and fees that may be required to maintain the incorporation of the ASSA and any affiliation with other swim organizations.
  - 9.3.4. Keep and maintain in a safe and proper manner, the records, files, documents and other materials of the ASSA. This shall include receiving all written reports in electronic format.
- 9.4. The TREASURER shall:
  - 9.4.1. Collect and have charge of all monies belonging to the ASSA

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- 9.4.2. Pay all accounts approved by the Executive Committee or Board
- 9.4.3. Maintain all records and ledgers in a proper accounting manner and have such records available upon reasonable notice for inspection by any Member or Director.
- 9.4.4. Prepare and present an interim financial statement at all Membership, Board and Executive Committee meetings.
- 9.4.5. Prepare an annual budget to present at the Spring Meeting.
- 9.4.6. Ensure yearly financial reports are delivered to the board appointed accounting firm for review.
- 9.4.7. Prepare and submit the Society Annual Return to Alberta Registries.
- 9.4.8. Ensure the collection of money from Provincial tee shirt sales and sales of pins, bars, and heat sheets.
- 9.5. The PAST PRESIDENT shall serve in an advisory capacity and shall assist the President and Executive Committee.
- 9.6. The RECORDS AND TROPHIES CHAIRPERSON shall:
  - 9.6.1. Account for all trophies owned and presented by the ASSA and prepare for presentation at the Provincial Championship all trophies, medals, pins and ribbons.
  - 9.6.2. Maintain a current list of holders of:
    - a. ASSA swimming records,
    - b. All star records from the official results of Provincial or National Swim Meets as described in Bylaw 15.19.
    - c. Provincial Regional Relay Records
  - 9.6.3. Receive and verify applications for ASSA swimming records and shall notify and issue certificates to new record setters.
- 9.7. REGIONAL REPRESENTATIVES shall:
  - 9.7.1. Facilitate communication among Affiliated Clubs within their respective Region and between the Region and the ASSA.
  - 9.7.2. Present the views and positions of the clubs within their respective Region to the Board and act in the best interests of their Region and the ASSA.
  - 9.7.3. Ensure that the Regional Championship is held and conducted in accordance with ASSA and S/NC rules.

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- 9.7.4. Convey the official results of the Regional Championship to the Provincial Meet Manager.
- 9.7.5. Shall present a written report to the AGM and submit an electronic copy to the secretary.
- 9.8. The OFFICIALS CHAIRPERSON shall:
  - 9.8.1. Coordinate the recruitment, training, certification, upgrading and continuing education of officials to serve Affiliated Clubs at local swim meets and at the Regional and Provincial Championships.
  - 9.8.2. Coordinate and liaise with Swim Alberta and S/NC on matters relating to rules and officiating and provide recommendations to the Board with respect to the interpretation and amendment of swimming rules.
  - 9.8.3. Facilitate with Swim Alberta the maintenance of a current record of officials associated with Affiliated Clubs and include information on levels of certification and training.
  - 9.8.4. Coordinate the provision of officials for the Provincial Championship.
  - 9.8.5. Act as Chair of the Provincial Appeals Committee created under Rule 4, and present a report to the Board indicating the number of appeals heard, the result of the appeal(s) and if there are any issues which are outstanding or need Board action.
- 9.9. The PROVINCIAL MEET MANAGER shall:
  - 9.9.1. Organize and conduct the Provincial Championship each year, ensuring that it is held in accordance with ASSA and S/NC rules.
  - 9.9.2. Coordinate the collection of results from Regional Championships and the selection of qualifying swimmers for participation in the Provincial Championship.
  - 9.9.3. Prepare a budget of revenues and expenditures for the Provincial Swim Meet to be approved by the Board at the Spring Meeting and presented to the membership at the General Meeting.
- 9.10. The COMPUTER LIAISON shall:
  - 9.10.1. Coordinate the use of computer software and electronic communications by the ASSA and affiliated Clubs.
  - 9.10.2. Provide recommendations and advice to the Board and to Affiliated Clubs on issues and actions relating to the acquisition and use of computer hardware, software and communications systems.

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- 9.10.3. Facilitate the development and maintenance of a presence of the ASSA on the Internet.

