

STATUTE

Amended and Re-Numbered AGM 2009

INTERPRETATION OF TERMS

Association and **A.S.A.** shall mean the Aquatic Sports Association of Malta

Club shall mean a Club affiliated to the A.S.A. whose statute is in conformity with that of the A.S.A.

Club Officials shall mean the President, Secretary and Treasurer of a Club.

A.S.A. Official shall mean any person nominated by the A.S.A to carry out specific and definite duties

Body shall mean affiliated Associations or Organisations.

Active Member shall mean any person taking an active part in the Sport, Event or Competition, whether as Coach, Athlete or Committee Member of any Club.

Council Member also means Substitute Council Member.

Sport, Event or Competition shall mean any aquatic discipline as described and adopted by a Parent Body as indicated in Rule 4 of Section 1 of the Statute.

SECTION 1

CONSTITUTIONAL LAWS

Amended and Re-Numbered AGM 2009

RULE 1. NAME

The Association shall be called the Aquatic Sports Association of Malta.

RULE 2. OBJECTIVES

The objectives of the Association shall be:-

- i. to promote and encourage the development of swimming, diving, water polo, synchronised swimming and, in general, any other aquatic sports in Malta and to adopt the necessary regulations and rules;
- ii. to stimulate public opinion in favour of providing proper accommodation and facilities for encouraging the art of swimming, diving, water polo, synchronised swimming and in general any other aquatic sports.

RULE 3. COMPOSITION

The Association shall comprise all clubs and bodies affiliated to it, whose objectives are similar to those of this Association and as described in Rule 2.

RULE 4. PARENT BODY

The Association shall be affiliated to the

- i. Federation Internationale de Natation (F.I.N.A);
- ii. Ligue Européenne de Natation (L.E.N.);
- iii. Confederation Méditerranée de Natation (C.O.M.E.N).

RULE 5. ORGANS OF THE ASSOCIATION

The Organs of the Association shall be:

- i. The General Meeting
- ii. The Council
- iii. The Executive Committee
- iv. Disciplinary & Adjudicating Bodies

RULE 6. GENERAL MEETINGS *(last amended AGM 2005)*

i. Chairmanship

The President of the Association shall preside at all General Meetings and in the President's absence the Vice-President shall take his place. In the absence of the President and the Vice-President the meeting shall decide upon another Member of the Council to take the Chair.

ii. Chairman 's Authority

For the purpose of the Meeting the Chairman shall have unlimited authority on any question of order and shall be the sole interpreter of the Laws governing the proceedings.

iii. Quorum

The quorum for all General Meetings shall be 50% of the Council Members entitled to vote, and 50% of the Club Delegates entitled to vote. If there is no quorum the meeting shall take place half an hour later irrespective of the number of Members present.

iv. Representation

Clubs have the right to send a delegate to the meeting.

v. Representation of Suspended Clubs

Clubs under suspension shall have the right to retain affiliation and to be represented at all General Meetings in the capacity of observers. In such cases the Club/s concerned shall forward the name of its representatives to the General Secretary of the Association at least fifteen days prior to the General Meeting.

vi. **Voting on Motions**

a. Voting on all motions should ordinarily be by a show of hands, but any Member may ask for a secret ballot.

b. To be approved

i. motions on procedure require a simple majority of the votes of the members present and entitled to vote.

ii. motions for the amendment of Section 1 of the Statute require at least two-thirds of the votes of the members present and entitled to vote.

iii. motions for the amendment of Sections 2 and 3 of the Statute require a simple majority of the votes of the members present and entitled to vote.

vii. **Right to Vote in General Meetings**

The Chairman shall have the right to a casting vote.

a. When meetings are chaired by a Member who is entitled to an ordinary vote, he shall have the right to an ordinary and a casting vote.

b. Council Members and Club delegates shall have the right to one vote each, provided that Club delegates whose Club has outstanding payments to settle with the A.S.A. shall lose their right to vote during Annual General Meetings.

c. During Elections of ASA Officials and on amendments to the Constitution, only Club Delegates and Council Members nominated by Clubs that participated in at least one discipline during both the previous season and the current season shall have the right to vote and they shall have the right to one vote each. Swimming clubs with a minimum of twenty (20) participating athletes shall be deemed compliant and will thus been entitled to vote in so far as water polo is concerned votes shall be restricted to the league or age-group concerned, such that Club Delegates and Council Members nominated by Clubs may only cast their votes on solely matters concerning competitions in which their club has participated.

d. On amendments to Laws Governing the Sport and/or Laws Governing Clubs:

- i. On matters concerning water polo, only those Club Delegates and/or Council Members nominated by clubs whose senior team is participating during the current season may cast their vote;
- ii. On matters concerning age-group water polo, only those Club Delegates and/or Council Members nominated by clubs who are participating in one or more age-group competitions during the current season may cast their vote;
- iii. On matters concerning swimming, only those Club Delegates and/or Council Members nominated by clubs whose active members are participating in competitions during the current season may cast their vote;

e.. Council Members nominated by Affiliated Bodies shall not have the right to vote.

