

ASIA SWIMMING FEDERATION

CONSTITUTION AND BY-LAWS



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CONSTITUTION

C 1 NAME

The ASIA SWIMMING FEDERATION hereinafter known as AASF is the governing body of aquatic sports in Asia recognised by FINA in accordance to FINA Constitution C14.

Any competition, event, activity or club under the jurisdiction of a recognised and affiliated Member Federation/Association shall not be called « Asian, Asia or AASF shall these words be used in any way unless approved by AASF.

C 2 LEGAL STATUS AND HEADQUARTERS

AASF is established for an indefinite period in 1978, at Bangkok, Thailand during the 1st AASF General Congress with legal status as an association. AASF has its headquarters in Muscat in the Sultanate of Oman.

C 3 DEFINITIONS

- C 3.1** AQUATICS – means swimming, open water swimming, diving, high diving, water polo, artistic swimming and master's Program / activity.
- C 3.2** FINA – is the world governing body of the aquatic sports.
- C 3.3** OCA - Olympic Council of Asia is in charge of all Asian Games and Olympic activities in the Asian continent.
- C 3.4** **CAS** – means the Court of Arbitration for Sport, based in Lausanne, Switzerland.

- C 3.5** COMPETITIONS – includes AASF Asian Championships, Asian Cups, Grand Prix, World Leagues, World Trophies and World Series events and tournaments, events sanctioned by AASF Members, and international events in Asia for any of the aquatics disciplines.
- C 3.6** COMPETITOR – means a person who is taking part in competition.
- C 3.7** CONGRESSES – means the General Congress, and the Extraordinary Congress. The Congress is the highest authority of AASF.
- C 3.8** ZONAL ORGANISATIONS – means Organizations formed by the recognised AASF Member Federation/Association from same geographical Asian continent and specified in AASF Rule C14.
- C 3.9** AASF Bureau – means all Bureau Members elected or serving in accordance with AASF Rules C14 and C15.
- C 3.9.1** AASF Executive – means the AASF Executive Committee consisting of five (5) Bureau Members – the President (in case of his absence one of the Senior Vice Presidents) and one (1) Vice President, nominated by the President, one (1) Secretary General, and one (1) Asian FINA Bureau Member nominated by the AASF President.
- C 3.10** AASF Rules – means the Constitution, General Rules, Code of Ethics, By-Laws and any other rules and regulations adopted by AASF Congress and AASF Bureau.
- C 3.11** AASF AD HOC Committees – means any committee including all recognised Member Federation/Association appointed by the Bureau for special tasks in accordance with AASF Rules C27.

- C 3.12** AASF Technical Committees – means the AASF Technical Committees, one for each of the six (6) AASF disciplines, Master, Medical/ Anti-Doping, Solidarity and Development, Finance and Marketing, Coaches and Athletes shall be appointed by the AASF Bureau based on the recommendation of the AASF President and Secretary General.
- C 3.13** JUDICIAL PANELS – means the Disciplinary Committee, the Ethics Committee and Audit and Compliance Committee shall be elected by the Congress based on the proposal of the AASF Bureau.
- C 3.14** MANAGEMENT COMMITTEE – means the committee responsible for the entire management of any AASF Competition.
- C 3.15** RECOGNISED MEMBER, RECOGNISED MEMBER FEDERATION/ASSOCIATION – mean the national Federations recognised and affiliated by AASF in a country or sport country recognised by AASF in accordance with AASF Rules C6.
- C 3.16** OFFICERS – means the President, the five (5) Vice Presidents & the Secretary General.
- C 3.17** OFFICIAL – means any person elected or appointed to any position within AASF, the Zonal Organizations, and the AASF recognised Member Federation/Association and any person appointed into any position pursuant to AASF Rules and decisions.
- C 3.18** SPORT COUNTRY – means a geographical territory or region which, though not recognised as a country, has certain aspects of self-government at least to the extent in being autonomous in the control of its sports, and is recognised as such by AASF.

- C 3.19** SWIMSUITS – means, whenever used in these rules, the attire worn by Competitors.
- C 3.20** SWIMWEAR – means swimsuit, cap and goggles.
- C 3.21** Whenever the fact or context so requires in order to give effect to the AASF Rules, words in the singular shall include the plural, words in the plural shall include the singular; words of the masculine, feminine or neuter gender shall include any gender, except in the specification of a Competition being for male or female Competitors; and correction of any clerical errors shall be made.

C 4 DISCRIMINATION

AASF shall not allow any discrimination against national federations or individuals (competitors, officials, judges, delegates, etc.) on the grounds of race, gender, religion, or political affiliations. No political propaganda permitted in any AASF events.

C5 AASF CONSTITUTION

AASF Constitution must be approved by the AASF Congress and should be at all time in line with FINA Constitution, in case of any conflict between AASF Constitution and FINA Constitution, FINA Constitution shall prevail.

C 6 OBJECTIVES

- C 6.1** To promote and encourage the development of Swimming, Open Water Swimming, Diving, Water Polo, Artistic Swimming and Masters in all possible regards throughout the Asian continent.

- C 6.2** To adopt necessary standardized rules and regulations and to hold competitions in Asia which encourages participation at all levels regardless of age, gender or race.
- C 6.3** To provide fair and drug free sport.
- C 6.4** To promote and control all approved Asian Championships and AASF events.
- C 6.5** To approve AASF Records.
- C 6.6** To hold annual calendar conference.
- C 6.7** To promote and encourage the development of regional and international sporting relationships.
- C 6.8** To encourage the increase of the numbers of facilities for aquatic discipline in the continent.
- C 6.9** To carry out such other activity as may be desirable to promote the sport.

C 7 OFFICE

The AASF offices shall be located at the address of the President & Secretary General.

C 8 LANGUAGE

The official languages of AASF shall be English. The working language shall be English. Any other language may be used in correspondence or debate providing that adequate translation is provided. In case of doubt, the English language shall prevail.

C 9 MEMBERSHIPS

- C 9.1** AASF have the authority and right to recognize the national body governing swimming, open water swimming, diving, high diving, water polo, artistic swimming, and masters in any country or sport country within the geographical territory of Asian Continent. The recognition of any recognised Member Federation/Association will be based on the AASF Constitution, Rules, Regulations and the decisions of AASF Bureau.
- C 9.2** Only one (1) Member Federation/Association from each country or sport country may be affiliated to AASF and such Member Federation/Association shall be recognised by AASF as the only national governing body for aquatics in such country or sport country. The jurisdiction of a recognised Member Federation/Association shall be limited to the political boundaries of the country or sport country that it represents.
- C 9.3** AASF can recognize any sub federation in charge for any sport discipline of aquatics in any country subject to the approval of the recognised and affiliated Member Federation/Association as in AASF Rules C9.2, the Constitution of the sub federation must be approved by the AASF Bureau.
- C 9.4** The constitution and rules of a recognised Member Federation/Association must not be in conflict with the FINA/ AASF Rules. Where there is a conflict, the FINA/ AASF Rules shall prevail. Application for membership shall be submitted to the Secretary General with:
- C 9.4.1** a statement of the name of the national body which must reflect the territorial extent, jurisdiction, and sport tradition of that country or Sport Country,
 - C 9.4.2** a copy of the Constitution, Rules and By-Laws of the body applying for membership,

- C 9.4.3** its official address and contact details with confirmation letter from the recognised National Olympic Committee by the International Olympic Committee,
- C 9.4.4** a list of its main officers with confirmation letter from the recognised National Olympic Committee by the International Olympic Committee,
- C 9.4.5** the appropriate affiliation fee.
- C 9.5** A recognised Member Federation/Association must seek approval of the AASF Executive for any change or amendment of name and/or constitution before such changes come into effect.
- C 9.6** Each recognised Member Federation/Association shall acknowledge in its national rules that FINA is the only recognised body in the world which governs aquatics internationally and AASF is the only recognised body which governs aquatics in the Asian Continent.
- C 9.7** A Recognised Member Federation/Association may choose to have sub organizations responsible for the different aquatic disciplines providing the recognised Member Federation/Association notifies AASF of the identity of each organization and the recognised Member Federation/Association assumes ultimate responsibility for the action of such organizations.
- C 9.8** Each Member Federation/Association shall acknowledge in its national rules that AASF/FINA recognised body in Asia which governs aquatic sports in the continent.
- C 9.9** Each Member Federation/Association shall be named in accordance with their own Constitution. Their name and the respective official abbreviation shall be stated in the AASF list of nations. This name shall be formally used in the official documents, meetings and events.

C 10 RIGHTS AND DUTIES OF THE RECOGNISED MEMBERS

C 10.1 Members Federations/Association are entitled:

- C 10.1.1 to use the services of AASF,
- C 10.1.2 to take part in the AASF Championships/Competitions and AASF Congresses when they are eligible and recognised by AASF and FINA,
- C 10.1.3 to be recognised as the only aquatics governing body of its country or sport country, by everybody, including its National Olympic Committee,
- C 10.1.4 to draw up a proposal for inclusion in the agenda of the Congresses,
- C 10.1.5 to nominate candidates for AASF presidency, AASF Bureau Members, AASF Technical Committees and Juridical Panel in accordance to AASF Constitution, Regulations and the decisions of AASF Bureau and Executive.
Also to nominate candidates for any FINA position, including FINA President, FINA Vice President positions for Asia, FINA Bureau Members position for Asia and Technical Committees and Juridical Panel in accordance to AASF Constitution, Regulations and the decisions of AASF Bureau and the Executive.
No new nominations, or change of names or withdrawal can be made by any National Federation/Association after the deadline set by the AASF Executive,
- C 10.1.6 to take part in AASF assistance and development program, and

C 10.1.7 to exercise all other rights raising from AASF Constitution and other Regulations set by AASF,

C 10.1.8 the exercise of these rights is subject to other provisions in AASF Constitution, applicable regulations and AASF Bureau decision.