### **10. BYLAW 10 - REGISTRAR**

- 10.1. A Registrar shall be appointed by the Board and shall, in accordance with the bylaws and regulations of the ASSA:
  - 10.1.1. Keep a register of Affiliated Clubs and receive annual applications of Affiliated Clubs together with any affiliation fee authorized by the Board.
  - 10.1.2. Keep a register of Affiliated Swimmers and receive annual registrations of Affiliated Swimmers together with any registration fee authorized by the Board.
  - 10.1.3. Receive and authorize applications for sanctioned swim meets sponsored by Affiliated Clubs or the ASSA.
  - 10.1.4. Safeguard the information maintained on individuals and prevent the inappropriate use of that information by others.

### **11. BYLAW 11 - BOARD OF DIRECTORS MEETING**

- 11.1. The Board shall meet at least twice each year and more often as may be required, to manage the business of the ASSA. Special meetings per Bylaw 12.6 may be conducted by teleconference.
- 11.2. Meetings of the Board shall be open to the public
- 11.3. A quorum at a meeting of the Board shall be 40% of the number of Directors currently serving.
- 11.4. Only Members of the Board shall be eligible to vote on resolutions of the Board.
- 11.5. Visitors may be permitted to address the meeting and participate in debate with the permission of the Chairperson.

### **12. BYLAW 12 - MEMBERSHIP MEETINGS**

- 12.1. The Annual Meeting shall be held in each year on a date no earlier than August 1 and no later than September 30.
- 12.2. Annual Meeting Order of Business
  - 12.2.1. The order of business at the Annual Meeting shall be:
    - a. Call to Order
    - b. Identification of Voting Delegates

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- c. Confirmation of Minutes of previous General and Annual Meetings
  - d. Unfinished Business
  - e. Reports of the Members of the Board
  - f. Reports of Others including the Registrar, Task Forces, Committees
  - g. Business arising from the Reports
  - h. Review of Notices of Motion regarding revision of By-Laws
  - i. Election or appointment of Auditors
  - j. New Business
  - k. Announcement of date and location of the Provincial Championship
  - l. Election of Board Members
  - m. Adjournment
- 12.3. A General Meeting shall be held in each year on a date no earlier than February 1st and no later than May 1.
- 12.4. General Meeting Order of Business
- 12.4.1. The order of business at the General Meeting shall be:
- a. Call to Order
  - b. Identification of voting delegates
  - c. Presentation of Audited Financial Statement
  - d. Presentation and Adoption of Budget
  - e. Setting affiliation, registration and other fees
  - f. Confirmation of time and place for Provincials
  - g. New Business
  - h. Review of Notices of Motion regarding revision of By-Laws
- 12.5. The date, location and starting time for the Annual and General Meetings shall be set so as to endeavor to maximize attendance of Members having regard for the time necessary to travel to such meeting.
- 12.6. The President shall call a Special Meeting on a date and at a location and time deemed to be convenient to the Members:
- 12.6.1. upon the initiative of the President,
- 12.6.2. within forty-five (45) days of receipt of a request by the Board, or
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- 12.6.3. within forty-five (45) days of receipt of a request by at least ten members from at least two regions
- 12.7. The business of the Special Meeting shall be limited to those matters for which the meeting was called and notice given.
- 12.8. Delegates
  - 12.8.1. Each Affiliated Club is entitled to appoint two (2) voting delegates to a Membership Meeting.
  - 12.8.2. The Affiliated Club may further appoint two alternate delegates who may become a voting delegate in the absence of the appointed delegate.
  - 12.8.3. A voting delegate shall be:
    - a. a Registered Swimmer eighteen years of age or older,
    - b. involved with coaching with an Affiliated Club.
    - c. a parent or guardian of a Registered Swimmer, who is a member of the Affiliated Club.
- 12.9. Except where otherwise provided in this bylaw, motions presented at Membership Meetings shall be decided by a simple majority of voting delegates present at the meeting.
- 12.10. Directors shall not be entitled to vote at Membership Meetings unless they are appointed as a voting delegate of an Affiliated Club.
- 12.11. A Member's vote at a Membership Meeting shall be exercised by the voting delegates in person and votes by proxy shall not be permitted.
- 12.12. A quorum at a Membership Meeting shall be at least twenty (20%) percent of the number of Affiliated Clubs registered with the ASSA at the date of the membership meeting.
- 12.13. Written notice of any Membership Meeting shall be sent to each Member and Director such that the notice can be reasonably received no later than thirty (30) days prior to the date of the Membership Meeting. Included with the notice shall be the agenda, notices of motion, proposed bylaw amendments and other information that may be appropriate.
- 12.14. During the Annual Meeting, nominations for those Director positions to be elected at that Annual Meeting, may be accepted:
  - 12.14.1. from the Nominating Committee appointed under Bylaw 7.2, or
  - 12.14.2. from a voting delegate if supported by another voting delegate