f. Without prejudice to the above, where an EGM is called after an AGM but before the start of the first official water polo competition or event, only the Club Delegates and/or Council Members or their substitutes who were approved and voted during the last AGM are entitled to vote.

g. Without prejudice to the above, if an EGM is called at a point during the season where no competition or event is being held, and / or no registration periods for participation therein have not yet closed, the Club Delegates and/or Council Members entitled to vote shall be those representing / nominated by those clubs that participated in any one event in the previous season.

h. For the purposes of this clause “season” shall mean a competitive season, as opposed to the calendar season that starts and ends with the AGM. The competitive season for water polo shall start with the first competitive water polo match organized after the AGM, and shall draw to an end with the last competitive match before the next AGM. The competitive season for swimming shall end with the National Swimming Championships and shall start with the first swimming meeting.

viii. **Minutes**

The General Secretary shall circulate the minutes of the General Meeting by not later than five weeks from the end of the meeting. Clubs and Council Members are to submit any requests for correction of the minutes in writing within three weeks of the minutes having been circulated. If no requests for correction are submitted within this period, the minutes shall be automatically

approved.

RULE 7. ANNUAL GENERAL MEETING

The Annual General Meeting shall be held during the month of November.

i. Agenda of the Annual General Meeting

The agenda shall be circulated to all Clubs and Council Members at least fifteen days

before the meeting and shall consist of the following items:

- a. Confirmation of Approval of minutes of last General Meeting, and of any Extraordinary General Meeting.
- b. President's report for the year.
- c. Presentation and Approval of yearly Balance Sheet
(a copy of which shall have been sent to all Clubs at least eight days before).
- d. Appointment of two Auditors for the ensuing year.
- e. Election of President, Vice-President, General Secretary and Treasurer.
- f. Appointment of Honorary President/s.
- g. Amendments to Rules.

ii. Amendments to Rules

Amendments to the Rules must be sent in writing to the General Secretary of the Association by not later than 21 days before the Annual General Meeting. A copy of these proposed amendments shall be circulated to all Clubs at least 15 days before the Annual General Meeting.

iii. Nominations

Nominations for the posts of the Hon Presidents, the President, the Vice-President, the General Secretary and the Treasurer are to reach the A.S.A. at least 15 days prior to the Annual General Meeting. The names of the candidates are to be circulated to the Clubs at least 8 days before the Annual General Meeting.

iv. **Election of President, Vice-President, General Secretary and Treasurer**

a. If contested the candidate polling the highest number of votes for each post shall be elected. In the case of a tie there shall be another vote. In the case of another tie, fresh nominations shall be invited and another election shall take place at another General Meeting to be held for this purpose within four weeks.

b. If uncontested the candidate must poll at least half the number of votes cast plus one. If the candidate does not receive the required number of votes for election after two counts, fresh nominations will be invited and another election will take place at another General Meeting to be held for this purpose within four weeks. In such event the said period for nominations of 15 days shall be reduced to 7 days. The defeated candidate will be eligible for re-nomination.

v. **Appointments of Honorary Presidents**

Appointments of Honorary Presidents shall be by a simple majority vote.

RULE 8. EXTRAORDINARY GENERAL MEETINGS

An Extraordinary General Meeting shall be convened either by the President or the Council whenever it is thought fit, or at the request of at least one-third of the competing Clubs. In the latter case the reasons for convening such meeting are to be stated for the information of the Council. The meeting shall be held not later than 15 days after the receipt of the notice from the Clubs.

RULE 9. APPLICABILITY OF RULES FOR GENERAL MEETINGS

All the Rules contained under the heading of General Meetings shall be applicable to the Annual General Meeting and to any Extraordinary General Meetings.

RULE 10. COMPOSITION OF THE COUNCIL

The Council shall be composed of:

- a. the Honorary President/s;
- b. the President;
- c. the Vice-President; *(last amended by AGM - 2009)*
- d. the General Secretary;
- e. the Treasurer;

- f. the other Members nominated by Clubs and Affiliated Bodies;
- g. the immediate past President and the immediate past General Secretary, provided that they would have completed
- h. at least one full term of office as President and General Secretary respectively;
- i. the Honorary Members;
- j. Maltese Members of International Committees of F.I.N.A., L.E.N. and C.O.M.E.N.;

RULE 11. QUALIFICATION FOR COUNCIL MEMBERSHIP

All nominations to the Council are subject to the approval of the Council. Persons under 18 years of age shall not be eligible for nomination on the Council.

RULE 12. RESTRICTION OF COUNCIL MEMBERS

No Member of the Council shall:

- i. act as a delegate of any Club;
- ii. disclose any of the business transacted by the Council. He will be liable to be suspended or expelled by the Council if in default.