C 10.2 Members Federation/Association Obligations:

C 10.2.1 to support AASF in its efforts to achieve its objectives,

C 10.2.2 to comply fully with the Constitution, Rules, Regulations, directives and decisions of AASF bodies at any time as well as decisions of Court of Arbitration for Sports (CAS),

C 10.2.3 to pay the annual membership fee set pursuant to AASF Rules and all other financial obligations to AASF,

C 10.2.4 to insert in its constitution, Rules and Regulations such provisions as may be required by the FINA/AASF Rules,

C 10.2.5 to manage its affairs independently and ensure that their own affairs and its affiliated members (clubs) affairs are not influenced by any third parties, the Member Federation/Association is obliged to inform AASF about any external interference or influence to protect the aquatic sport in their country,

C 10.2.6 to participate in Asian Aquatics Competitions, recognised and/or sanctioned by AASF, especially in the AASF Championships/competitions,

C 10.2.7 to hold General Assembly every two (2) years, and must notify AASF of the dates and the location of the General Assembly Ten (10) days before the General Assembly. The General Assembly must approve the administrative, finance and technical reports as well the finance audit report and to provide the minutes of it General Assembly to AASF not later than thirty (30) days after conclusion of its General Assembly,

C 10.2.8 to hold elections every four (4) years in accordance with the Member Federation/Association constitution approved by FINA/AASF, and must notify AASF of the dates and the location of the elections. Ten (10) days before the General Assembly date, AASF may send a delegate to check the validity of the elections that's been carried out in accordance to the Member Federation/Association Constitution approved by FINA/AASF, and to provide the minutes of its own congress to AASF no later than thirty (30) days after conclusion of the congress, If a Member Federation/Association under Exceptional or Extraordinary Circumstances or under interference or influence from any third party and unable to hold its electoral General Assembly/Congress then Member Federation/Association can inform the AASF about the situation and can seek the permission from AASF for extension of its mandate, the AASF executive may approve such request,

C 10.2.9 in case of any discrepancy between the Member Federation/Association constitutions and the FINA/AASF Constitution, the FINA/AASF Constitution shall prevail at all time,

C 10.2.10 to ensure that their own Members (clubs) comply with the FINA/AASF Rules, Regulations, directives and decisions of the FINA/AASF bodies,

- C 10.2.11** to ratify its Constitution and its own Members (Clubs) Constitution in accordance with the requirements of the FINA/AASF Constitution,
- C 10.2.12** each recognised Member Federation/Association must amend its Constitution as per FINA/AASF Constitution, Rules and Regulations and must take approval from AASF before any amendments.
- C 10.3** Violation of the above-mentioned obligations by any recognised Member Federation/Association may lead to sanction provided for in AASF Constitution.
- C 10.4** Violation of part of AASF Rules C10.2.2, C10.2.5, C10.2.6, C10.2.11 and C 10.2.12 may also lead to sanctions, even if the third-party influence was not the fault of any recognised Member Federation/Association concerned.
- C 10.5** Each recognised Member Federation/Association is responsible towards AASF for any and all acts of the Members (clubs) of their bodies cause by the gross negligence or willful misconduct of such members.
- C 10.6** Each recognised Member Federation/Association must submit and provide letter of conformation before the start of the AASF Congress that their own representative attending the AASF Congress and Events, have read and understood the AASF Constitution and AASF Ethics Codes and they are aware and bounded by the AASF Constitution and AASF Ethics Codes, and they confirm that they are responsible of any act contradict to the AASF Constitution and AASF Ethic Codes by their respective government directly or indirectly on the AASF in the aquatic sports affairs.

C 11 FEES

Each Member Federation/Association of AASF must pay an annual affiliation fee. The amount of the payment shall be fixed by the AASF Bureau. If the payment is not received when it is

due, the Member Federation/Association will be under automatic suspension until the fee has been paid, according to the procedures and Regulations covering affiliation fees.

C 12 SANCTIONS

- C 12.1** Any recognised Member Federation/Association By AASF, member of a recognised Member Federation/Association (the Clubs), members of AASF Bureau, Standing Committees, or the delegates of Member Federation/Association attending the AASF congress and Events, or individual Member (Athletes, Coaches, and Officials) of a recognised Member Federation/Association by AASF may be sanctioned by the AASF Executive.
- C 12.1.1** in case of violation of its memberships requirements, duties and obligations as per ASSF Rules C9, C10.1 and C10.2 as well if it financial obligations to AASF are not fulfilled, or
- C 12.1.2** in case of violation of the AASF Constitution and Rules and/or decisions of the Congress and/or decisions of the AASF Bureau and Executive, or
- C 12.1.3** make adverse comments on a policy or decision adopted by the AASF Bureau, Executive or AASF Congress once the AASF Bureau, Executive/Congress decision has been taken, or he/she make an appeal against AASF (Congress, Bureau and Executive) decisions and his/her appeal rejected or found have no legal bases by any AASF bodies, CAS or any court of justice.
- C 12.1.4** for bringing the sport into disrepute,
- C 12.1.5** to protect the aquatics sport the AASF Executive shall suspend a recognised Member Federation/Association in any country

due to any direct or indirect third-party influence and interference on the affairs of the recognised Member Federation/Association, even if the fault was not caused by the recognised Member Federation/Association concerned. The suspended recognised Member Federation/Association due to third party influence and interference has the full right and duties of the AASF membership in accordance to AASF Rules C10, and the recognised Member Federation/Association and its Athletes will participate in all AASF recognised Championships, under FINA flag and Congresses without the right to vote,

C 12.1.6 the suspended recognised Member Federation/Association due to AASF Rules C12.1.5 will maintain its recognition by AASF until the third-party influence and interference has been eliminated and confirmed by the Member Federation/Association concerned and the suspension has been lifted by AASF Executive,

C 12.1.7 The recognised Member Federation/Association suspended by FINA will be considered suspended by AASF automatically.

C 12.2 Sanctions are:

- 1) Warning,
- 2) Fine,
- 3) Suspension,
- 4) Expulsion,
- 5) Cancellation of results,
- 6) Return of awards, medals, prizes, etc.

C 12.3 Sanctions shall be imposed by the AASF Executive except in cases involving violation of FINA Doping Control (DC) Rules in accordance with FINA Rules

C12.5 and in cases referred to the Disciplinary Panel in accordance with AASF Rules C12.6 and in cases involving violation of the AASF Ethics Code in accordance with FINA Rules C12.7.

- C 12.4** Any sanction imposed on a Member Federation/Association, competitor or a person by AASF, all recognised Member Federation/Association by AASF shall recognise and enforce the sanction. If any Member Federation/Association that not recognise and enforce the sanction, the Member Federation/Association will lose its Right, duties as per AASF Rules C10 and Vote at the AASF Congress due to its violation of AASF Constitution and the decision of AASF Executive. The AASF Executive may suspend the Member Federation/Association as the Member Federation/Association violated the AASF Constitution and Executive decisions.
- C 12.5** In cases involving violation of FINA DC Rules, sanctions shall be applied by the AASF Medical/ Anti-Doping Committee.
- C 12.6** In cases of a disciplinary nature referred by the AASF Executive, sanctions shall be applied by the AASF Disciplinary Committee.
- C 12.7** In cases involving violation of the AASF Code of Ethics, sanctions shall be applied by the Ethics Committee.
- C 12.8** Before any Member Federation/Association or individual is sanctioned by the Executive in accordance with the AASF Rules C12.1, the Member Federation/Association or the individual or a representative of the recognised Member Federation/Association must be given the right to appear before to the Executive either in person or in writing.

The Secretary General shall notify the Member Federation/Association or individual about this Right in writing, the Member Federation/Association or the individual must appear within a maximum of seven (7) days from receiving the notification, or otherwise the Member Federation/Association and the individual will lose their Right.

- C 12.9** Sanctions shall be in force immediately upon the decision being made unless the deciding body rules otherwise.
- C 12.10** AASF may take no action with respect to violation of AASF Constitution/ Rules and Ethics Code unless such action is taken within five (5) years of the event to which it relates. Sexual misconduct, bribery and corruption are not subject to such limitation period. The limitation period, when applicable, shall be prolonged if proceedings are opened and/ or suspended.
- C 12.11** Appeals:
- C 12.11.1** a recognised Member Federation/Association, Member of a recognised Member Federation/Association or individual sanctioned by the executive may appeal to the AASF Bureau within maximum seven (7) days after the decision of the Executive been notified,
- C 12.11.2** a recognised Member Federation/Association, Member of a recognised Member Federation/Association, or individual sanctioned by the Medical/ Anti-Doping Committee, the Disciplinary Committee or the Ethics Committee may appeal the decision directly to CAS,
- C 12.11.3** except in accordance with AASF Rules C12.11.4, an appeal shall be submitted by the appealing party to the AASF Secretary General within Seven (7) days from the date of receipt of the decision,
- C 12.11.4** an appeal against a decision by the Bureau, the Medical/ Anti-Doping Committee, the Disciplinary Committee or the Ethics Committee shall be referred to the Court of Arbitration for Sport (CAS), Lausanne, Switzerland, within Twenty-One (21) days from the date of receiving the decision. The only appeal

from a decision of the Doping Panel, the Disciplinary Panel or the Ethics Committee shall the CAS. The CAS shall also have exclusive jurisdiction over interlocutory orders and no other court or tribunal shall have authority to issue interlocutory orders relating to matters before the CAS. Decisions by the CAS shall be final and binding.

