



CONSTITUTION & REGULATIONS

RULE 1 : NAME

The name of the association shall be Fiji Swimming (FS).

RULE 2 : FINA

FS recognises that the Federation Internationale de Natation Amateur (FINA) is the only body, which governs swimming, open water swimming, high diving, water polo, synchronised swimming and masters swimming internationally.

FS will comply with, and act according to, all the decisions, Rules and Regulations taken by the FINA Congress and the FINA Bureau.

FS acknowledges that if and when there is a conflict between its constitution and that of FINA, FINA Rules will prevail.

RULE 3 : OBJECTS

The objects of FS shall be:-

- a. to promote and encourage the sports of swimming, open water swimming, water polo, diving, synchronised swimming, high diving and masters swimming and the teaching thereof throughout Fiji without distinction between persons for reason of race, colour, creed or politics.
- b. to co-ordinate and foster the activities of swimming clubs in Fiji.
- c. To affiliate with and recognise FINA Rules and regulations regarding competitions in swimming, open water swimming, water polo, high diving, synchronised swimming and masters swimming.
- d. to regulate and promote all aspects of competitive swimming in Fiji and to provide a uniform set of rules for the conduct of all swimming competitions in Fiji.
- e. to establish the criteria for the selection of swimmers to represent Fiji in international swimming competitions and to select and send those eligible within such criteria.

- f. To affiliate with the Fiji Association of Sports and National Olympic Committee, Oceania Swimming Association and FINA.
- g. To actively promote the elimination of the use of prohibited substances and techniques from the sport of swimming in Fiji, and to impose sanctions on members committing doping offences.
- h. To be involved and participate in Swim Safe Programs in partnership with the Water Safety Council of Fiji, Ministry of Education, Fiji National Sports Commission and other relevant institutions.

RULE 4: POWERS

The powers of FS are:

To make or adopt such rules, bylaws and resolutions as are necessary for the efficient administration of swimming in Fiji.

- (b) To prescribe fees payable by Members
- (c) To purchase, sell, lease, exchange or otherwise deal with property (whether personal or real)
- (d) To borrow and/or give security or undertakings for any borrowings, and to lend, either with or without security, where such borrowings or loans are conducive to the attainment of the objects of FS
- (e) To employ staff, engage contractors or enter into engagements with providers of services
- (f) To affiliate with any organisation whose objects are compatible with those of FS.
- (g) To discipline any Member or Club who transgresses these rules or the rules of FINA in accordance with Appendix 2 'Enforcement of the Fiji Swimming Code of Conduct'
- (h) To grant awards and bestow honours.
- (i) To delegate such of these powers as it may deem appropriate from time to time
- (j) To do or cause to be done any action which is conducive to the attainment of the objects of FS.

RULE 5: MEMBERSHIP

The following shall be members of FS and will remain so, as long as they shall continue to abide by any rules and bylaws of the club or association to which they belong and of FS

- a. All financial members of clubs affiliated to FS.
- b. The Fiji National Schools Swimming Association

- c. All Life Members of FS appointed from time to time.
- d. No member shall have any right to take part in the management of the affairs of the FS except by the delegates of his Club or Association or as hereafter provided.

Any member of a club desiring to transfer to another club shall, with their application, forward to the secretary of the new club a certificate from the former club that he/she is not financially indebted thereto.

RULE 6: CLUBS

A club will only be recognised by FS if, upon application, it is granted affiliation to FS.

A club will be eligible to be recognised by FS if upon application and at the renewal of annual registration fees, it can demonstrate that it:

- o Has a membership of at least 20 fee-paying members, 10 of whom must be registered swimmers
- o Has adopted a Constitution agreeing to be subject to and observing the rules, bylaws and directions of FINA and FS.
- o Has adopted rules providing for its agreement to meet its financial obligations under these rules, including payment of annual subscriptions, competition levies and swimmer registration fees to FS.
- o Has ensured that all its members have, as condition of membership, signed agreement to the Fiji Swimming Code of Conduct as set out in Appendix 1

The affiliation of any club to FS shall operate as an agreement binding such club and all of its members to abide by the rules and bylaws of FINA and FS and to accept and enforce all decisions and directions made by the Club and by FS.