RULE 13. FUNCTIONS AND POWERS OF THE COUNCIL

The Council shall be charged with establishing the policy of the Association, and overseeing the management of the Association's affairs. Moreover, the Council shall be vested with the following powers:-

- a. to make by-laws for the purpose of regulating the internal management of the Association;
- b. to approve competitions or events programmes as proposed by the Executive Committee;
- c. to appoint any Committee or Commission and to delegate to them all or any of its powers for declared and specific purposes and for an definite period of time. Any such powers which are so delegated by the Council are to be notified to Clubs by the General Secretary within 15 days from the decision to delegate such powers. The notification is to contain the full terms of reference of such delegated powers and the appointees are to work strictly within these terms of reference;
- d. to nominate and appoint Honorary Members;
- e. to suspend for any period or sine die, or disqualify any person or persons proved guilty

- of an infringement of these Laws, or of any unfair practice connected with aquatic sport or any other sport in general, and to remit or shorten any such sentences upon due cause being shown;
- f. to impose fines as regulated by the A.S.A. Disciplinary Code;
 - g. to expel from the Association any Club, Body or individual if, at any meeting of the Council, a resolution be passed
 - h. to the effect that such Club, Body or individual has rendered himself unworthy to belong to the Association. Notice of such resolution must be inserted on the agenda paper for the meeting;
 - i. to interpret these Rules or any other question not provided for herein, and the Council's decision shall be final;
 - j. to consider and decide all appeals against the decisions of Clubs or Bodies;
 - k. to inspect any of the books of Clubs.
 - l. to authorise the performance of doping control tests on Active Members as per F.I.N.A. Rules.
 - m. to recognise suspensions and/or sanctions imposed on its Active Members by other local National Sports Associations/Federations or by the bodies to which the A.S.A. is affiliated regarding cases concerning unfair practices in sport such as cases of corruption and doping.

RULE 14. COUNCIL MEETINGS

i. Frequency of Meetings

The Council shall meet as often as necessary for the transaction of business.

ii. Quorum

The presence of one third of the nominated Council Members entitled to vote shall form a quorum for Council Meetings.

iii. Chairmanship

The President of the Association shall preside at all Council meetings and in the President's absence the Vice-President shall take his place. In the absence of the President and the Vice-President the meeting shall decide upon another Member of the Council to take the Chair.

iv. Motions

Motions not included in the Agenda shall not be discussed or voted upon, but may be brought to the attention of the Council to be discussed and voted upon during the next Council Meeting.

v. Voting

- a. Voting on all motions should ordinarily be by a show of hands, but any Member may ask for a secret ballot.
- b. All motions shall be decided upon by an ordinary majority of votes. However, any amendments or additions or the A.S.A. Rules are to be decided upon solely by a General Meeting.
- c. The Chairman shall have the right to a casting vote.
- d. When meetings are chaired by a Member who is entitled to an ordinary vote then he shall have the right to an ordinary and casting vote.
- e. Council Members may vote in Council Meetings only on matters concerning the discipline or disciplines in which the Clubs that nominated them had participated during the previous season, On matters related to waterpolo, only those Council Members nominated by clubs whose senior team participated during the previous season, may cast their vote. On matters concerning age-group competitions, only those Council Members nominated by clubs whose team or teams participated in the relative age-group competition during the previous season, may cast their vote. On all other matters, only those Council Members nominated by clubs whose senior team participated during the previous waterpolo season, may cast their vote.
- f. If, for any reason, a Club ceases to take part in any of the A.S.A. Aquatic Competitions, the Council Member nominated by that Club shall not be entitled to vote during Council Meetings.
- g. Co-opted person/s shall be considered as Council Members without the power to vote.
- h. Honorary Presidents, Honorary Members, the Immediate Past President, the Immediate Past General Secretary, Council Members nominated by Affiliated Bodies

and Maltese Members on International Committees shall be precluded from voting.

vi. Absences from Council Meetings

Members of the Council who absent themselves from three consecutive Council Meetings without notice beforehand giving reasons which will satisfy the Council, shall be considered to have vacated their seats on the Council. The Council shall take immediate steps to request the Club or Clubs concerned to take steps to fill the vacancies. Clubs are to be notified each time the Council Member (or his substitute) nominated by the Club does not attend a Council Meeting.

vii. Minutes

The General Secretary shall forward a copy of the minutes of each Council Meeting to Council Members not later than fifteen (15) days after the said meeting.

RULE 15. COMPOSITION AND DUTIES OF THE EXECUTIVE COMMITTEE

i Composition of the Executive Committee

The Executive Committee shall be composed of the President, the Vice-President, the General Secretary and the Treasurer

ii Powers of the Executive Committee

The Executive Committee shall be charged with the daily administration and general management of the Association's affairs, and shall be entrusted with the organisation of all competitions and events, including but not limited to the management of the national teams. The Executive Committee shall be empowered to delegate any or all of its functions, as well as to engage staff or third parties in any manner whatsoever in order to assist it in carrying out its functions and, in addition to the aforesaid, the Executive Committee shall:

- a. use every means in its power to attend to and foster the Objectives of the Association as defined under Rule 2 of this Statute;
- b. be responsible for the publication of the A.S.A. Laws and to see that all alterations are properly incorporated therein;
- c. appoint person/s to select, coach and prepare athletes for all National teams. The Council has the right to object to any selections;
- d. appoint all officials for all organised matches played under A.S.A. Rules. No

protest against such officials shall be entertained. Ruling: Organised matches do not include Inter-Club matches; reduce as much as possible the costs for participating Clubs in local competitions and the National Squads' participation in international competitions by seeking sponsorships;

- e. appoint independent members to act as Disciplinary Commissioners, members of Appeals and Protest Boards;
- f. appoint Technical Committees on specific disciplines which shall report directly to the Executive Committee. Any disagreement arising between any Technical Committee and the Executive shall be referred to the Council

iii Duties of the Executive Committee

In carrying out its duties the Executive Committee shall be in duty bound to implement all policies and decisions taken by the Council, and shall further report on its workings during every Council Meeting

RULE 16. DUTIES OF THE PRESIDENT

During all Meetings, the President shall have unlimited authority on any question of order and shall be the sole interpreter of the Laws governing the proceedings.