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- 12.15. Nominees shall have the opportunity to address the Membership prior to the conducting of the election.
- 12.16. Where only one nomination is received for any position, that nominee shall be declared elected without a vote.
- 12.17. Where an election is required, the election vote shall be conducted by secret ballot.

### **13. BYLAW 13 - CLUB AFFILIATION**

- 13.1. Any Club within the Province of Alberta willing to adhere to the aims, goals, bylaws and rules of the ASSA may apply for affiliation with the ASSA
- 13.2. A Club shall be granted affiliation with the ASSA upon:
  - 13.2.1. Approval of an application for affiliation submitted to and approved by the Registrar, and
  - 13.2.2. Payment to the Registrar of an annual affiliation fee adopted by the Membership.
- 13.3. Affiliation with the ASSA shall cease:
  - 13.3.1. April 30th of each year unless otherwise renewed under Section 13.2.
  - 13.3.2. Upon written request from the Affiliated Club or upon written notice of intention to discontinue activity, or
  - 13.3.3. Upon expulsion of the Affiliated Club from the ASSA by a two-thirds majority vote at a Membership Meeting for violation of this bylaw or ASSA rules.
- 13.4. New affiliated clubs shall become part of the region as established in Bylaw 4.1 or as assigned by the current Board of Directors of ASSA.

**14. BYLAW 14 – CODE OF CONDUCT** Under revision. Please refer to Code of Conduct (Appendix A) and Philosophy (Harassment Policy and Procedure) both found in Section 10 of the Handbook.

### **15. BYLAW 15 - REGISTRATION AND SANCTIONING**

- 15.1. For the purposes of this Bylaw,
  - 15.1.1. Competitive Swimmer means a registered swimmer who is entitled to participate in an ASSA sanctioned swim meet and whose swim times are eligible to be considered for race placings and records.

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- 15.1.2. Exhibition Swimmer means a registered swimmer who is entitled to participate in an ASSA sanctioned swim meet, except the Regional Championship and Provincial Championship, and whose times are not eligible to be considered for race placings and records.
- 15.1.3. Winter Swim Club shall mean a club that is registered or sanctioned as a Swim Alberta, S/NC, FINA, College, University, or United States High School competitive swim club and that provides for training or competition between September 1 and April 30. Any ASSA registered swimmers may compete/train with an Alberta High School Team.
- 15.1.4. All non- S/NC affiliated Swim Clubs and their swimmers with supervised training and/or competitions during the off season are deemed to be ineligible for ASSA Membership.
- 15.1.5. Training means swimming and being given instruction in the competitive swimming skills area on more than 10 days from September 1 through to March 31 of the following year. This 10 day period is inclusive of the one time only trial period in 15.6. Any instruction in the competitive swimming skills area between April 1 and April 30 prior to the beginning of the summer swimming season shall also be considered training and shall not be allowed. Nationally recognized programs such as Sears I Can Swim program, Red Cross, etc, and participation in other water sports such as water polo, synchronized swimming, triathlon, or diving are not deemed to be training.
- 15.2. All swim meets sponsored by Affiliated Clubs, a Region or the ASSA shall be sanctioned by the ASSA. The ASSA shall approve sanctions in pools that meet FR2.3 (Depth) and FR 2.7 (Starting Platforms) including CFR 2.7.1 2.7.2 and 2.7.3 . and are within a negative 2.54 cm length tolerance. ASSA records may be set at all sanctioned meets.
- 15.3. Every swimmer participating in a swim meet sanctioned by the ASSA shall be
  - 15.3.1. a swimmer registered under Bylaw 15.7, or
  - 15.3.2. a swimmer sanctioned under Bylaw 15.12
- 15.4. A swimmer who is 14 years of age or younger and has been a member of a winter swim club at any time, or who has been training pursuant to Bylaw 15.1.4, shall not be eligible to become an ASSA competitive swimmer. Competitive swimmer status shall be granted only after the swimmer has ceased to be a member of a winter swim club at least eight continuous months prior to the start of the new summer season, specifically from September 1 to April 30. During this eight month period, the swimmer shall not train as per bylaw 15.1.4.