C 12.11.5 Appeals against final decisions passed by AASF legal bodies and against decisions passed by AASF Bureau or Member Federation/Association bodies shall be lodged only to CAS within twenty-one (21) days of notification of the decision in question.

Recourse may only be made to CAS after all AASF or other internal channels have been exhausted. CAS, however, does not deal with appeals arising from a violation of the technical Rules of the aquatic sports,

C 12.11.6 The AASF and Member Federation/Association shall agree to recognise CAS as an independent judicial authority and to ensure that their members (Clubs), affiliated athletes and officials comply with the decisions passed by CAS. Recourse to ordinary courts of law is prohibited.

The Member Federation/Association shall insert a clause in their Constitution/Statutes or regulations, stipulating that it is prohibited to take disputes in the Member Federation/Association or disputes affecting national competitions, clubs, members of clubs, athletes, officials and other Member Federation/Association officials to ordinary courts of law. Instead of recourse to ordinary courts of law, provision shall be made in the Member Federation/Association statutes for arbitration. Such disputes shall be taken to an independent and duly constituted arbitration tribunal recognised under the rules of the Member Federation/Association and National Olympic Committees.

The Member Federation/Association shall also ensure that this stipulation is implemented in the Member Federation/Association, if necessary by imposing a binding obligation on its members. The Member Federation/Association shall impose sanctions on any party that fails to respect this obligation and ensure that any appeal against such sanctions shall likewise be strictly submitted to arbitration, and not to ordinary courts of law.

C 13 TERMINATION OF MEMBERSHIP

- C 13.1** Membership shall cease with:
- C 13.1.1** The termination of membership (loss or withdrawal) from FINA,
or
 - C 13.1.2** Resignation from AASF, or
 - C 13.1.3** Expulsion from AASF.
- C 13.2** Should any Member Federation/Association wish to withdraw its membership, an official notice writing must be sent to the AASF Secretary General, the membership shall end immediately, but no refund of fees will be made.
- C 13.3** The Executive Board has the power to dismiss any member or official with due consideration to the report submitted by the Secretary General.
- C 13.3.1** the report shall be deliberated and prepared by the ethics committee and shall be duly submitted to the Executive.

C 14 REPRESENTATIVES OF MEMBERS OF THE AASF ORDINARY / EXTRAORDINARY CONGRESS

- C 14.1** Only the recognised Member Federation/Association by AASF can attend AASF Congresses and each recognised Member Federation/Association by AASF shall have TWO (2) representatives at the AASF General Congress/ Extraordinary Congress, and the names and addresses shall be communicated in writing to the AASF not later than one month before the ordinary/extraordinary Congresses with a letter of confirmation as per AASF Rules C10.6.
- C 14.2** Each recognised Member Federation/Association by AASF shall have one (1) vote whether having one (1) or two (2) representatives present during the Congress.
- C 14.3** The representative(s) must be citizen(s) of the Nation(s) or region(s) he/she, they represent and nominated by only the recognised member federation by AASF.

C 15 AASF ACTIVITIES

- C 15.1** All AASF activities (AASF competition/championship including the Asian Club Championship and the Asian Game) shall be approved by FINA and governed by FINA and AASF Rules as well as the decisions taken by the AASF Congress and AASF Bureau. In case if any rules are not provided in the AASF Rules, the Rules of FINA shall apply.
- C 15.2** An annual calendar of activities shall be issued on the light of FINA Calendar. FINA Technical Rules have been affected in AASF and following rules will be added.

C 16 THE ORGANISATION OF AASF

C 16.1 The following entities are established to govern and administer AASF:

- 1) The General Congress,
- 2) The Bureau,
- 3) The Executive,
- 4) The Technical Committees,
- 5) The Ad HOC Committees.

C 17 MEETINGS AND DECISION-MAKING

C 17.1 The Congress is the highest authority in AASF and shall meet every two years. The Congress' decision is final.

C 17.2 The Bureau shall meet at least one (1) time a year. In principle, meetings of the Bureau shall be held at AASF headquarters.

C 17.3 The president (in his/her absence the Secretary General) shall convene the meeting of the Bureau at least seven (7) days in advance by way of letter and/or email, stating the date, time and place of the meeting as well the item of the agenda. The meeting of the Executive shall be convened immediately by the President or the Secretary General.

C 17.4 If at least thirteen (13) elected Members of the Bureau request a meeting, the President or the Secretary General shall convene the meeting in accordance to AASF Rules C17.3.

- C 17.5** The President, as a Chair of the Bureau, Executive and the Congresses, shall conduct all the meetings in accordance with the AASF Constitution and Regulations. She/he shall open and close the debates and give the floor to Bureau Member and recognised Member Federation/Association. In the absence of the President the Senior Vice President shall conduct the meeting as a chair person. In the absence of the President and the Senior Vice President the Secretary General shall conduct the meetings.
- C 17.6** If a vote is needed on any matter, a majority of valid vote cast is required for a decision to be adopted. Each elected Member of the Bureau has one (1) vote during Bureau Meetings, and each recognized Member Federation/Association has one (1) vote in the General Congress.
- C 17.7** Decisions of the Bureau and the Congresses should be signed by the President.
- C 17.8** Bureau and Executive meetings are confidential. Any elected Member violates the confidentiality of the meetings will be a subject to a sanction by the Ethic Committee.
- C 17.9** The minutes of every Congress, Bureau and Executive meetings shall be recorded by the Secretary General. Should the Secretary General be unavailable, the Deputy Secretary General appointed by the President, shall take over the responsibilities. The minutes shall as a general rule be signed by the Secretary General, in his absence the deputy Secretary General, appointed by the President.

C 18 ZONAL ORGANISATIONS

- C 18.1** The recognised Member Federation/Association by AASF will be divided into five Geographical Zones as follows:

- 1) East Zone,
- 2) West Zone,
- 3) South Zone,
- 4) Central Zone,
- 5) South East Zone.

C 19 GENERAL CONGRESS

The Congress is the highest authority of AASF, and shall have to decide upon any matters arising within AASF. The Executive may decide to consider proposals relating to any AASF Rules as well as other proposals.

C 19.1 The Congress may be an Ordinary General Congress or an Extraordinary Congress.

C 19.1.1 The Ordinary General Congress shall be held every two (2) years or earlier. The Executive shall fix the place and date of the Ordinary General Congress. The recognised Member Federation/Association shall be notified in writing within three (3) months prior to the date of the Congress. The Executive will decide the timeline of the notification. The formal convocation with the agenda shall be made in writing at least two (2) months before the date of the Congress by Secretary General. The quorum of the Ordinary Congress shall be twelve (12) affiliated and recognised Member Federation/Association by AASF.

C 19.1.2 An Extraordinary Congress shall be convened by a decision of the Bureau or the Executive at any time or the Bureau shall convene an Extraordinary Congress if one-third (1/3) of the recognised Member Federation/Association make such a request in writing, the request shall specify the items for the agenda. An Extraordinary Congress shall be held within three (3) months of receipt of such request. The Executive will decide the date, place and the agenda of the Extraordinary Congress. The Secretary General shall send notification to all recognised

Member Federation/Association including the place, date and the agenda at least one (1) month before the date of the Extraordinary Congress. The agenda of The Extraordinary Congress shall not be altered.

C 19.2 The General Congress and the Extraordinary Congress of AASF shall consist of:

C 19.2.1 Only the recognised Member Federation/Association can attend the AASF Congresses with a maximum of two (2) duly appointed delegates of each affiliated and recognised Member Federation/Association by AASF, notice of the appointment of delegates by recognised Member Federation/Association, certified in writing by the recognize Member Federation/Association they represent, must be lodged to the AASF Secretary General before the start of the Ordinary General Congress or the Extraordinary Congress,

C 19.2.2 each recognised Member Federation/Association by AASF is entitled for one (1) vote only regardless of the number of its delegates,

C 19.2.3 all Honorary Bureau Members without vote

C 19.2.4 the Honorary Life President without vote, and

C 19.2.5 all Honorary members without vote.

C 19.3 a recognised Member Federation/Association may appoint delegates in accordance with AASF Rules C19.2.1 to participate and vote in a meeting of the General Congress or the Extraordinary Congress provided that:

C 19.3.1 it has paid all membership fees due to AASF in accordance to the AASF Rules C11; and,

- C 19.3.2** during the preceding twelve (12) months it has participated in at least one AASF Continental or FINA International Aquatics Competition (the FINA World Championships, other FINA Competitions, Continental Competitions, AASF Regional Competitions or Asian Games), and
- C 19.3.3** it is not suspended in accordance to the AASF Rules C12,
- C 19.3.4** the suspended recognised Member Federation/Association by AASF, based on AASF Rules C12.1.5 has the right to attend the Congress without a right to vote.
- C 19.4** A Member Federation/Association that is not suspended but is otherwise in breach of AASF or FINA Rules and decisions or other AASF or FINA requirement may participate at the meeting of the General/Extraordinary Congress but shall not be eligible to vote unless the Executive determines that there was a justifiable reason for the breach in question.
- C 19.5** Recognised Member Federation/Association by AASF shall only be represented by delegates. Delegates shall be affiliated to the recognised Member Federation/Association which they represent. A delegate may represent only one Member Federation/Association.
- C 19.6** Zonal Organisations as listed in AASF Rules C18 may appoint up to two (2) representatives who may attend the General/Extraordinary Congress as observers.
- C 19.7** The President of AASF, or in his/her absence the Senior Vice President, or in his/her absence the Secretary General, shall preside at all General Congress meetings and the Extraordinary Congress meetings.
- C 19.8** The General Congress shall be convened every two (2) years preferably at the site and on the occasion of the AASF Championships or the Asian Games. The Executive may decide other location of the General congress if

needed. AASF shall inform the recognised Member Federation/Association not later than four (4) months ahead of the exact date fixed for the General Congress concerned. AASF shall send an invitation to all recognised Member Federation/Association by AASF, together with the agenda for the General Congress and the reports as in AASF Rules C19.12 below and together with all duly submitted motions and applications at least three (3) months prior to the date fixed for the meeting.