- a. The President shall preside at all meetings and must ensure that decisions taken at such meetings are carried into effect.
- b. The President has the duty to summon all those meetings which he is required to summon in accordance with the rules of the Association. During all Meetings, the President shall have unlimited authority on any question of order and shall be the sole interpreter of the Laws governing the proceedings.
- c. The President shall also perform those other tasks which he is required to perform in accordance with the rules of this Statute and in accordance with the other rules, bye-laws and regulations of the Association, and shall exercise authority in those areas which are not expressly assigned by this Statute to the different Organs, the other Officers or other Officials of the Association.
- d. In cases of urgency, where it is neither practical nor convenient to call a meeting either of the Council or the Executive Committee, the President may, after having consulted with at least three (3) members of the Executive Committee or at least three (3) Council Members, assume the functions of the Executive Committee or the Council. However, the President shall, at the earliest opportunity, inform the Executive Committee or the Council, as the case may be, of any such decisions taken by him.

RULE 17 DUTIES OF THE VICE-PRESIDENT (LAST AMENDED BY AGM - 2005)

- a. The Vice-President shall assist the President in his work, and in his absence during Council and General meetings, shall have the same powers and duties as the President.
- b. Moreover the Vice-President shall be responsible for the promotion of the sport. He shall furthermore oversee the management of all sports, events, competitions and educational promotion, as well as matters concerning discipline.

RULE 18 DUTIES OF THE GENERAL SECRETARY

The General Secretary shall be responsible to conduct the general business of the Association. He may assign any of his duties or other specific duties to the Administrative Secretary and other Assistant Secretaries with the prior approval of the Executive Committee.

RULE 19 DUTIES OF THE TREASURER

The Treasurer shall:

- i. keep a cash book and ledger showing every financial transaction of the Association;
- ii. prepare the yearly Balance Sheet;
- iii. inform the Council of the financial position when necessary;
- iv. keep an up-to-date inventory which shall be included in the Balance Sheet and shown as assets of the Association in a separate column;
- v. prepare a budget for the Council's approval.

RULE 20 ELECTIONS

i. Election of the President

The President shall be elected at the Annual General Meeting, or at an Extraordinary General Meeting. He shall cease to remain an active Member of any Club.

ii. Election of the Vice-President (last amended by AGM - 2005)

The Vice-President shall be elected at the Annual General Meeting or at an Extraordinary General Meeting. He shall cease to remain an active Member of any Club.

iii. Election of the General Secretary

The General Secretary shall be elected at the Annual General Meeting or at an Extraordinary General Meeting. He shall cease to remain an active Member of any Club.

iv. **Election of the Treasurer**

The Treasurer shall be elected at the Annual General Meeting or at an Extraordinary General Meeting. He shall cease to remain an active Member of any Club.

RULE 21 NOMINATIONS

i. **Nomination of Honorary Presidents, President, Vice-President, General Secretary and Treasurer** Nominations for the posts of Honorary Presidents, President, Vice-President, General Secretary, and Honorary Treasurer may come from any Club and/or from Council Members. Nominations made by Council Members are to be seconded by another Council Member. Nominations are to reach the A.S.A. at least 15 days prior to the General Meeting. The names of the candidates are to be circulated to the Clubs at least 8 days before the Annual/Extraordinary General Meeting.

ii. **Nomination of Council Members**

- a. All Clubs and Affiliated Bodies are entitled to nominate a Council Member and a Substitute Council Member.
- b. Clubs and Affiliated Bodies eligible for representation on the Council shall, for the approval of the Council, submit the names of the Council Member and his substitute accompanied by the declaration of acceptance, by the 15th November. At its discretion the Council may consider and approve any nomination made after that date.

iii. **Nomination of Honorary Members and Co-opted Members**

Honorary and Co-opted Members are to be nominated and appointed by the Council.

RULE 22 TERM OF OFFICE (AMENDED BY AGM - 2005 - AGM 2006)

- a. the term of office of the President shall be for a period of three years, while that of the Vice-President, General Secretary and the Treasurer shall be for two years. When the term of office of the three officers, that is, the President, the General Secretary and the Treasurer, is to terminate during the same period, the term of the General Secretary and that of the Treasurer is to be automatically extended for a further year.