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- 15.5. A swimmer who reaches his/her 15th birthday (or older) while registered as a winter club swimmer is eligible to become an Exhibition Swimmer only. Also refer to Bylaw 15.8
  - 15.5.1. Despite Bylaw 15.5, where a swimmer reaches his/her 15<sup>th</sup> birthday, while registered with a winter swim club for **no more than** one year **and** was an ASSA competitive swimmer prior to joining the winter swim club, then Bylaw 15.4 shall also apply.
- 15.6. Despite Bylaws 15.4 and 15.5, where a swimmer was a member of a winter swim club for a one time trial period of sixty calendar days or less, between September 1 and November 30 of the year preceding the year of registration, the swimmer shall be eligible to become a Competitive Swimmer.
  - 15.6.1. The sixty day trial period with year round Swim Clubs as described in Bylaw 15.6 is available on one occasion without the approval of the Executive Committee of ASSA. Requests for additional trials shall be submitted in writing to the Executive Committee for disposition.
- 15.7. A swimmer shall be registered with the ASSA upon:
  - 15.7.1. Approval of an application form submitted to the Registrar, and
  - 15.7.2. Payment to the Registrar of an annual registration fee adopted by the membership.
- 15.8. A swimmer is not entitled to be registered with the ASSA if the swimmer is a member of a Winter Swim Club.
- 15.9. Applications for registration for the current summer swimming season shall not be considered after July 15th.
- 15.10. A registered swimmer shall be a member of an Affiliated Club and will be assigned to that Club unless otherwise authorized by the Executive Committee to be an Affiliated Swimmer.
- 15.11. The Executive Committee may authorize a registered swimmer to be an Affiliated Swimmer if the Committee is convinced that membership in an Affiliated Club is impractical due to geographic location or exceptional personal circumstance.
- 15.12. A swimmer that is not registered with ASSA but is registered either with S/NC or with another approved swimming organization, may participate in sanctioned swim meets upon approval of the Executive Committee.
- 15.13. A Registered Swimmer shall not be assigned to more than one Affiliated Club at the same time.
- 15.14. An application may be made to transfer the assignment of a Registered Swimmer from one Affiliated Club to another.

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- 15.15. The effective date of a transfer shall be the date that the transfer application is approved by the Registrar. No applications for transfer will be accepted after July 15th in a year.
- 15.16. A Registered swimmer or swimmer sanctioned under Bylaw 15.12 may participate as a coach with an Affiliated Club.
- 15.17. The Executive Committee shall make the final decision on:
- 15.17.1. The eligibility of a swimmer to become a registered swimmer, and
  - 15.17.2. The determination of a registered swimmer as a competitive or exhibition swimmer.
- 15.18. Decisions of the Registrar may be appealed to the Executive Committee who shall decide on the appeal.
- 15.19. Swimmers registered with ASSA may compete in year round Provincial or National Swim Meets provided they meet the entry requirements for the meet, and the meet is held during the summer season as described in Bylaw 1.1. Such swimmers shall be responsible for any fees associated with competing in the year round Provincial or National Meet. These swimmers will be exempt from the definition of “Winter Swimmer” as defined in Bylaw 15.1. Such swimmers shall compete as members of ASSA All Stars.
- 15.20. The ASSA supports the inclusion of disabled swimmers as full members of our association. Swimmers wishing to receive SWAD designation shall be classified according to S/NC rules. Refer to Rule 7.

### **16. BYLAW 16 - AMENDMENT OF THE BYLAW**

- 16.1. The Board or any Member may initiate a Notice of Motion proposing amendments to this By-Law. Such Notice shall be in writing and shall be received by the Secretary no later than sixty (60) days prior to the date of a Membership Meeting at which the amendments are proposed to be considered.
- 16.2. An amendment to this Bylaw shall be passed by a Special Resolution of the Membership pursuant to the provisions of the Societies Act, supra.