A Member of a Club, who does any act, or omits to do any act, which brings the sport of swimming into disrepute, or who violates any rule, bylaw or policy of FINA, FS, his/her Club, shall render such violating club and/or member(s) liable to be fined, interimly suspended, suspended or expelled by the Board. If any Member or Club is fined, suspended or expelled by the board of FS, the Member or Club shall have a right of appeal to the Board.

A club that knowingly arranges its affairs such that it fails to pay FS income, fees or levies as they fall due, will be liable for disaffiliation or suspension. During any period of suspension of any club, swimmers who remain members of that club will be ineligible to compete in events conducted under the rules of FS.

RULE 7: FEES

FS shall prior to the commencement of its financial year set a membership fee payable to it by

each member and notify all Clubs of the amount of such fee.

All Clubs shall remit to FS a list of the names and addresses of the members of their clubs as at the 30th day of January in each year.

A member will be ineligible to compete in any swimming competitions conducted by any Club, or FS if he/she has not paid to his/her club all club and FS membership fees within 14 days of the dates they fall due.

If any club fails to pay membership fees collected from members to FS, the General Assembly may suspend the club or member until such fees are paid and/or impose any penalty as determined by the Board for such non-payment.

RULE 8: GENERAL ASSEMBLY

For the proper management of the affairs of FS there shall be a General Assembly consisting of:-

- a. **A Patron:-**
It shall be competent for members attending an Annual General Meeting by unanimous decision to invite a leading member of the community to become a Patron of FS. The Patron shall be a member of the Board and shall hold office for life or until he shall permanently leave Fiji. The Patron does not have any voting right in the General Assembly, Annual General Meeting or Special General Meeting.
- b. **The Board:-**
 - i. A President
 - ii. Two Vice-Presidents
 - iii. A Secretary
 - iv. A Treasurer
 - v. FINA Bureau Members in Fiji, if any
 - vi. Patron
- c. **Club Delegates**
Each member Club shall be entitled to appoint two delegates who shall be members of the General Assembly of FS during the tenure of their nominations and are entitled to one vote. In the event of a Club having only one delegate present at the General Assembly, that delegate will be entitled to two votes.

A delegate may only represent one Club.
- d. **Swimmers' Delegate**
The Club delegates shall be entitled to provide nominations and to vote for a 'Swimmer's Delegate' to the General Assembly. Nominees are to have had a minimum of 2 years experience participating in international swimming meets. The nominee with the most votes shall be appointed as the 'Swimmers Delegate' to the General Assembly.

- e. Life Members
It shall be competent for members attending an Annual General Meeting to elect Life Members of FS provided that the proposal has been given in writing to the Secretary and written notice to this effect has been given to all financial members that the proposal is to be considered at the Annual General Meeting. Life Members are not entitled to vote in the General Assembly or Annual General Meeting or Special General Meeting.
- f. Voting
The members entitled to vote in the General Assembly for the election of the Board members are listed below:
 - i. FS registered club – 2 votes for each club by their nominated delegates
 - ii. One (1) vote by FINA Bureau member
 - iii. Two (2) votes by the nominated delegate for the National Schools Association

RULE 9: BOARD & ELECTION OF OFFICERS

- a. The Board shall consist of the following officers:
 - i. A President
 - ii. Two Vice-Presidents
 - iii. A Secretary
 - iv. A Treasurer
 - v. FINA Bureau Members in Fiji, if any
- b. Nominations for the officers of the Board of FS shall be in writing and must be signed by both the nominator and nominee. The nomination must reach the Secretary at least three days before the date fixed for the Annual General Meeting.
- c. If for any reason whatsoever no nominations be received for all or any of the offices, it shall be competent for the Annual General Meeting if it sees fit, to fill any office for which no nominations have been received. Where there is more than one nominee for a Board position, a secret ballot shall be held whereby the nominee with the most votes shall be appointed.
- d. An officer shall automatically vacate his/her seat if he/she fails to attend without good cause four consecutive meetings of the General Assembly.
- e. An officer of the Board shall serve a minimum term of 2 years [‘initial term’] in office and may seek re-election at the end of their initial term for a further 2 years.

RULE 10: MEETING

- a. The General Assembly shall meet no less than four times per year and more frequently if it shall so decide and at such places as it shall from time to time decide.