- b. the term of office of the Immediate Past President and the Immediate Past General Secretary shall be for a period equal to the term of office of the President and General Secretary respectively.
- c. the term of office of Council members nominated by Clubs and Affiliated Bodies shall commence on the Annual General Meeting and expire on the closing of the last Council Meeting prior to the subsequent Annual General Meeting.
- d. the term of office of Honorary Presidents shall be for a period as determined by the Annual General Meeting on election. However, an Honorary President can be removed by simple majority by the Annual General Meeting.
- e. the term of office of co-opted Members shall expire at the end of the A.S.A. Annual General Meeting.
- f. If, for any reason, a Council Member vacates his seat during his term of office such vacancy shall be filled by a Member nominated by the Club to which this vacant seat belongs.

RULE 23 TECHNICAL COMMITTEES

When it is deemed necessary by the Executive Committee, the management and organization of specific competitions shall be undertaken by a Technical Committee set up for this purpose.

i. Function of Technical Committees

Technical Committees, hereinafter to referred to as the TC, shall see to the implementation of the programs and events established by the Association in accordance with this Statute, and in accordance with the terms of reference set out by the Executive Committee.

- a. The Chairman of a Technical Committee shall attend meetings of the Executive Committee.
- b. A Technical Committee may, through the Executive Committee, make recommendations concerning the discipline or Competitions with which they are directly involved.

ii. **Composition of a Technical Committee**

The Technical Committee shall be composed of the Chairman appointed by the Executive Committee, and any other individuals chosen by him to assist him in the carrying out of his functions. The Executive Committee reserves the right of veto on the choice of the individuals chosen.

iii. **Term of Office**

- a. The duration of the TC is of two years that end on the day before the Annual General Meeting that is held during the last week of November each year and commences after the said AGM. The new TC shall be set up and active within ten (10) days after the end of said AGM.
- b. The Term of Office of the members, except of the Officers of the ASA, is also of two years but Clubs may replace any of its representative during these two years for whatever reason they deem fit.

RULE 24 DISCIPLINARY & OTHER ADJUDICATING BODIES

- a. There shall be a Sole Disciplinary Commissioner who appointed by the Executive Committee to hear and decide upon all disciplinary matters relating to the sport. In so doing the Sole Disciplinary Commissioner shall abide by the Code of Discipline of the ASA, and the Rules of Procedure 2005 of the ASA.
- b. There shall be a Protests Board that shall hear and decide upon protests brought by clubs or individuals. The Protests Board shall be regulated by the Board of Protests Rules 2005 of the ASA.
- c. There shall also be an Appeals Board that shall be competent to hear and decide upon any appeal from a decision delivered by one of the above bodies, as well as other disciplinary decisions given by clubs concerning their athletes. The Appeals Board shall be regulated by the Board of Appeal Rules of the ASA.

RULE 25 OFFICERS AND REPRESENTATION OF THE ASSOCIATION

- a. The Officers of the Association are the President, the Vice-President, The Treasurer and the General Secretary.

- b. Any two of The President, the General Secretary and the Treasurer may sign cheques on behalf of the Association.
- c. The President and either the General Secretary or the Treasurer shall have the legal and judicial representation of the Association.

RULE 26 AFFILIATION

i. Application for Affiliation

Applications for Affiliation shall be first be vetted and processed by the Executive Committee and then submitted to the Council for its approval.

ii. Affiliation Fee (LAST AMENDED BY AGM - 2005)

The affiliation fee shall be €100. Affiliation fees shall be payable in advance and prior to the Annual General Meeting.

iii. Suspension when Affiliation Fee is not paid in time

If a Club has not paid its affiliation fee prior to the Annual General Meeting such Club shall be automatically suspended from that date until such fee has been paid.

iv. Termination of Affiliation

Clubs wishing to terminate their affiliation shall give notice in writing and shall remain liable for any sums of money owing to the A.S.A. or to any Club or Athlete.

RULE 27 EFFECTIVE DATE TO AMENDMENTS T O THE STATUTE

i. Amendments to the Constitutional Laws

All amendments to the Constitutional Laws (Section 1) and Laws Governing Clubs (Section 2) shall be dealt with at the Annual or Extraordinary General Meetings and shall be effective immediately.

ii. Amendments to the Laws Governing the Sport (last amended AGM 2008)

- a. All amendments to the Laws Governing the Sport (Section 2) shall be dealt with only at the Annual General Meeting and shall be effective immediately.

- b. Amendments to Laws Governing the Sport (Section 2) and any other rules and regulations regulating the eligibility of athletes, shall remain in force for at least three seasons from when they become effective. Proposals for amendments to these laws, are to be proposed for amendment at the ASA Annual General Meeting preceding the end of the third season, otherwise, the three seasons period shall automatically be extended for a further three seasons. Proposals are to be submitted at least 21 days prior to the ASA Annual General Meeting.

RULE 28 A.S.A. SEASON

The A.S.A. Season shall commence at the Annual General Meeting and shall come to an end at the Annual General Meeting of the following year unless otherwise provided for under these rules.

(The next rule is Rule 31)



SECTION 2

LAWS GOVERNING THE SPORT

(AS AMENDED BY AGM 2004 -AGM 2005- AGM 2006-AGM 2007-EGM 2008- AGM 2008 – AGM 2009)

RULE 31. LAWS GOVERNING THE SPORT

All sporting disciplines falling under the aegis of the A.S.A. shall be regulated by F.I.N.A. rules unless otherwise specified in the rules or regulations of the Association.