- C 19.9** An Extraordinary General Congress shall be convened by a decision of the Bureau or the Executive or upon receipt of a written request of one third of the Members. The Secretary General shall call such a meeting, based on the executive decision to be held within three (3) months from the date of receiving the request, which shall state the reason for the meeting, date, location and agenda for the meeting. No subject shall be discussed at the Extraordinary Congress other than the matters stated in the requisition. The quorum shall be nine (9) affiliated and recognised Member Federation/Association by AASF. Should there be no quorum present, the motion shall be deemed to have been lost and shall not be raised again until the next ordinary meeting of the General Congress.
- C 19.10** The General Congress may, in order to reward exceptional merit in or service for the advancement of international Aquatics, elect an Honorary Life President, who shall be a Member of the Bureau without vote. The General Congress may also elect Honorary Members if they fulfilled three (3) terms as a Bureau Member.
- C 19.11** The General Congress has a quorum of twelve (12) affiliated and recognised Member Federation/Association by AASF are present. If a quorum is not present at the previously announced opening time of the Congress, the meeting shall not open until the quorum is achieved. If the quorum did not achieve within one hour from the scheduled opening time, then the quorum will be declared achieved with a minimum attendance not less than seven (7) affiliated and recognised Member Federation/Association by AASF.

Decisions by the General Congress are made on vote of a majority of those recognised Member Federation/Association by AASF present and voting.

C 19.12 The General Congress agenda shall include the following mandatory items:

C 19.12.1 a declaration that the Congress has been convened and composed in compliance with the AASF Constitution,

C 19.12.2 approval of the agenda,

C 19.12.3 and address by the President,

C 19.12.4 appointment of three (3) scrutinizers recognised Member Federation/Association,

C 19.12.5 appointment of three (3) recognised Members to check and approve the minutes,

C 19.12.6 report of the Bureau on its activities during the time since the previous General Congress presented by the President,

C 19.12.7 a financial report of Secretary General and presentation and the approval of the audit financial report,

C 19.12.8 appointment of auditors,

C 19.12.9 votes on proposal for adopting and amending the AASF Constitution, Code of Ethics, (if applicable),

C 19.12.10 releasing the President of her/his duty and responsibility and election of new AASF President, the chair will be in accordance to AASF Rules C17.5 (if applicable),

- C 19.12.11** the address of the newly elected AASF President, the newly elected AASF President will be the chair of the Congress (if applicable), every four (4) years.
- C 19.12.12** releasing the other remaining previous Bureau from its responsibility and liability (if applicable), every four (4) years.
- C 19.12.13** election of the other remaining Bureau Members in accordance with AASF Constitution (if applicable) every four (4) years.
- C 19.12.14** election of Ethics, Disciplinary and the Audit and Compliance Committees members in accordance with AASF Constitution during the election Congress every four (4) years proposed by the Bureau.
- C 19.12.15** election for the AASF (Asian Candidates) for the FINA Vice President and FINA Bureau Member in accordance with ASSF Constitution (If applicable) every four (4) years.
- C 19.13** The agenda of the Ordinary General Congress may be altered, provided three-quarters ($\frac{3}{4}$) of the recognised Members Federation/Association present at the Congress and eligible to vote agree to such a motion.
- C 19.14** Motions, applications and proposals for alteration of or addition to the AASF Constitution and Rules shall be considered only if submitted by an affiliated and recognised Member Federation/Association or by the Bureau. All motions, applications, and proposals to be considered by the General Congress must reach the Secretary General at least three (3) calendar months prior to the Congress and must appear on the agenda given to the recognised Member Federation/Association in accordance with AASF Constitution.
- C 19.15** Any alteration of or addition to the Constitution agreed upon by the General Congress shall become effective immediately unless otherwise determined

at the time of such approval. Any alteration of or addition to the General Rules agreed upon by the General Congress shall not become effective earlier than two (2) months after the decision has been made, unless otherwise decided by the General Congress.

C 20 AASF BUREAU

The AASF Bureau shall consist of:

- C 20.1** President.
- C 20.2** Five (5) elected Vice - Presidents, one (1) for each of the above-mentioned zone, one (1) of them will be Senior Vice President, based on longest service in the AASF Bureau, if it does not apply the President will propose to the Executive one of the Vice Presidents to act as a Senior Vice President and one (1) President from the next host country of the next Asian Games and provided that the host country does not have any representative in the Bureau. And one (1) Vice President from the next host country for the Asian Championships subject to the approval of the AASF Bureau, and provided that the host country does not have any representative in AASF Bureau.
- C 20.3** One (1) Secretary General.
- C 20.4** Ten (10) Bureau Members.
- C 20.5** Honorary Members (as per decision of AASF Congress).
- C 20.6** The Asian representative in the FINA Bureau.
- C 20.7** All the AASF Bureau Member must pass the eligibility check by AASF Ethics Committees.

- C 20.8** Only the recognised and affiliated Member Federation/Association of AASF can nominate candidates for AASF Bureau.
- C 20.9** No two (2) members of the elected AASF Bureau shall be from the same country.
- C 20.10** If the country which confirmed to organize the Asian Swimming Championships refuses to conduct that, its representative as Vice President has been automatically omitted and this opportunity will transfer to the new host country.
- C 20.11** The term of the AASF Bureau shall be four (4) years from the date of the Congress.
- C 20.12** AASF Bureau shall be eligible for reelection on completion of a term of office.
- C 20.13** The Bureau may decide to consider proposals relating to Technical Rules as well as other proposals.
- C 20.14** After the election of the National Federation/Association and the deadline to submit the candidacy over for any position in AASF or FINA Bureau the respective Member Federation/Association shall no longer entitle to withdraw or replace the candidate. If the candidate wins her/his election in any AASF or FINA Bureau position the Member Federation/Association cannot apply for withdrawal or replacement.
- C 20.15** Membership from the AASF Bureau and/or the Technical Standing Committee shall be automatically lost and revoke in following cases:
- C 20.15.1** The Member Federation/Association has been absented from AASF Bureau Meeting or Technical Standing Committee

meeting for two (2) consecutive times without proper justification,

C 20.15.2 Noncompliance to the AASF Constitution, Rules, decisions of the Congress and the AASF Bureau, in this case the membership shall be revoke by the Congress.

C 20.15.3 Only the elected Bureau Members (19 Members), President, five (5) Zone Vice Presidents, the two (2) Vice Presidents, one each for the next Host Asian Games and the Asian Championships, Secretary General and the ten (10) Members have voting Right at the Bureau. The Honorary Members will also be part of the Bureau with Voice but without Voting Right.

C 20.16 No replacement of AASF Bureau member or technical and standing committee member after she/he has been elected to AASF position except for the following cases:

- 1) Member personally submitting his / her resignation to AASF,
- 2) he/she deceases,
- 3) Change the Nationality,
- 4) Except cases mentioned in AASF Rules C20.15.1 and C20.15.2.

C 20.17 The Member Federation/Association cannot amend/nominate or withdraw the names of their candidates for any AASF /FINA positions once the deadline set by AASF Executive/FINA, has elapsed.

C 21 ASIAN FINA BUREAU MEMBER

C 21.1 The election of the Asian FINA Bureau member will be carried out at the AASF Congress in accordance to FINA Constitution and AASF Constitution.

- C 21.2** The nomination of the Asian FINA Bureau member must be nominated by recognised and affiliated Member Federation/Association by AASF only.
- C 21.3** The Asian FINA Bureau Member must pass eligibility check by AASF Ethics Committee and then by the FINA Ethics Committee.
- C 21.4** No replacement of Asian FINA Bureau Member after he/she has been elected to FINA position except for the following cases:
- 1) Member personally submitting his / her resignation to FINA,
 - 2) he/she deceases,
 - 3) Change the Nationality,
 - 4) Except cases mentioned in C20.15.1 and C20.15.2.

C 22 THE AASF EXECUTIVE

AASF Executive – means the AASF Executive Committee consisting of five (5) Bureau Members – the President (in case of his absence one of the Senior Vice Presidents) and one (1) Vice President, nominated by the President, one (1) Secretary General, one (1) AASF Bureau Member and one (1) Asian FINA Bureau Member.

- C 22.1** The AASF Executive Committee shall consist of minimum five (5) persons to carry out the work of AASF:
- 1) President (in his absence the Senior Vice President),
 - 2) One (1) Vice President, nominated by the President,
 - 3) One (1) Secretary General,
 - 4) One (1) Asian FINA Bureau Member,
 - 5) One (1) AASF Bureau Member.
- C 22.2** The term of office of Executive Committee shall be four (4) years from the date of the Congress.

