

BY-LAWS OF

SWIMMING METRO NORTH EAST INCORPORATED

Adopted or Amended	By Whom	Date
Model Area By-Laws	Swimming NSW	
Version 1.0 2020	SMNE Board	June 2020
Version 2.2 2022	SMNE Board	August 2022
Version 2.3 2022	SMNE Board	October 2022

INTRODUCTION

1. STATUS OF BY-LAWS

1.1 Power to Make By-Laws

These By-Laws are made by the Swimming Metro North East Incorporated under Clause 35. They are binding on all Members. In the event of a conflict between these By-Laws and the Constitution, the Constitution will prevail.

1.2 Definitions and Interpretation

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

“Clause” means a clause of the Constitution.

“Competitions” means and includes:

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

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

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

“Director” means a member of the Board and includes any person acting in that capacity from time to time elected in accordance with this Constitution.

MEMBER BY-LAWS

2. AFFILIATED CLUBS

The following Clubs are or were Members of the Area:

No.	Association Clubs	Date Admitted	Date Ceased
1	ABBOTSLEIGH SWIMMING CLUB	06-May-2010	
2	AVALON BILGOLA SWIM CLUB	06-May-2010	September 2011
3	BALMORAL SWIMMERS INC	06-May-2010	March 2022
4	BROOKE WITHERS SWIM CLUB	22-Oct-2018	March 2021
5	BUSH SCHOOL LTS	06-May-2010	March 2022
6	CARLILE SWIMMING TEAM LTD	06-May-2010	April 2021
7	COLLARROY AMATEUR SWIM CLUB	06-May-2010	March 2015
8	COLLARROY WOMEN & ASSOC	06-May-2010	March 2015
9	DUKES OF HARBOUR	06-May-2010	March 2012
10	EZYSWIM SWIMMING CLUB	06-May-2010	June 2021
11	FRESHWATER AMATEUR SWIM CLUB	06-May-2010	March 2016
12	HUNTERS HILL SWIM CLUB	06-May-2010	
13	IGNITE SWIM CLUB MOUNTIES	01-Apr-2013	March 2015
14	KNOX PYMBLE SWIM CLUB	06-May-2010	
15	KU-RING-GAI ASC INC	06-May-2010	
16	LANE COVE SWIMMING CLUB	06-May-2010	
17	MANLY JETZ	06-May-2010	March 2013
18	MANLY LADIES & ASSOC	06-May-2010	March 2012
19	MANLY SWIMMING CLUB INC	06-May-2010	
20	MONTE SWIMMING CLUB	24-Aug-2014	March 2022
21	MOSMAN SWIM CLUB	13-Jan-2022	
22	NARRABEN SWIMMING CLUB INC	06-May-2010	
23	NORTH SYDNEY SWIMMING CLUB INC	06-May-2010	
24	NORTHBRIDGE AMATEUR SWIMMING CLUB	06-May-2010	
25	PITTWATER SWIM CLUB	06-May-2010	March 2011
26	QUEENSCLIFF SWIM CLUB	06-May-2010	September 2011
27	QUEENSCLIFF LADIES SWIM ASSOCIATION	06-May-2010	September 2011
28	RAVENSWOOD SWIMMING CLUB	06-May-2010	
29	SEA EAGLES SWIM CLUB	06-May-2010	March 2015
30	SEAHORSES SWIMMING CLUB	01-Apr-2014	
31	SHORE SWIM CLUB	01-Oct-2022	
32	TERREY HILLS SWIM CLUB	06-May-2010	
33	THE SPIT SWIM CLUB	6-May-2010	March 2016
34	WARRINGAH AQUATIC SC INC	06-May-2010	
35	WENONA SCHOOL SWIM CLUB	01-Oct-2020	
36	WILLOUGHBY SWIM CLUB INC	06-May-2010	

3. CLUB DELEGATES

Each Club shall be entitled to appoint one (1) of its Members to be its Delegates to General Meetings of the Association.