RULE 32. COMPETITIONS (AMENDED BY AGM 2006 – AGM 2009)

The association shall organize National Aquatic Sports for all affiliated Clubs and other competitions as determined by the Council periodically. These shall be subject to all Rules and Regulations of the A.S.A

The Association shall issue calls for applications for participation in all Competitions.

The programmes for all National Aquatic Sports Competitions are to be approved by the Council and the Club Delegates at an “ad hoc” meeting.

RULE 33. NATIONALITY, ELIGIBILITY, RECORDS (LAST AMENDED AGM 2009)

1 – NATIONALITY

- a. An individual shall be considered of Maltese Nationality if the individual is a citizen of Malta by virtue of Maltese legislation currently in force.
- b. Disputes on Nationality shall be referred to a suitably qualified arbitrator who shall be appointed and approved by the parties involved. The decision of the arbitrator shall be final and binding.

2 – ELIGIBILITY FOR REGISTRATION (last amended by AGM 2005- AGM 2006- AGM 2007- EGM 2008- AGM 2008 – AGM 2009)

Athletes eligible to participate in all sporting activities organised by or under the aegis of the A.S.A. are to be duly registered with any club affiliated to the ASA. They shall be regulated by the ASA Statute and any other rules and regulations.

3 – NATIONAL RECORDS

- a. Only Maltese Nationals shall have the right to be referred to and / or declared National Champions or hold National Records.
- b. Athletes who are in possession of dual nationalities may be referred to and / or declared National Champions or hold National Records, ONLY if they are registered with the ASA in accordance with its Rules and Regulations as well as with the FINA Rules in force at the time of registration.

RULE 34. REGISTRATION OF ATHLETES

1.General Rules - Art 1(b) (c) amended by AGM 2007; 1(d) (e) (g) (h) (j) AGM 2009

- a. An athlete may only register with any one Club.
- b. All Athletes have to be registered with the Association by means of the Official Registration Forms duly completed and signed in force at the time of registration. Only Athletes registered in this manner shall be eligible to participate, as regulated by the relevant rules, in any sporting discipline falling under the aegis of the A.S.A., FINA or LEN.
- c. Registration Forms shall be submitted to the A.S.A. office at least four (4) days before the start of the swimming / water polo event in which the athlete will be participating.
- d. Registration forms duly signed and filled in are to be submitted to the ASA Office within one week from the date of the registration of the athlete. Registration Forms duly filled and signed that are sent to the ASA by means of any electronic device are to be replaced by the original Registration Form with ten days.
- e. New Registration Forms for senior athletes shall be acknowledged within a week whilst New Registrations of Junior Athletes (aged 15 and under) shall be acknowledged by means of an Electronic List that shall be circulated electronically to all Clubs periodically.
- f. The registration period of athletes registered in the period between the last local competitive match of a season and the Annual General Meeting of the A.S.A. of that same season shall commence after that AGM.

- g. The end of the registration period shall coincide with the end of the last competitive event of the discipline of the season.
- h. An annual registration fee of One Euro and Fifty Cents (Eur1.50) for each athlete is to be paid by the club with whom the athlete is registered.
- i. The official A.S.A. Registration forms are to incorporate:
 - Details of identification of the athlete;
 - The duration of the athlete's registration period with the club;
 - Name of previous club, if applicable;
 - Signature of athlete, and date of registration.
 - Signature of any two Club officials of the Club registering the athlete;
 - Signature of any two of the Club officials of the previous Club (if applicable) authorising the transfer.
- j. The registration is to be considered as an agreement between Club and athlete. The Club on one part is requesting the service of the registering athlete and is prepared to make use of the athlete during competition, and will accede to his transfer or transfer on loan if his services are no longer required. The athlete on the other part is accepting to be an active member of the Club he is registering for, by participating in training sessions, friendly and -competitive events-, and any other terms stipulated in agreement between Club and Athlete.
- k. A Registration of an athlete with a Club is considered to be complete at such time that a Registration Form, correctly filled in and signed as required, is submitted to the General Secretary. Missing or incorrect details may invalidate the Registration Form.
- l. All rules applying at the time of registration of an athlete shall continue to apply for the duration of the said registration.

2. Senior Athletes

Athletes, who, during the year of competition reach the age of 16 years or more, shall be regulated by this Rule. Such athletes shall be referred to as “Senior Athletes”.