### **17. BYLAW 17 - RESOLUTIONS**

- 17.1. No motion or resolution that has been passed at a Membership Meeting shall be rescinded at a subsequent Membership Meeting without a written notice of motion having been given with the notice provided under Bylaw 12.13.
- 17.2. No motion or resolution that has been passed at a meeting of the Board shall be rescinded at a subsequent meeting of the Board without a written notice of motion having been given to the Directors prior to the holding of the meeting of the Board.

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- 17.3. Where a motion or resolution presented under Bylaw 17.1 or 17.2 is defeated, no motion or resolution that is substantially the same may be presented prior the expiry of one year from the date of the meeting at which the motion or resolution was defeated.

### **18. BYLAW 18 - AUDITOR**

- 18.1. The Membership at the Annual Meeting shall appoint one or more auditors for the ASSA.
- 18.2. The Auditor shall report to the Membership at the next Annual Meeting on the annual financial statement.
- 18.3. The Auditor shall report to the Board any improper or unauthorized transaction or noncompliance with this Bylaw, policy or rules adopted by the Membership, Board or Executive Committee.
- 18.4. The financial year of the ASSA shall be from October 1st to September 30th.

### **19. BYLAW 19 - BORROWING AND INVESTING MONEY**

- 19.1. For the purpose of attaining the goals and objectives of the ASSA, the Membership may borrow or secure the payment of money upon a motion passed by a three-quarter majority at a Membership Meeting at which greater than one half of the Affiliated Clubs are in attendance.
- 19.2. The Treasurer shall ensure that funds of the ASSA that are not required to meet current expenditures are invested to the best advantage of the ASSA, such investments however being limited to those accounts, deposits or instruments that are fully guaranteed by the Canadian Deposit Insurance Corporation, the Government of Canada or the Government of Alberta.

### **20. BYLAW 20 - SIGNING AUTHORITY**

- 20.1. The President, Vice President, Secretary, and Treasurer are designated as signing officers for the ASSA.
- 20.2. The disbursement of funds shall be authorized by the Treasurer and one other signing officer.
- 20.3. The forming of contracts and agreements binding upon the ASSA and authorized by the Board shall be executed under Seal by the Secretary and one other signing officer.
- 20.4. The Provincial Meet Manager shall be authorized to form contracts and agreements binding upon the ASSA with regard to the holding of the Provincial Championship Meet and within the scope of Rule 1.5 (Expenses).

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20.5. The Board may adopt a seal to be used for all proper purposes of the ASSA.

20.6. The Secretary shall have custody of the seal.

### **21. BYLAW 21 - RULES AND REGULATIONS**

21.1. The Board may establish such Rules and Regulations as may be necessary to direct and guide the operation and organization of the ASSA.

21.2. All Rules and Regulations shall be reviewed at least annually by the Board.

### **22. BYLAW 22 - PROCEEDINGS NOT TO BE INVALIDATED**

22.1. Membership, Board or Executive Committee meetings at which a quorum is present, shall be deemed to be authorized to act in accordance with these bylaws and the proceedings thereof shall not be invalidated despite:

22.1.1. accidental omission to give notice to any Member or Director

22.1.2. failure to receive any notice by any Member or Director where notice was properly sent, or

22.1.3. in the case of a Membership Meeting, a voting delegate or delegates were not authorized under Bylaw 12.8.

### **23. BYLAW 23 - PARLIAMENTARY PRACTICES**

23.1. Except as otherwise provided by these By-Laws, all proceedings at the Executive Committee, Board or Membership Meetings shall be governed by Robert's Rules of Order.

### **24. BYLAW 24 – DISPUTES RESOLUTION** Under revision. Please refer to Harassment Policy (Section 10 of the Handbook) and to the Decision Tree (attached to the bylaws)

24.1. All complaints, appeals, disputes or incidents shall be directed toward the President who shall determine if the issue is subject to Rule 3 and to be referred to the Vice President/Harassment Officer, or is subject to Rule 4 and to be referred to the Officials Chairperson for investigation and resolution.

24.2. If the issue is an allegation of a violation of Bylaw 14 (Code of Conduct) or any other allegation of harassment or abuse by an ASSA member, then it shall be subject to Rule 3 (Grievance, Discipline and Harassment Procedure).

24.3. If the issue is an appeal of a Jury of Appeal decision or there is an allegation of a violation of the rules of swimming, then it is subject to Rule 4 (Appeal Procedure)