4. FEES DUE TO THE ASSOCIATION

- (a) Fees payable in accordance with Clause 11 will be payable by all Members including:
 - (i) Individual Members
 - (ii) Clubs.
- (b) The annual registration fees payable to the Association in respect of each Member referred to in By Law 4 (a) (i) are due on the first day of October in each year and payable via the Member's annual membership fees to SNSW.
- (c) The annual affiliation fees in respect of each Club referred to in By Law 4 (a) (ii) are due on the first day of April each year.
- (d) The Board may refund any fee which, in its opinion is warranted.

5. DISCIPLINARY BY-LAW

5.1 Establishment of Disciplinary Tribunal

The Board shall establish a Disciplinary Tribunal to deal with all disciplinary actions and matters under Clause 10. A disciplinary action and matter must be solely and exclusively resolved by the Disciplinary Tribunal

5.2 Composition of Disciplinary Tribunal

- (a) A Disciplinary Tribunal of three (3) persons shall be appointed by the Board for the purpose of hearing disciplinary actions and matters under Clause 10.2 and 10.3. The Board shall also appoint a member of the Disciplinary Tribunal as chair who in the opinion of the Board is competent in dealing with disciplinary matters.
- (b) The Board may call for applications to the Disciplinary Tribunal.
- (c) No Board member or a member of a Club dealing with a matter relating to a member of that Club shall be a member of the Disciplinary Tribunal.
- (d) Three (3) members of the Disciplinary Tribunal shall constitute a quorum.

5.3 Notice of Alleged Breach

- (a) Where the Board is advised or considers that a Member has allegedly:

- (i) breached, failed, refused or neglected to comply with a provision of the Constitution, the By-Laws, the Policies and the rules or any resolution or determination of the Board; or
- (ii) acted in a manner unbecoming of a Member or prejudicial to the Objects and interests of the Association and/or swimming; or
- (iii) brought the Association or swimming into disrepute,

the Board shall notify the chair of the Disciplinary Tribunal.

(b) The chair of the Disciplinary Tribunal shall, as soon as practicable upon receipt of notice in accordance with By-Law 5.3(a), serve on the Member a notice in writing:

- (i) setting out the alleged breach of the Member and the grounds on which it is based;
- (ii) stating that the Member may address the Disciplinary Tribunal at a hearing to be held not earlier than fourteen (14) and not later than twenty eight (28) days after service of the notice;
- (iii) stating the date, place and time of that hearing;
- (iv) informing the Member that he/she do one or more of the following:
 - (A) attend that hearing;
 - (B) give the Disciplinary Tribunal, before the date of the hearing a written statement regarding the alleged breach.

5.4 Disciplinary Tribunal Procedures

- (a) At a hearing of the Disciplinary Tribunal held in accordance with By-Law 5.3(b)(ii), the Disciplinary Tribunal shall:
 - (i) give to the Member every opportunity to be heard;
 - (ii) give due consideration to any written statement submitted by the Member; and
 - (iii) by resolution determine whether the alleged breach occurred.
- (b) The Association and the Member shall not be entitled to legal representation at the hearing of the Disciplinary Tribunal.
- (c) The Disciplinary Tribunal shall hear and determine the alleged breach in whatever manner it considers appropriate in the circumstances (including by way of teleconference, video conference or otherwise) provided that it does so in accordance with the principles of natural justice. The purpose of the hearing shall be to determine whether the alleged breach occurred.
- (d) If the Disciplinary Tribunal considers that the alleged breach occurred, it may impose any one or more of the penalties set out in By-Law 5.5.
- (e) If the Disciplinary Tribunal considers that the alleged breach did not occur, the matter shall be dismissed.

- (f) Each party shall be responsible for their own costs associated with the Disciplinary Tribunal hearing. The Disciplinary Tribunal has no power to award costs to a party.