- C 22.3** The AASF Executive shall meet anytime by the request of the President or Secretary General to take decision between the Bureau meetings and shall be eligible to act on behalf of AASF regarding any decisions, and to arrange the Agenda and proposals for the next Congress, and to decide about the deadline of the congresses and the nominations of the different candidates for AASF and FINA positions.
- C 22.4** To discuss and make decisions on all the matters in accordance to AASF Constitution, ASSF Bureau and the Congress decision.
- C 22.5** To decide and take action on any matter pertaining to the affairs of the AASF and its members.
- C 22.6** To submit proposals to the Congress.

C 23 THE PRESIDENT

- C 23.1** In principal elected officer of AASF shall be the President.
- C 23.2** The President shall inter alia have the following roles and duties:
 - C 23.2.1** To preside at all meetings of the Congresses, the Bureau and the Executive,
 - C 23.2.2** To represent AASF in all dealings with the Olympic Council of Asia (OCA) and any other relevant Continental or International Organisations,
 - C 23.2.3** To be an ex-officio member of all AASF Committees and Commissions, represent AASF in the absence of the President,

the Senior Vice President at AASF Competitions, ceremonies or other activities requiring the presence of the highest AASF authority. In the absence of the Senior Vice president the Secretary General shall take the duty of the President,

- C 23.2.4** To evaluate the performance of the AASF administration, finance and technical and make an annual report to the Bureau and the Congress in this regard,
- C 23.2.5** To create any task force or working group he may deem necessary or advisable to address any urgent situation,
- C 23.2.6** To maintain relations with the zonal organisations, recognised Member Federation/Association, AASF Committees and commissions.
- C 23.2.7** The candidacy for AASF President will be nominated by any recognised National Member Federation/Association by AASF and the candidate must pass the eligibility check by AASF Ethic Committee.

C 23.3 The Senior Vice President shall have the following roles and duties:

- C 23.3.1** in the absence of the President conduct the Congresses, AASF Bureau and Executive meetings with all the rights and duties of the President,
- C 23.3.2** represent AASF in the absence of the President at AASF Competitions, ceremonies or other activities requiring the presence of the highest AASF authority,
- C 23.3.3** in general he takes the duty and the responsibilities of the President in his absence.

- C 23.3.4** in the absence of the Senior Vice President the Secretary General will take the duty and the responsibility of the President,
- C 23.3.5** the candidacy for AASF Senior Vice President as well as the other Vice Presidents position will be nominated by any recognised National Member Federation/Association by AASF and the candidate must pass the eligibility check by AASF Ethic Committee.
- C 23.4** The AASF Secretary General shall be responsible for:

 - C 23.4.1** implementing decisions passed by the Congresses, the Bureau and the Executive in compliance with the President's directives,
 - C 23.4.2** properly managing and keeping the accounts of AASF,
 - C 23.4.3** negotiating or overseeing the negotiation of all major contracts on behalf of AASF in consultation with the members of the Executive,
 - C 23.4.4** compiling the minutes for the meetings of the Congress, Bureau, Executive and Committees,
 - C 23.4.5** AASF's correspondences,
 - C 23.4.6** overseeing of the operations of the AASF Office and, where appropriate, taking such measures as he may deem necessary for the proper administration of AASF. The AASF Secretary General shall periodically report to the Bureau and the Executive in this regard,
 - C 23.4.7** the appointment and dismissal of staff working in the AASF Office in consultation with the AASF President; and,

- C 23.4.8** signing decisions on behalf of any AASF Committee, provided that no other ruling exists in the respective regulations,
- C 23.4.9** the agenda of the AASF Committees in co-ordination with the respective Chairman of the Committees,
- C 23.4.10** to issue the implementation of regulations, directives, policies, procedures, circular letters, manuals and similar documents as part of her/his range of duties and powers subject to AASF Constitution,
- C 23.4.11** chair the Finance Committee,
- C 23.4.12** fulfill the obligations as specified in AASF Ethics Code,
- C 23.4.13** be responsible for the financial planning of AASF,
- C 23.4.14** supervise the current amount of income and expenditure,
- C 23.4.15** draw up and present the general four (4) years and detailed yearly budget together with the AASF Accounting Department,
- C 23.4.16** the candidacy for AASF Secretary General will be nominated by any recognised National Member Federation/Association by AASF and the candidate must pass the eligibility check by AASF Ethic Committee,
- C 23.4.17** The AASF Office shall carry out all the administrative work of AASF under the direction of the AASF Secretary General, in accordance with the policies of the Bureau,
- C 23.4.18** the organization and structure of the AASF general secretariat shall be dealt with through directives issued by the Secretary General.

C 24 SENIOR VICE PRESIDENT

- C 24.1** In case the post of the Presidency becomes vacant or the President is unable to execute his/her duties, the Senior Vice President will exercise all the rights and carry out responsibilities of the President, until the post is filled by the Congress.
- C 24.2** In case of the post of the Senior Vice President become vacant, The Executive will appoint one of the Vice Presidents to take the responsibilities and duties of the Senior Vice President.

C 25 THE HONORARY MEMBERS

- C 25.1** The Honorary Life President and Honorary Life Members shall be appointed by AASF Bureau with no vote.
- C 25.2** Any person who has served for a minimum of four terms as Bureau member shall be automatically become the life member in the capacity he has served as President, Vice President, Secretary General, Treasurer, Associate Secretary General and member respectively.

They are entitled to all the rights and privileges to attend Championships Regional Games and Asian Games, as well as AASF Bureau meetings and AASF Congress but with no votes.

C 26 COMMITTEES

C 26.1 AASF shall have Technical Committees, Specialized Committees and AASF Judicial Panels:

C 26.1.1 The Technical Committees are:

- 1) The Swimming Committee,
- 2) The Open Water Swimming Committee,
- 3) The Diving Committee,
- 4) The High Diving Committee,
- 5) The Water Polo Committee,
- 6) The Artistic Swimming Committee,
- 7) The Masters Committee.

Nominated by the recognised Member National Federation /Association, appointed by the Bureau at its first meeting after the election at the proposal of the President.

C 26.1.2 The Specialised Committees are:

- 1) The Medical/Anti-Doping Committee,
- 2) The Athletes Committee,
- 3) The Coaches Committee,
- 4) The Finance/Marketing Committee,
- 5) The Solidarity and Development Committee,
- 6) The Artistic Swimming Committee,
- 7) The Legal Committee.

Nominated by the recognised Member National Federation /Association, appointed by the Bureau at its first meeting after the election at the proposal of the President.

C 26.1.3 The Judicial Committees are:

- 1) The Audit and Compliance Committee,
- 2) The Disciplinary Committee,
- 3) The Ethics Committee.

Nominated by the recognised Member National Federation /Association, elected by the Congress at the proposal of the Executive.

C 26.2 The Executive shall be entitled to nominate any kind of ad hoc committee or working commission when it is considered appropriate.

C 26.3 The Bureau appoints and dismiss the chair, vice chair, Secretary General and members of the Technical and Specialized committees.

C 26.3.1 the chairperson, deputy chairperson, Secretary General and the Members of the Technical and Specialized Committees shall be appointed by the Bureau on the proposal of the President. The recognised Member Federation/Association and the Zonal Organization may propose the candidates of the Technical Committees and the Specialized Committees, except for the chairperson and the member of the Disciplinary Committee, the Ethics Committee, the Audit and Compliance Committee,

C 26.3.2 the Athletes Committee who are elected by the Athletes at the occasion of the Asian Games. The Bureau shall ensure an appropriate female representation in the Committees. Their term shall last four (4) years from the day of the appointment to the closing ceremony of the Asian Games. after four (4) years,

C 26.3.3 the Bureau at its first meeting after its election appoints the chairperson, the deputy chairperson, the Secretary General and the members of the Technical and Specialized Committees. Recognised members appointed for a committee shall be from

different recognised Member Federation/Association. The Bureau, whenever it deems necessary, may appoint to the Specialized Committees additional experts in the area for which this committee has been established.

- C 26.4** Members may nominate persons for consideration for appointment to an AASF Committee by providing notice of such nomination in writing, signed by the president of such Member, to AASF Office before commencement of the first Bureau meeting after its election.
- C 26.5** the Bureau shall decide the maximum number of each Committee depending on the duty and responsibility of the Committee.
- C 26.6** Nominated persons shall be:
- C 26.6.1** in the case of a Technical Committee, those who are recognised experts in the respective discipline, capable of, and interested in, actively and regularly attending the meetings of such Technical Committee,
 - C 26.6.2** in the case of the Medical/Anti-Doping Committee, those who are qualified sports medicine physicians or in anti-doping in active practice or academic positions with experience with Aquatic athletes and are capable of, and interested in, actively and regularly attending the meetings of the Medical/Anti-Doping Committee,
 - C 26.6.3** in the case of any other AASF Committees, those who are knowledgeable in and skilled in the area for which the committee has been established, capable of, and interested in, actively and regularly attending the meetings of such committee.