- a. The registration period shall not be of less than four competitive seasons, except in the cases listed below.
 - i. The minimum registration period of athletes registering during the year of competition during which they reach the age of 16 years, shall be of six competitive seasons;
 - ii. The minimum registration period may be of less than four competitive seasons such that the registration shall expire at the end of the season in which the athlete reaches the age of 32 or more.
- b. At the expiration of the registration period the athlete may wish to renew his registration with the same Club or ask the Club to negotiate his transfer with another Club.
- c. The period for which an athlete is registered with a Club may be extended before the expiration of the original period by a fresh registration provided that such a registration shall be considered as a new registration of the athlete with the same Club and regulated by the minimum registration period.
- d. An athlete whose registration period has expired is entitled to a free release at the end of the season in which he reaches the age of 32 or more.
- e. An athlete whose registration period has expired and who has not re-registered (with the same club or another club), is to be considered as free release after a period of two years from the expiry date of his last registration.
- f. Besides the registration, the Club may wish to make a written agreement with the athlete incorporating conditions of service, terms of remuneration, and any other terms desired by any of the parties as long as F.I.N.A. and A.S.A. rules are scrupulously observed. The expiry date of this agreement shall not exceed the expiry date of the athlete's registration period. This agreement is to be signed by any two of

the Club's Officials on one part and the athlete on the other. As from A.G.M. 2004, if a written agreement is made between the club and athlete, an authenticated copy of the agreement is to be submitted to the A.S.A. for filing. The contents of the agreement will remain secret. Only in case of dispute and/or report of breach of contract by any of the parties shall the contents of the agreement filed at the ASA be revealed. *(Except for the agreements made before AGM 2004)*

3. Junior Athletes

- a. Athletes who would be less than 16 years of age during the year of competition shall, on signing for a Club, bind themselves to remain on the Club's books for a period of one Season.
- b. The Registration Forms of these athletes shall be signed by any two of the Club Officials and by a legal guardian of the athlete. Athletes registered under this rule shall be referred to as "Junior Athletes".
- c. The registration period of Junior Athletes shall be automatically extended by further periods of one year each unless the athlete requests in writing that his registration period is not to be extended. Such requests are to be submitted in writing to the club and copied to the A.S.A by not later than the 15th November.
- d. The registration period of a Junior Athlete shall not be extended at the end of the year of competition during which the athlete reaches the age of fifteen years. In this case, the athlete shall be automatically released from his Club.

4. Required Athletes Lists (Water Polo Players) - 4(b) amended AGM 2009

- a. Clubs shall submit a list of "Required Athletes" (separate lists for males and females) by at least 30 days prior to the start of the first official competition.
- b. This list shall contain the names of not more than the fifteen (15) registered athletes, who are not eligible to participate in any age group Competitions during that season. and whom the club considers will be require during the season.
- c. Those athletes whose names are not included in this list and who are registered with the club and who are not eligible to participate in any age group competitions during that

season, shall have the right to be transferred on loan to another club for the rest of that season.

d. Athletes who are not included in the required Athletes list remain eligible (subject to the provisions of the other rules) to participate in A.S.A. competitions with their club.

e. The required Athletes list shall be signed by any two of the Club's officials.

f. A Club that fails to submit its list by the stipulated date shall be considered to have submitted a nil list and all athletes who are registered with the Club and who are not eligible to participate in any age group competition during that season, shall have the right to be transferred on loan (with a transfer fee as per loan parameters) to another club for the rest of that season.

g. Athletes registered after the required Athletes List has been submitted and who, during the season in question, are not eligible to participate in any Age Group Competition, may, at the discretion of the club, be added to the required Athletes list, provided that the said list will not exceed the maximum number of fifteen (15) players.

5. Athletes Joining Foreign Clubs *amended AGM 2009*

A Club may release an athlete to participate in events abroad, however the said athlete remains on the Club's books, and this release is not valid for the said athlete to join another local Club. The period the athlete is playing abroad with another Club is valid for the period the athlete binds himself on signing with the local Club. Maltese athletes participating in competitions abroad with a foreign team may at any time participate in any ASA competition with the local club he is registered with.

RULE 35. TRANSFER OF ATHLETES *Rule 35 (i) a,b,c replaced 35 (i) – AGM 2009*

i. a. An athlete shall not participate in the same competition with different Clubs in the same season.

b. For the purpose of this Rule, the National Water Polo Championship (that is, the Preliminary Round, if any, the 1st Division League and the 1st Division Knock Out Competition shall be considered to be one competition whilst the 2nd Division League and 2nd Division Knock Out Competition as a separate competition. The transfer on loan of a Player from a 1st Division Team to a 2nd Division Team must be submitted to the ASA before the first Second Division League match. Players transferred on loan in this

manner cannot be transferred back to their original club before the end of the water polo competitive season,

- c. The Winter League shall be considered as a separate competition but in this case players on loan may be transferred back to the original clubs at the end of the competition.
- ii, Club and athlete may agree to terminate their contract and the relative registration and agree on the transfer of the athlete to another Club, however, this is not permissible unless the athlete has completed the minimum registration period allowed by the rules applicable in the season during which he had registered.
- i. The release or transfer of an athlete must be signed by any two of the Club Officials.
- ii. If a Club's affiliation with the A.S.A. is terminated then all the athletes registered with that Club shall be considered as released and they may register with any other Club.
- iii. If an agreement is not reached between athlete and the club for the transfer of the athlete to another Club, the athlete and the club interested in acquiring his service may refer the matter to the A.S.A. Council. The Council will appoint a tribunal or arbitrator to decide the matter.

RULE 36. TRANSFER OF ATHLETES ON LOAN *(amended AGM 2008)*

The transfer of athletes on loan shall be governed solely by this rule.