5.5 Penalties

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

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

5.6 Appeal from Decision of Disciplinary Tribunal

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

NOTE

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

BOARD BY-LAWS

6. COMPOSITION OF THE BOARD

The composition of the Board as required by Clause 13 may consist of the following:

- (a) Office Bearers, being:
President, Vice President, Secretary, Treasurer, Development Convenor, Competitions Convenor, Area Technical Swimming Committee Coordinator (ATSCC), and
- (b) Other members:
Three (3) Individual members

7. ELECTION PROCEDURES FOR BOARD POSITIONS

Election for Board Positions will take place at the first meeting following the Annual General Meeting or as determined by the Board. Where there is more than one nomination for any position described in By-Law 6 (a), a ballot for that position shall be held. The positions of the roles described in By-Law 6(a) shall be determined first in the order as described.

- (a) Any Director who accepts a nomination for a Board position;
 - (i) shall not be present in the meeting during the discussion by the other Directors about the election of that position, and
 - (ii) is not eligible to vote in the election of said position.
- (b) There shall be at least two tellers for each ballot appointed.
- (c) Proxy voting is not permitted or the election of board positions
- (d) Delegates shall record their vote by placing a mark (cross or tick) opposite the name of the candidate(s) of choice for that office.
- (e) On the count of votes in respect of any position, the candidate(s) who has received the highest number of votes shall be declared elected to that position(s).
- (f) In the case of an equality of votes for any position it shall be resolved by lot to eliminate the unsuccessful candidate(s).
- (g) If a ballot paper is not completed in accordance with By-Law 7(c) the ballot paper shall be deemed to be informal.
- (h) The result of the ballot shall be declared at the Board Meeting immediately following the election or at a following meeting as determined by the Board.

The declaration of the poll by the chairperson shall include the following information:

- (i) the number of Directors eligible to vote;
 - (ii) the number of votes received; and
 - (iii) the number of votes declared valid.
- (i) All ballot papers for the annual elections are to be destroyed after the declaration of the poll.

8. DIRECTOR RESPONSIBILITIES

8.1 Directors

Directors shall:

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

8.2 President

The President shall:

- (a) promote the image of the Association at all times and lead the pursuit of the Objects and carry out such duties as requested by a General Meeting and the Board;
- (b) be responsible for the leadership and overall administration of the Association;
- (c) be the delegate to SNSW and represent the Association on external bodies as determined by the Board; and

- (d) coordinate the Board activities and ensure that the Board properly undertakes its governance role.

8.3 Vice President

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

8.4 Secretary

- (a) The Secretary will assume the functions of the Executive Director under the Constitution.
- (b) The Secretary of the Association must, as soon as practicable after being appointed as secretary, lodge notice with SNSW of his/her address and contact details on Swim Central.
- (c) The Secretary must ensure full and accurate minutes of all members in attendance, questions, matters, resolutions and other proceedings of each Board meeting and General Meeting are entered in the Association's records.

8.5 Treasurer

The Treasurer of the Association must ensure:

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

8.6 Development Convenor

The Development Convenor shall be responsible for:

- (a) arranging Area Development Squads under Swimming NSW Ltd.'s rules to be eligible for funding when available;
- (b) Setting criteria for each development squad not in conflict with Swimming NSW's criteria, calling for nominations, allocating nominees to squads according to the criteria, advising nominees of their acceptance or otherwise and the squad to which they are allocated.
- (c) attracting coaches to run development squads;

- (d) attending a Development or similar meet; and
- (e) keeping records to provide Association and Swimming NSW Ltd. with a report at the completion of the squad to obtain any Development funding when available.
- (f) act as the chairperson of the Development and Selection Committee.