- C 26.7** The Committees shall meet whenever there is business to be transacted, all meetings being subject to the approval of the Executive.
- C 26.8** The absolute majority of Members (50% plus one (1) Member) shall form a quorum at any meeting of an AASF Committee.
- C 26.9** Where a member of any Committee has been absented from two (2) consecutive meetings without reasons acceptable to the Executive, the Executive shall have the right to declare that such a member has forfeited his/her membership. The Executive according to AASF Constitution shall then fill the vacancy.
- C 26.10** The AASF Executive shall have the authority to fill any vacancy which occurs brought death, resignation or removal of any member of the Technical Committee, Specialized Committee or Judicial Panel.
- C 26.11** For the proposed candidates of membership on the Athletes Committee, all athletes on the Committee must have competed at the World/Asian Championships and/or Asian/Olympic Games for their country. In addition, each athlete must be a current athlete in the sport or be within four (4) years of the date of their last competition. Athletes elected to the Athletes Committee must represent six (6) aquatic disciplines and all geographical zones.
- C 26.11.1** the candidates for membership for the Athletes Committee must be proposed by the Athletes themselves at the occasion of the Asian Games. Only one athlete from a recognised Member Federation/Association can be elected as a member of the Athletes Committee. If more than one candidate from the recognised Member Federation, the candidate who received the highest number of votes will be elected. Only the Open Water members will be elected at the occasion of the

Asian Open Water Championship. The high diving member will be appointed by the Executive.

C 26.11.2 the composition of the Athletes Committee will be 12 members as follows:

- 1) Two (2) from Swimming discipline - one (1) male, one (1) female,
- 2) Two (2) from Diving discipline - one (1) male, one (1) female,
- 3) Two (2) from Water Polo discipline - one (1) male, one (1) female,
- 4) Two (2) from Open Water discipline - one (1) male, one (1) female, elected at the Asian Championships of Open Water for four (4) years.
- 5) One (1) from High Diving discipline - male or female, appointed by the Executive,
- 6) One (1) from Artistic Swimming discipline - female,
- 7) Two (2) retired athletes have competed at the Asian/Olympic Games or World/Asian Championship – one (1) male, one (1) female, appointed by the newly elected Bureau.

C 26.11.3 the chairperson of the Athletes Committee shall be elected at the first meeting of the Athlete Committee. The chairperson will be a member of the Bureau with the right to vote,

C 26.11.4 the Athletes Committee will appoint two (2) recognised members, one male one female, at the Congress with the right to vote,

C 26.12 All recommendations or decisions made by any AASF Committee, except decisions of the Judicial Panels, require the approval of the Executive before becoming effective.

C 26.13 Audit and Compliance Committee

C 26.13.1 the AASF Audit and Compliance Committee shall consists of three (3) persons elected by the Congress based on the recommendation of the Executive. The members shall be experts in auditing and financial statement matters. The audit committee shall be fully independent to be able to carry out its assistance role effectively,

C 26.13.2 the Power and duties of Audit and Compliance Committee are:

- 1) To execute efficient financial controls and review the financial statements, budget and the external audit report,
- 2) To assist the governing bodies in monitoring AASF's financial and compliance matters,
- 3) To liaise with external auditors,
- 4) To conduct risk management, and
- 5) To review the quality of the internal control system.

C 26.14 Disciplinary Committee

C 26.14.1 The AASF Disciplinary Committee shall consist of four (4) persons, one chair and three members. No two members of Disciplinary Committee shall be from the same country or Sport Country. Members of the Disciplinary Committee shall serve for a period of four (4) years or until their successors are appointed. The members are elected by The Congress upon the proposal of the Bureau,

C 26.14.2 At least three (3) members of the Disciplinary Committee shall also have legal training and experience. Members of the AASF Disciplinary Committee shall be elected by the AASF Congress meeting following. On the proposal by the President and the approval of the AASF Executive,

C 26.14.3 One of the members of the Disciplinary Committee must have legal training. No member of the Disciplinary Committee shall

participate to a specific case when he or she is a citizen of the country of the competition suspected of violating AASF Rules,

C 26.14.4 The Disciplinary Committee shall conduct hearings and impose sanctions in all disciplinary cases of originating from violations from any AASF Rules (except matters regarding doping control). The Sanctions determined by the disciplinary Panel are limited to those described in AASF Rules C12.

C 26.14.5 The hearings of the AASF Disciplinary Committee shall respect the following principles:

- 1) A timely hearing,
- 2) A fair and impartial hearing body,
- 3) The right to be represented by counsel at the hearing, with no expense to AASF,
- 4) The right to be fairly and timely informed of the rule violation,
- 5) The right to respond to the rule violation and resulting consequences,
- 6) The right of each party to present evidence, including the right to call and question witnesses (subject to the hearing body's discretion to accept testimony by telephone or written submission),
- 7) The right to an interpreter at the hearing, at no expense to AASF; and, the right to a timely, written, reasoned decision; specifically, including an explanation of the reason(s) for any period of suspension.

C 26.14.6 The meeting and the hearing of the Disciplinary Committee can be in present or by a conference call.

C 26.15 Ethics Committee

C 26.15.1 The Ethics Committee shall consist of five (5) members, a chair and four (4) members elected by the General Congress for a term of four (4) years on a proposal of the Executive,

- C 26.15.2** The members of the Ethics Committee shall not serve on the AASF Bureau, a AASF Technical Committee, a AASF Specialised Committee or another Judicial Committee within AASF He or she must have the following:
- 1) excellent in speaking, written, reading in English,
 - 2) has knowledge of Aquatics as well as AASF/FINA,
 - 3) Has legal background.
- C 26.15.3** Members of the Ethics Committee may be elected for a maximum of four (4) terms,
- C 26.15.4** If a member of the AASF Ethics Committee should die or resign, a replacement shall be decided by the AASF Executive in compliance with AASF Rules C27.15.2 until the next elections of the AASF Ethics Committee,
- C 26.15.5** Only the matters are transferred to the Ethics Committee by the AASF Executive or by the AASF Secretary General can be investigated by the Ethics Committee,
- C 26.15.6** At least three members of the Ethics Committee (as determined by the Chairperson) shall be appointed as required on a case by case basis, to investigate, hear and determine any matter,
- C 26.15.7** The Ethics Committee shall only investigate hear and determine any alleged violation of the AASF Code of Ethics or the AASF Constitution or Rules and AASF Congress, Bureau, and Executive's decisions and on the Prevention of the Manipulation of Competitions, (PMC) and to impose, sanction(s) as set out in AASF Rules C27.15.9 and C27.15.10 referred to it by the Executive or the Secretary General. The Ethics Committee can suspend temporary any person who is under ongoing investigation for a maximum period of ninety

(90) days. The decision of temporary suspension cannot be appealed to CAS or any other body,

C 26.15.8 The scope of this investigation shall only be related to a violation within "AQUATIC SPORTS". Any other political or personal issues or any other issue outside the Aquatic Sports cannot be handled and investigated by the Ethics Committee,

C 26.15.9 Should the case be associated with judicial matters, where final decision by the court is required. The Ethics Committee is not entitled to interfere until Final ratified decision by the court of law has been taken,

C 26.15.10 The AASF Ethics Committee shall act in accordance with the principles of natural justice and shall determine its own procedure. The procedure must be confirmed by the Executive,

C 26.15.11 For any violation of the AASF Constitution, Code of Ethics or decisions by Bureau and the Executive, the AASF Ethics Committee may impose any or more of the following sanctions,

- 1) a warning or reprimand,
- 2) a suspension from any AASF activities (competition, Congresses, any positions within AASF bodies) for a fixed period of up to four (4) years until a specified set of conditions have been met to the satisfaction of the AASF Ethics Committee,
- 3) a return of any AASF award,
- 4) a ban for a fixed period of up to a lifetime from taking part in any Asian Aquatics related to any AASF activity,
- 5) a recommendation to the AASF Executive of the notification of the matter to the appropriate law enforcement authorities.

C 26.15.12 For any violation of the PMC, the Ethics Committee may impose, in addition to the sanctions provided for in Rules C27.15.9. the sanctions provided for in the PMC,

- C 26.15.13** No AASF staff or Bureau member or a member Federation/Association, or a member of a recognised Member Federation/Association by AASF shall make any adverse comments or challenge on the policy/decisions adopted by the AASF Congress/Bureau/Executive once any AASF body's decisions have been taken, approved and circulated and the Member Federation/Association delegates he/she was attending. In such case the member will be in violation of AASF Code of Ethics and subject to AASF Rules C 27.15.9,
- C 26.15.14** The Ethics Committee may propose amendments to any AASF Rule relevant to its functions,
- C 26.15.15** The Ethics Committee shall receive nominations and curriculum vitae of the Candidates from the recognised National Federations and/or Zonal Organisations for all positions on the AASF Bureau, Asian FINA Bureau member position, AASF Committees, Judicial Panels, Honorary positions and make and make decisions on those nominations based on objective eligibility criteria for each position as determined by the Ethic Committee which must be established at least three (3) months before elections date and officials published by AASF. The decisions of the Ethics Committee regarding candidates shall be circulated among the recognised National Federations, Zonal Organisations as well as AASF Committees at least one (1) month before elections date,
- C 26.15.16** Any individual belonging to any recognised Member Federation/Association are not allowed to receive or give (Gifts, Money, Financial Assistance, Air Travel, Local Transportation and Accommodations) before, during, or after any AASF Congress or Events,

C 26.15.17 Any individual or Member Federation/Association shall be responsible for the acts of their respective different Government bodies in accordance to AASF Rules C 26.15.16,

C 26.15.18 The status of limitation is five (5) years. The AASF Ethic Committee cannot investigate any violation of AASF Rules and Constitution that happened more than five (5) years ago,

C 27 GENERAL RULES OF THE MEETING

- C 27.1** No proxy shall be allowed for the Bureau meetings, Executive Committee meetings and the Congress.
- C 27.2** The Congress shall be conducted by the outgoing Bureau.
- C 27.3** The President shall have a casting vote at the Bureau and Executive meeting.
- C 27.4** For the Congress, all recognised members by AASF present shall be entitled to vote.
- C 27.5** A simple majority of the members present shall be required for an amendment to the AASF Constitution and by-laws.
- C 27.6** A simple majority of the members in attendance is required on discussion of other matters.
- C 27.7** Expenses arising from those attending the Congress, Bureau and Executive Committee meetings shall be borne by the participants Federations / Associations.