- i. A Club may transfer an athlete on loan to another Club at any time during the athlete's registration period. The beginning and the end of the loan period must be in the same season but eligibility to participate in competitions shall be governed by the provisions of Rule 35 (i). The period during which an athlete is registered on loan shall be considered to be part of his registration period with his original Club.
- ii. The transfer on loan may be terminated at any time provided that:
 - a) the athlete may only be transferred back to his original Club;
 - b) the Association is informed of this transfer by both Clubs
- iii. A Club may have any number of athletes registered on loan at any one time.
- iv. The transfer on loan must be made on the ASA Official Registration On Loan Form which will incorporate.

1. Details of identification of the athlete;
 2. Signature of athlete being transferred on loan and date of registration;
 3. Name of Club transferring the athlete on loan;
 4. Signature of any two Club Officials authorizing the transfer on loan of the athlete;
 5. Name of the Club registering the athlete on loan;
 6. Signature of any two Club officials of the Club registering the athlete on loan.
- v. If a club does not participate in any competition during a particular season, then all its registered athletes shall have the right to be transferred on loan to any other club.
- vi. If a club participates only in the Senior Competitions, during a particular season, those athletes who are eligible to participate in any age group competition, are entitled to be transferred on loan to any other club provided that they do not form part of the senior team of the loaning club.
- vii. If a Club only participates in age group competitions, during a particular season, those registered athletes, who are not eligible to participate, by virtue of age, are entitled to be transferred on loan to any other club.
- viii. An athlete who is registered with a Club and who participates in only one of the disciplines that the Club organizes and /or participates in, that is, either Water Polo or Swimming, may be transferred on loan to another Club to participate in another discipline other than the one in which the athlete participates in with his original Club.
- ix. An athlete who is registered with a Club that participates in only one sporting discipline, that is, Water Polo or Swimming, has the right to be transferred on loan with another Club any may participate in the discipline in which his original Club does not organize or participate in.

The next rule is Rule 41

SECTION 3

LAWS GOVERNING CLUBS

RULE 41. CLUB STATUTES

The Statute of every Club affiliated to the A.S.A. must conform with the rules and spirit of the Association.

RULE 42. BOOKS TO BE KEPT

Clubs shall keep the following books:

- i. A Minute Book showing records of all Committee Meetings and General Meetings of the Club.
- ii. A Cash Book showing all financial transactions of the Club.
- iii. A Membership Book showing names and addresses of all Members, date of joining Club and date of ceasing their Membership.

RULE 43. CLUBS' ANNUAL GENERAL MEETINGS

- a. Clubs shall inform the A.S.A. of their Annual General Meeting at least ten days beforehand. Such General Meeting is to be held by the end of October of each year. Clubs that fail to conform to this Rule shall be suspended from all A.S.A. activities at least up to the end of the season in all cases, and, in the event that the Club's Annual General Meeting is held after the end of the season, up to the date when the Council is satisfied that the Club has held its Annual General Meeting.
- b. The A.S.A. has the right to appoint a delegate to supervise Clubs' Annual General Meeting. The composition of a Club's new Committee and any changes to the Club's statute are to be forwarded to the A.S.A. as early as possible and in any case by not later than the 6th November. Any subsequent changes of the Committee and statute are to be notified within five days.

- c. The A.S.A. shall have the right to object to any Member of the Committee without giving reasons. Such Member shall vacate his post within 15 days from receipt of the objection. In default the President and Secretary of that particular Club will be held responsible and shall be automatically suspended until the position is rectified.

- d. Any Member under suspension at the time of the Club's A.G.M. when the election of Committee is being held, may not contest such election. In default all the election shall be deemed null and void. Such Member may not be co-opted to the Club's Committee and/ or any sub-Committee whilst under suspension.

- e. Clubs shall present a copy of their Financial Statements for viewing by the Executive by not later than the 15th November of each year. The Financial Statements shall be those approved by their Annual General Meeting and must be audited.

RULE 44. STATEMENTS TO THE PRESS

No authorisation is required by a Club or Club Members before issuing statements/reports to the Press, or before granting interviews on the Broadcasting Media, however Clubs or Club Members shall be responsible for any unethical or unsporting statements/reports, or any statement/report which go against the interest of the Association. Clubs or Club Members are to seek the approval of the A.S.A. Council prior to the issuing of statements/reports to International and Foreign Sporting Bodies.

RULE 45. CLUB DELEGATES

The President and/or Secretary of each Club shall authorise the appointment of the delegate or his substitute. Only such delegate has the right to vote and speak on behalf of the Club during A.G.M. and to speak on behalf of the Club whenever necessary.

RULE 46. CORRESPONDENCE TO THE A.S.A.

a. Only correspondence signed by any of the Club Officials shall be recognised by the A.S.A. This however does not include any contestations on referees' reports which may also be made by the official/coach accompanying the team. If, for some reason or other, the Club Officials happen to be simultaneously away from the Island, the Club is to delegate a person to sign correspondence. The name of this delegate is to be forwarded in writing to the Association.

b. It shall be the Club's responsibility to ensure that the A.S.A. has received all correspondence and any other information sent to the A.S.A. by the Club.