8.7 Competitions Convenor

The Competitions Convenor shall:

- (a) keep a true and complete record of all Area competition results
- (b) present to the Annual meeting a record of results from all Area Championships and Meets
- (c) verify that all competitors in all Area Championships and Meets are registered with SNSW
- (d) allocate points accordingly for various point scores.
- (e) keep a true record of all swimming records set at Area Championships and Meets and present an accurate list of records to the Annual meeting.
- (f) be responsible for the preparation and safekeeping of medallions and ribbons for all Area Championships and Meets.
- (g) act as the chairperson of the Competitions Committee.
- (h) evaluate the results for consideration of approval and verification of results in accordance with By law 33; and
- (i) following approval and verification, will forward said results to SNSW for record keeping

8.8 ATSC Coordinator

The ATSC Coordinator shall:

- (a) act as the Chairperson of the Area Technical Swimming Committee
- (b) be the liaison between the ATSC and the Area Board
- (c) be the liaison between the relevant SNSW technical committees and the ATSC on all matters related to technical official appointments, development and education
- (d) Except where agreed by the Board, the ATSC Co-ordinator should preferably be a Referee currently accredited with Swimming NSW

9. OFFICERS

9.1 Appointment of Officers Generally

- (a) The Board may appoint the following officers:

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

9.2 Equipment Officer

The equipment officer shall be responsible for the following:

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

9.3 Publicity Officer

The Publicity Officer shall be responsible for the following:

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

10. STANDING COMMITTEES

- (a) Standing committees specified in By-Law 10(l) shall be elected as required for a one year term.

- (b) Every person appointed, unless ceasing to hold office in consequence of death, resignation or removal from office, will continue to hold office until the completion of their respective term or the appointment of the new standing committee.
- (c) Nominations for positions on standing committees may include a précis submitted by the nominee, of their background, experience and qualifications pertinent to the position.
- (d) The Board may at any time terminate the appointment of any standing committee and any such person may resign from a standing committee by letter delivered to the Secretary.
- (e) A member of any standing committee who is absent from three consecutive meetings without explanation acceptable to the Board shall be declared to have vacated such standing Board Directorship and the Board shall appoint another member in his place.
- (f) A quorum for a meeting shall be fifty percent plus one (50% + 1) of the voting members on each standing committee.
- (g) The President shall be ex-officio member of all standing committees.
- (h) Each standing committee shall receive and consider all matters, correspondence and proposals which are referred to it by the Board and which fall within the scope of the functions of the standing committee as stated in these By-Laws.
- (i) All standing committees shall:
 - (i) identify and minimise areas of risk within the standing committee's area of responsibility;
 - (ii) contribute to the administration of all phases of their particular facet of the sport within the rules and policy limits, delegated to the standing committee;
 - (iii) refer any undecided policy items to the Board for determination;
 - (iv) where necessary work in conjunction with other standing committees within the Association;
 - (v) if so decided by the standing committee invite a person to attend a meeting to speak on a specific matter;
 - (vi) subject to the approval of the Board, have the power to co-opt additional members as deemed necessary; those members will be entitled to voice without vote;
- (j) The standing committee secretary shall:
 - (i) in consultation with the standing committee chairman issue, through the Secretary, notices convening meetings;
 - (ii) cause accurate minutes to be kept of all meetings;

- (iii) deliver to the Secretary within seven days, in the format approved by the Board, a copy of all minutes, reports and recommendations arising from standing committee meetings for reference to and consideration by the Board; and
 - (iv) record of all standing committee correspondence to be sent and received through the Secretary.
- (k) Subject to the Constitution there shall be a standing committee for the following:
- (i) a development and selection committee;
 - (ii) a competitions committee;
 - (iii) an ATSC committee;
- (l) The composition of each standing committee and the duties and terms of reference relating to each standing committee are set out in By-Laws 11 to 13.
- (m) Should any member of the Board or standing committee consider that the rules of Swimming NSW have not been followed in relation to the conduct of any meet held within the Area, the matter can be referred to the ATSC for consideration. The ATSC shall review the matter in respect of compliance with the rules of Swimming NSW and provide a written opinion to the Board.