C 27.8 The Minutes of the Congress and Bureau meetings shall be sent to the Member Federation (s)/Association (s) within sixty (60) days.

C 27.9 The host Member Federation/Association for AASF Aquatics and AASF events shall be entirely responsible financially for arranging and staging all meetings and the Congress. The board and lodging of the participants will be borne by the host federation/association. Air ticket cost and the personal expenses shall be responsibility of the participants' Federations/Associations.

C 28 MAIL VOTE

C 28.1 The President or Secretary General can request a mail – in – vote on matters requiring urgent decision.

C 28.2 The Secretary General may at any time, when sufficient votes have been received to either carry or reject the question, announce the result of the same and the result so announced shall be final.

C 28.3 Within five days of closing the mail vote the Secretary General shall mail to each Bureau member the result of the vote.

C 29 AMOUNT AND CURRENCY

C 29.1 The AASF Secretariat shall send to all the AASF Member Federation/Association, during the last week of December each year, an official letter requesting payment of the affiliation fee in January for the subsequent year.

Note: The amount shall be determined by AASF Executive.

C 29.2 The official currencies used by AASF are US dollars and Omani Rials.

C 30 APPROVAL OF RECORDS

C 30.1 The AASF has established the following Records:

C 30.1.1 Asian Records:

- 1) The best time established by an Asian Swimmer recognised by his own Federation (s) / Association (s) and in accordance with FINA regulations.

C 30.1.2 Asian Games Records:

- 1) The best time established in the Asian Games.

C 30.1.3 Asian Swimming Championships Records:

- 1) The best time established in the Asian Swimming Championships.

C 30.1.4 Asian Age Group Championships Records:

- 1) Best time established by an Asian Swimmer in the Asian Age Group Championships or any other Age Group event in Asia recognised by his / her own Federation / Association and in accordance with FINA regulation.

C 30.2 Rules necessary for establishment of Records shall be made by the Executive Committee.

C 31 COMPETITION RULES

- C 31.1** The rules for the competitions or championships authorized by AASF will be the rules of FINA in effect, when the competition is held.
- C 31.2** Championships / Games are not officially established until they have received FINA sanction in accordance with FINA Rules C14. 3 and BL 10.1 – 10.5.

C 32 ASIAN GAMES

- C 32.1** The AASF shall cooperate with the OCA and the Organizing Committee for the smooth organization of the aquatic competitions during the Games.
- C 32.2** AASF shall nominate Technical Delegates to the Games for each Discipline.
- C 32.3** Only the AASF President or Secretary can nominate the Technical Delegates.

C 33 CHAMPIONSHIPS AND AGE GROUP CHAMPIONSHIPS

- C 33.1** The AASF shall hold Asian Swimming Championships every Four (4) years as the Organizer (two (2) years after the Asian Games), before the Olympic Games.
- C 33.2** The host Member Federation/Association for the Asian Swimming Championships shall be financially responsible for arranging the Championships as well as the following expenses as in Categories A and B:

Category A - Airfare, full board accommodation and local transportation and per diem allowance:

- 1) President, Senior Vice President, one (1) Vice President, Secretary General, Asian FINA Bureau Members,
- 2) AASF Technical Delegate,
- 3) AASF Committee Chairman of TSC, TDC, TWPC, TSSC, TOWPC and the Medical/Anti-Doping Committee,
- 4) Three (3) to five (5) Jury Members,
- 5) Two (2) neutral Water Polo Referees,
- 6) AASF Technical Coordinator.

Category B - Full Board Accommodation and local transportation for:

- 1) Twenty (20) Competitors and officials per country. (Ratio of officials and competitors to be determined),
- 2) The rest of the Bureau Members and Honorary Members if not covered in category A.
- 3) The rest of the Technical Committee Members of the participating disciplines including Medical Committee,
- 4) Chairman and Secretaries of Open Water Swimming and Master Swimming Committee.

C 33.3 The AASF may hold the Asian Age Group Championships every year depending upon availability of Sponsors/Organizers.

C 33.4 The host Member Federation/Association shall be financially responsible for arranging the Asian Age Group Championships as well as the following expenses as in Categories A and B:

Category A - Airfare, full board accommodation and local transportation and per diem allowance:

- 1) President, Senior Vice President, one (1) Vice President, Secretary General, Asian FINA Bureau Members,

- 2) AASF Technical Delegate,
- 3) AASF Technical Committees Chairman of the Participating disciplines and Medical Committee,
- 4) Two (2) to Three (3) Jury Members in each discipline,
- 5) Two (2) neutral Water Polo Referees provided that the discipline is held,
- 6) AASF Technical Coordinator.

Category B - Full Board Accommodation and local transportation for:

- 1) Fifteen (15) Competitors and officials per country. (Ratio of officials and competitors to be determined),
- 2) Five (5) persons of the Bureau members if not covered by category A,
- 3) Three (3) persons of each Technical Committees Member of the participating disciplines including Medical Committee.

C 33.5 Necessary Rules for meeting concerning the Asian Championships and the Asian Age Group Championships shall be drafted by the Executive Committee and presented to the Congress.

C 33.6 The Event under the auspices of AASF are:

C 33.6.1 Asian Swimming Championships every four (4) years,

C 33.6.2 Asian Age Group Championships every two (2) years,

C 33.6.3 Asian Open Water Swimming Championship annually,

C 33.6.4 Asian Diving Cup annually,

C 33.6.5 Asian Water Polo Clubs Championship annually,

C 33.6.6 Asian Masters Swimming Championship annually,

C 33.6.7 Asian Junior Water Polo Championship every two (2) years.

C 33.7 Terms and conditions in staging all AASF events shall be sent to the host country for final review and approval, consequently contract signing will be finalized.

C 33.8 All Asian Games and Asian Aquatic Championships can be considered as Qualification Tournaments for the Olympic Games & FINA Events with prior approval from proper authorities.

C 34 REGIONAL GAMES

C 34.1 The AASF shall approve Regional Games in Asia and provide among Member Federation(s)/Association(s) Technical assistance, if necessary. It shall nominate Technical Delegates on the request of the Organizing Committee of the Games.

C 34.2 All the host Member Federation(s)/Association(s) for the Regional Games shall abide by the AASF Constitution.

C 34.3 The host Member Federation/Association for the Regional Games shall be financially responsible for arranging the aquatic events of the Games as well as the following expenses.

Airfare, full board accommodation and local transportation and per diem allowance:

- 1) President, Senior Vice President, one (1) Vice President, Secretary General, Asian FINA Bureau Members,
- 2) AASF Technical Delegate,
- 3) AASF Committees Chairman of the participating disciplines including Medical Committee,
- 4) Two (2) to Three (3) Jury Members,
- 5) FINA Delegate if required by the host country.

C 35 APPOINTMENT OF DELEGATES

- C 35.1** AASF must select and appoint delegates and officials which shall be consequently coordinated to the Organizing Committee of the Asian Championships, Asian Age Group Championships and Asian/regional Games AASF championships other Regional Games.

C 36 RIGHT

- C 36.1** All the administrative, technical, marketing and advertising rights of the Asian Championships and Asian Age Group Championships and other championships mentioned in AASF Rules C34.6 are owned by AASF.
- C 36.2** All income generated by the exploitation of these rights will be the property of AASF, including the TV rights and sale.

C 37 RELATIONSHIPS AND RULES

Matters not mentioned in this Constitution and By- laws shall be covered by FINA rules.

C 38 BY-LAWS

- C 38.1** The by-laws that will govern AASF will reflect those of FINA. However, indispensable addition to these rules will be carried out and decided during the Executive Board Meeting and ratified in the General Congress.
- C 38.2** By Laws included from 2011-2013.
- C 38.3** For Conducting Asian Junior Championships or/and Asian Age Group Championships, the Organizer (Federation/Association) will pay 20.000 US \$ to AASF as royalty.

- C 38.4** In order to conduct Asian Swimming Championships, the Organizer (Federations/Associations) must pay 50.000 US \$ as royalty.
- C 38.5** Per Diem for AASF Representatives, Delegates and Technical Officials in all AASF Events:
- 1) AASF Bureau, Representatives, TD and officials - USD 100/day,
 - 1) Jury Members - USD 75/day.
- C 38.6** If any National Federation Confirms to Organize an event or championships but cancel the agreement the National federation/Association must pay the penalty of USD 10,000 to AASF. Failure to pay the penalty the right of the membership of the National Federation/Association will be suspended until the payment is settled in full to AASF.
- C 38.7** The Asian Age Group Championships will be held biannually (in odd years).
- C 38.8** The doping rules of the FINA will take effect in all the Members of AASF and the sanction will also be applicable as per FINA rules for all AASF events.
- C 38.9** A three (3) Members Committee will screen the future proposals received from the Members for amendments to the By-Laws before submitting to AASF Bureau.
- C 38.10** Host City Contract: In all future Championships and AASF events the Contract will be signed with the Host Federation. Any failure to honor any of the terms of the HCC will be liable to suspension.
- C 38.11** All competitors shall be registered with their National Federation to be eligible to compete in AASF events and Asian Games.
- C 38.12** When a competitor represents his/her country in a competition, she/he shall be a citizen, whether by birth or naturalization, of the nation he/she

represents, provided that a naturalized citizen shall have lived in that country for at least one year prior to that competition.