11. DEVELOPMENT AND SELECTION COMMITTEE

- (a) The functions of the development and selection committee shall be to:
- (i) review the development criteria for the Association, ensuring that it is not in conflict with the criteria set out by Swimming NSW Ltd from time to time,
 - (ii) communicate the criteria to the Association Clubs, call for nominations, allocate nominees to the squads and advise nominees of the squad they are allocated to or otherwise,
 - (iii) recommend squad coaches to the Committee and advising the coaches of their allocation; and
 - (iv) attend a Development or similar meet.
- (b) The development and selection committee shall comprise of
- (i) the Development Convenor who shall be the Chairman; and
 - (ii) up to three (3) suitably qualified Members elected-at a Board meeting-in accordance with By-Law 10; and
 - (iii) at least one (1) representative from Area swimming coaches.

- (c) Each member shall have one (1) vote.
- (d) The operation of the development and selection committee shall be as agreed by the development committee members from time to time.
- (e) The Board shall have the right to adopt the recommendations of the Development committee in whole or part.
- (f) On every occasion when a team is to be selected to represent the Association, the Board shall notify the selection committee of its requirements. The selection committee shall by a specified time submit to the Board a list of names of Individual Members totalling the number required by the Board and graded in such a manner as the selection committee, in the absence of any direction from the Board, considers appropriate to the type of team or squad required. The selection committee may further, at its discretion, recommend an increase or decrease in the team complement. The Board shall have the right to adopt the recommendations in whole or part. It may reject any recommended Individual Member but shall not add to the list without a prior recommendation from the selection committee.

12. COMPETITIONS COMMITTEE

- (a) The functions of the competitions committee shall be to:
 - (i) review the competitive swimming program of the Association at the completion of each meet and recommend to the Board alterations where necessary;
 - (ii) each year submit to the Board qualifying times (if any) as required for the Association events for summer and winter seasons;
 - (iii) prior to 30 September and 31 March in each year prepare programs for Association swimming meets for submission to the Board for approval and such consolidated programs shall cover the ensuing summer and winter activities respectively;
 - (iv) carry out at the request of the Board any duty related to the conduct of Association meets; and
 - (v) generally comply with the provisions of By-Law 10.
 - (vi) roster appropriate meet director for all Area swimming meets
- (b) The membership of the competitions committee shall be:
 - (i) the Competitions Convenor who shall be the Chairman; and
 - (ii) up to three (3) suitably qualified Members, preferably Area Coaches, elected at a Board meeting in accordance with By-Law 10

- (iii) Except where agreed by the Board, all members of the Competition Committee should preferably be coaches currently accredited with Swimming Australia.
- (c) Each member shall have one (1) vote.
- (d) The operation of the competition committee shall be as agreed by the competition committee members from time to time.

13. AREA TECHNICAL SWIMMING COMMITTEE

- (a) The functions of the Area Technical Swimming Committee shall be to:
 - (i) conduct uniform programs for the training, examination and accreditation of Area technical officials. All examination papers will be forwarded to SNSW;
 - (ii) conduct assessments of officials prior to initial appointment as technical officials at Area meets;
 - (iii) roster qualified technical officials for all Area swimming meets. Assess technical official's performance at these meets;
 - (iv) encourage eligible persons to qualify and actively participate in the sport as technical officials at all levels;
 - (v) arrange as authorised by the Board forums, seminars and workshops for the dissemination of information regarding rules and procedures for the conduct of Area meets; and
 - (vi) generally comply with the provisions of By-Law 10.
- (b) The membership of the ATSC committee shall be:
 - (i) The ATSC Coordinator, who shall be the chairman; and
 - (ii) up to three (3) suitably qualified Members elected at a Board meeting in accordance with By-Law 10
 - (iii) Except where agreed by the Board, all members of the ATSC committee should preferably be Referees currently accredited with Swimming NSW.
- (c) Each member shall have one vote.
- (d) The operation of the Technical committee shall be as agreed by the ATSC members from time to time.

SWIMMING BY-LAWS

14. LAWS AND RULES GOVERNING SWIMMING METRO NORTH EAST

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

15. ELIGIBILITY

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

16. PERMITS TO HOLD MEETS

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

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

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

17. FORFEIT OF FEES AND PRIZES FOLLOWING DISQUALIFICATION

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

MISCELLANEOUS BY-LAWS

18. PATRONS

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

19. SERVICE AWARD

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

20. COLOURS

The colours of the Association will be blue, black and yellow.

21. BADGES

The badge of the Association shall be:



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

22. AVAILABILITY OF AMENDED PAGES

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

COMPETITION BY-LAWS

23. SWIMMING METRO NORTH EAST CHAMPIONSHIPS AND OTHER SWIM MEETS

The Board shall determine the order of events and the duration of the Championships and such other swim meets as it determines from time to time, giving as much notice as possible to members. The Board shall also determine annually the format for the conduct of the Championships Meet for the ensuing year. PROVIDED THAT, the format so determined shall be advertised at the time of calling entries for the Meet.

24. CHAMPIONSHIP CONDITIONS OF ENTRY, DRUG TESTING

- (a) The Board may approve qualifying times (if any) for entry to championship events, authorise Random Drug Testing by an appropriate authority and other conditions of entry as appropriate to the meet.
- (b) All entrants in Swimming Metro North East Championship shall abide by and be subject to the By-Laws and the SNSW general rules, swimming rules, open water swimming rules, by-laws, policies, and published procedures as applicable.

25. CHAMPIONSHIP ENTRANT REQUIREMENTS

- (a) The Swimming Metro North East Championships are open only to the following:
 - (i) Swimmers who are registered with a Club affiliated with Swimming Metro North East and meet the entry qualifying time (if any) for the event; and
 - (ii) visiting swimmers by decision of the Board, provided only one (1) visitor shall be permitted to swim in the final (if any).
- (b) In the event of a question arising as to the eligibility of any swimmer under this By-Law to represent or score points in any event for any Club the swimmer so affected shall be at liberty to refer that question to the Board.

26. CHAMPIONSHIP ENTRY, AGE DETERMINATION

- (a) Swimming Metro North East Championship entry and age determination shall require:
 - (i) an entry for a Swimming Metro North East Championship event shall be made at the direction of the Board electronically which shall include the entrant's best time for the distance, in accordance with the conditions of entry, showing the meet and date when the time was

established, being equal to or better than the qualifying time approved for this event (if any), and in the case of an age event, date of birth and the entry shall be endorsed by the secretary or other responsible official of the entrant's Club and forwarded to the Association together with the entry fee; and

- (ii) an entrant in an Age Championship shall be of the specific age on the first day of the meet series and if the Board so desires, shall produce a certificate of registration of birth or other satisfactory evidence of date of birth signed by the parent or guardian of the entrant.

27. CHAMPIONSHIP ENTRY FEE

The Board shall set an entry fee for the following:

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

Such fees will be advised to Members with as much notice as possible of such determination.

28. SWIMMING METRO NORTH EAST SWIMMING CHAMPIONSHIPS

Swimming Metro North East shall each year conduct long course and short course Championships and such exhibition and/or non championship events for both Open and Age group swimming separately for both male and female swimmers, selected from the table below and as may be determined by the Board from time to time.

Championship and non-championship events, in male and female competition, in Open and Age groups, SHALL BE selected from the table below, and / or as it may be determined by the Competitions Committee from time to time

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

NOTE

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

Age Championship events shall be restricted to swimmers who are the specified age on the first day of the meet as defined in By-Law 26.

Except as decided by the Board, only a primary club member of a Club in the SMNE Area as defined in By Law 2 shall be eligible to compete in Swimming Metro North East Championships.

The Association shall recognise records established for the individual and team events being swum in the championships as listed in By-Law 28.