Competitors, who have more than one nationality according to the laws of the respective nations must choose one "Sport Nationality" and be affiliated to one Member only.

- C 38.13** Should two (2) National Federations agreed for a transfer of nationality of an athlete; both Federations must sign an agreement for the same duly authenticated by the concerned National Olympic Committees and send to AASF for examination by Bureau. A period of two (2) full calendar years, after submitting that agreement to the Bureau must be allowed before the athlete can be eligible to participate in AASF event.
- C 38.14** Should there any dispute on the nationality or an athlete arise, the AASF Bureau will form an inquiry commission to look into the case. This commission will have the power to investigate the case with all relevant documents including of: 1- language test 2- ID card which the date and place of birth included in 3- Considering the date of birth and the date of issue of ID card (these dates must be approximately at the same period) 4- The ID cards of his/ her mother and father 5- Academic documents (from primary school) which show the committee the residency of athlete, If necessary. Commission decision in this regard will be final.
- C 38.15** Any athlete in an age category event or competition, whose age is reasonably called into question, shall be removed from the competition until such time when the tournament committee could verify athlete's age. Any affected party may offer documentary evidence or testimony regarding the athlete in question and all necessary steps will be undertaken to determine form including but not limited to:
- 1) Physical and Medical examinations,
 - 2) Document examination,
 - 3) Examination of previous competitive history and entry forms.

A hearing will commence immediately to determine all evidence and testimony offered by all concerned parties. Decision of the AASF Bureau in this regard will be final. If it is determined that the age on the entry form is incorrect, the athlete will be removed from the competition immediately and any awards from previous in the competition shall be returned and the athlete's results shall be struck from all records.

C 39 AMENDMENTS TO THE AASF CONSTITUTION

- C 39.1** Notice for the amendment to the Constitution shall be submitted by Federation (s) / Association (s) to the AASF Office at least ninety (90) days before the Congress.
- C 39.2** All amendments received shall be circulated to the Member Federation(s)/ Association(s) at least thirty (30) days before the Congress.
- C 39.3** Any changes in the AASF Constitution and By-Laws must be approved and by AASF Executive meeting and must be approved by FINA. Consequently, all amendments must be presented to the General Congress or Extraordinary Congress for adoption and endorsement
- C 39.4** The amendments of the AASF Constitution will be valid and enforced immediately after the General Congress/Extraordinary Congress meeting is over unless decided by the Congress of the effective date.

C 40 ARBITRATION

- C 40.1** Disputes between AASF and any of its recognised affiliated Members Federation/Association or members of the recognised Member

Federation/Association, individual members of the recognised Member Federation/Association or between Members Federation/Association of AASF that are not resolved by a AASF Executive decision may be referred for arbitration by either of the involved parties to the Court of Arbitration for Sports (CAS), Lausanne within twenty-one (21) days of the decision of different AASF bodies. The appealing party must have a direct interest in the appeal and the decision. Any decision made by the Arbitration Court shall be final and binding on the parties concerned.

- C 40.2** The zonal organizations, recognised Member Federation/Association by AASF shall agree to recognize CAS as independent juridical authority and ensure that their members (Clubs) affiliated athletes, coaches and official comply with the decisions passed by CAS. The same obligation shall apply to intermediaries and athlete's agents.
- C 40.3** Recourse to ordinary courts of law is prohibited unless specifically provided for in FINA/AASF Rules. Recourse to ordinary court of law for all types of provisional measures is also prohibited.
- C 40.4** The recognised Member Federation/Association by AASF shall insert closer in their Constitution or Rules, stipulating that it is prohibited to take disputes in the federations/ associations or disputes affecting the any national Championship of the clubs, members of clubs, athletes, coaches, officials and other association's officials to ordinary court of law. Instead of recourse to ordinary court of law, provisional shall be made for arbitration. Such disputes shall be taken for independent and duly constituted arbitration tribunal recognised under the rules of the federation/ association or CAS.
- The recognised Member Federation/Association shall also ensure that this stipulation is implemented in the Member Federation/Association if necessary by imposing a binding obligation on its Member Federation/Association. The associations shall impose sanctions on any party that fails to respect this obligation and ensure that any appeal against such sanctions shall likewise be strictly submitted to arbitration, and not to ordinary courts of law.

- C 40.5** In case of temporary suspension imposed by the Ethics Committee, the suspended person cannot appeal to CAS or any other body until a final decision has been made by the Ethics Committee or The Executive.

C 41 DOUBTFUL CASES IN AGE GROUP CHAMPIONSHIPS

- C 41.1** Three (3) members task force Committee check all Doubtful cases and employ, if necessary, medical examination and other records in Age Group Championships. For any positive case where forgery of age proven:

C 41.1.1 The National Federation whom that athlete represents will be levied US \$ 1.000.00 (U.S. Dollars one thousand only) per case.

C 41.1.2 Suspend the athlete for four (4) years for participating in all AASF events and recommend to FINA to take necessary measures in FINA events.

C 41.1.3 The Officials of the National Federation will be subjected to hearing by the task force and recommend actions to AASF Bureau.

- C 41.2** The three (3) members task force Committee will be appointed by the AASF President or Secretary General.

C 42 CHANGING OF NATIONALITIES

- C 42.1** Any competitor changing his affiliation from one national governing body to another must have resided in the territory of and been under the jurisdiction of the latter for at least twelve months prior to his first representation for the country.

- C 42.2** Any application for change of affiliation must be approved by FINA.

C 43 TECHNICAL RULES

- C 43.1** FINA Technical Rules will be followed by AASF and whilst the corresponding rules will be added:
- C 43.1.1** Synchronized Swimming Team event is added to Asian Age Group Championships & Asian Games. Team routines shall consist of at least four (4) but not more than eight (8) Swimmers.
 - C 43.1.2** Asian Master Championships will be organized in Asia.
 - C 43.1.3** All AASF events must be subject to Doping Control as prescribed by FINA.

C 44 DISSOLUTION

- C 44.1** AASF may be dissolved only by a 2/3 majority vote at a special Congress convened for this purpose.
- C 44.2** In the event of dissolution, the Congress shall appoint a liquidator who shall discharge all debts and liabilities incurred on behalf of AASF. The remaining assets, if any, shall be donated as directed by the Congress to a suitable body for the ongoing promotion and development of Aquatics.

- C 44.3** At the conclusion of the liquidation, the liquidators shall submit a final report to the Congress, which shall declare the liquidation closed.

C 45 COMPLIANCE TO THE FINA CONSTITUTION

- C 45.1** AASF Constitution will be in compliance with the FINA Constitution and Rules. However, in case of any conflict the FINA Rules will prevail.
- C 45.2** Compliance with FINA Rules. The Constitution and Rules of the recognised National Federation/Association must not be in conflict with FINA Rules (including but not limited to FINA Constitution, FINA General Rules, FINA Code of Ethics, FINA By-Laws, FINA Technical Rules, FINA Facilities Rules, FINA Medical Rules and FINA Doping Control Rules, which may be amended and/or updated from time to time by FINA). Where there is a conflict, FINA Rules shall prevail.
- C 45.3** Compliance with FINA decisions. The recognised National Federation/Association is obliged to act in accordance with the decisions of the FINA Congress and the FINA Bureau.
- C 45.4** Members of the National Federation/Association in compliance with FINA Rules. The recognised National Federation/Association is obliged to ensure that their own members comply with the FINA Rules, regulations, directives and decisions of the FINA bodies. Where there is a conflict, FINA Rules shall prevail.
- C 45.5** FINA as the Governing Body. The recognised National Federation/Association shall acknowledge in its national rules that FINA is the only recognised body in the world which governs Aquatics internationally.

- C 45.6** Autonomy and No government interferences. The recognised National Federation/Association is obliged to manage its affairs independently and not be influenced by third parties. Emphasize of the autonomy of the recognised National Federation/Association regarding external interferences in its management.
- C 45.7** Approval of Constitution and Name. The recognised National Federation/Association must seek approval of the FINA/AASF Bureau for any change of name and/or constitution before such changes are valid.
- C 45.8** Minutes of Elections. The recognised National Federation/Association is obliged to notify FINA/AASF of the dates and the location of the elections at least ten (10) days before the Congress/General Assembly date and to provide the minutes of its congress/General Assembly to FINA/AASF no later than sixty (60) days after conclusion of the Congress/General Assembly.
- C 45.9** FINA Bureau Member from Asia he/she must be an ex-officio member, with a voting right in the Bureau/Board of director and the General Assembly of his/her National Federation/Association. must be clearly stipulated on the Member Federation/Association Statutes.
- C 45.10** Anti-Doping Rules and Out-of-Competition Doping Control. The recognised National Federation/Association shall comply with the Anti-Doping Rules and allow out-of-competition doping control by FINA. The regulations of National Federation/Association shall indicate that all FINA Rules including Anti-Doping Rules shall be deemed as incorporated into and shall be directly applicable to and shall be agreed to and followed by competitors, competitor support personnel, coaches, physicians, trainers, managers, officials, medical or paramedical personnel, team leaders, and club and National Federation/Association representatives under the jurisdiction of the respective Nation Federation/Association.

C 46 ENFORCEMENT

This constitution and By-Laws shall take effect from **20 AUGUST 2018**.