29. RELAY EVENTS

- (a) In relay events a minimum of the name of the first swimmer in each team shall be submitted in writing to the Chief Recorder or the Control Room Supervisor or delegate 10 mins prior to the commencement of event, subject to the referee's discretion.
- (b) In Club relays a maximum of one (1) swimmer from a younger age group may participate.
- (c) A swimmer may only appear in one (1) relay team list for that event.
- (d) A club may enter as many teams as they wish in each Club Relay event, however if they enter three (3) or more teams into an event, all teams must meet the Qualifying Times for that event.

30. CHAMPIONSHIP AWARDS

- (a) A swimmer placed first, second or third in the final or timed final of the Swimming Metro North East Championship shall be awarded a medal of special design approved by the Board, PROVIDED THAT:
 - (i) in a Teams Championship the awards shall be made to the members of the teams placed first, second and third. Awards will only be awarded to the swimmers who contest the final of that event;
 - (ii) the first three (3) Swimming Metro North East swimmers in an Area Championship final shall be awarded a medal, however a similar placed swimmer who is not a member of a Club affiliated with Swimming Metro North East shall be awarded an appropriate medal; and

- (iii) in all Swimming Metro North East Championships, a finalist ribbon or other appropriate award will be awarded to those swimmers in a individual event other than medallist who are placed in the final or to those swimmers placed in a timed final being equal to the number of lanes of the pool used for the championships.
- (iv) Championship awards will be presented to the leading male and female point scorer in each age group up to 15 years for each championship series utilising table in By Law 31(c)

31. SWIMMING METRO NORTH EAST CHAMPIONSHIP

- (a) Points shall be allocated in order of placing of first claim members of Swimming Metro North East Clubs in all Swimming Metro North East Championships.
- (b) The winning Club of the Point Score shall receive the Swimming Metro North East Championship Title.
- (c) For Finals the placings shown in the table in By-Law 31 shall include Timed Finals for individual and relay events for the first number of placings being equal to the number of lanes, not exceeding ten (10), of the pool actually used for the conduct of the Championship Meet.

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

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

32. EMERGENCY POWERS

Under special circumstances the Board may:

- (a) Cancel or suspend all or any Championships as set out in By-Law 28; and
- (b) Suspend By-Law 30 and approve other awards for events and places in lieu of medals

33. APPROVED MEETS, FORWARDING OF RESULTS

The SMNE Competition Convenor shall have authority to grant permission for the Clubs within its territory to promote and control interclub swim meets, PROVIDED THAT:

- approval will not be granted where the proposed date of the meet is on the same date as a SAL or SNSW or SMNE conducted meet.
- approval will not be granted where the proposed date of the meet is on the same date as a pre-approved Interclub meet within the territory

Clubs that are not eligible to compete at the relevant Country or Metropolitan Championships may conduct a meet on the same date as these meets.

Where the Association approve the conduct of a Meet for the purpose of the establishment of qualifying standards by a Club in accordance with current SAL and SNSW Policy. The Club shall forward or cause to be forwarded to:

- (a) The Association Competition Convenor a complete set of results and Meet Manager Backup for the meet within seven (7) days of the meet being held; and
- (b) The Association Competition Convenor will evaluate the results for consideration of approval and verification of results; and
- (c) Following approval and verification, the Association Competition Convenor, will forward said results to SNSW for record keeping

34. JURY OF APPEAL AND PROTESTS

- (a) For Swimming Metro North East Championships and other swim meets, the Jury of Appeal shall be composed of the Board and such other Board appointed delegates (jury members) for the purpose. The Jury will consist of any three jury members with one of their number as chairman. Each jury member shall have one vote, except as provided hereunder, and in case of equality of voting, the Chairman has a casting vote. The decision of the Jury is final.
- (b) The rules for protest, their acceptance and conduct of the Jury of Appeal process shall be in accordance with Swimming NSW General Rule GR23 as amended from time to time.