- b. At every meeting of the General Assembly, the President, if he/she is present, shall be Chairman or in his/her absence, one of the Vice-Presidents or in both the Vice-President's absence any other Board member present at the meeting shall be Chairman.
- c. The following items shall be included in the agenda of all regular General Assembly meetings:
 - 1. Opening of General Assembly
 - 2. Confirmation of the Register of Delegates
 - 3. Confirmation of the Minutes of the Previous General Assembly
 - 4. Proposals from affiliated Clubs
 - 5. Any Other Business
 - 6. Date and Venue for next General Assembly
 - 7. Closing of the General Assembly
- d. The quorum for a meeting of the General Assembly shall be at least 50% of the members of the General Assembly. If the quorum is not met, then the meeting of the General Assembly shall be postponed to a later date proposed by the Chairman.
- e. No less than seven (7) days notice shall be given by the Secretary to members and the Board of the time, date and place of the General Assembly meeting.
- f. An agenda will be circulated along with the General Assembly meeting notice. If a member wishes, he/she can notify the Secretary of a subject to be added to the agenda or it can be addressed in any other business at the General Assembly meeting.
- g. In the event of the office of the President becoming vacant during the year, the General Assembly shall be competent to elect one of the Vice-Presidents to the office of President.
- h. The General Assembly may replace any member ceasing to be a member of the Board for any reason by appointing a person in his/her place.
- i. Proxies shall not be accepted at General Assembly meetings.
- j. Clubs shall be competent to substitute a delegate should this become necessary provided the Secretary has been notified prior to the General Assembly meeting, and that the delegate be a financial member of the Club concerned.
- k. In the event of only one delegate of a Club attending the meeting, he/she shall be entitled to a second vote on behalf of the absent delegate from the Club concerned.
- l. Any decision to be made at a meeting will require a simple majority of the voting delegates present.
- m. If the number of votes passed for and against a motion is equal then the Chairman of the meeting shall have a second or casting vote.

RULE 11: MANAGEMENT

FS is a non-governmental body and shall manage its own affairs freely, independently and not be influenced by any third party. The affairs of FS shall be conducted by the Board who shall meet to:-

- a. Manage the finances of FS and to ensure that proper books of account are maintained.
- b. Appoint such sub-committees as may be necessary or desirable and to fix their terms of reference. Such sub-committees shall consist of no less than two persons and shall report to the Board from time to time as required.
- c. Summon and conduct meetings of FS during the National Championships and to appoint officials thereto.
- d. Draw up and publish a list of technical officials competent to carry out the duties of referees, starters, judges, time keepers and timing judges, diving, referees, judges and recorders and water polo referees. FS shall have the power to remove the name of any official appointed who is subsequently considered incompetent to fulfil the duties.
- e. Maintain a register of Fiji records, and
- f. Take such other steps, as may be considered necessary or desirable to carry into effect the objects of the Association.

RULE 12: FINANCIAL ADMINISTRATION

- a. The control and investment of the funds and all other property of FS shall be in the hands of the Board.
- b. All monies due to FS shall be paid to the Treasurer who shall deposit the same in a bank to the credit of the Association. All disbursements shall be made by cheque signed by the Treasurer and the President or such other officer as the Board shall authorise. All disbursements shall be authorised or confirmed by a Minute of the Board.
- c. The financial year of FS shall be the calendar year.
- d. For each financial year, the Treasurer shall establish a statement of accounts. These annual accounts shall be audited by a Certified Public Accountant.

RULE 13: ANNUAL GENERAL MEETING

FS shall hold the Annual General Meeting not later than 31 March each year

- a. The business of the Annual General Meeting shall be:-

- i. To receive the report of the Board and review the activities of FS and to plan future policy.
- ii. To receive the audited accounts for the previous year and consider the financial position.
- iii. To elect where required the President, Vice Presidents, Secretary and Treasurer.
- iv. To consider motions, if any, of which due notice had been given.
- v. To appoint an Auditor who shall examine the annual returns prepared by the Treasurer and verify the same with the accounts and vouchers relating thereto and shall issue his usual auditor's certificate.
- vi. To consider any other business as the Chairman may permit.

b. No less than 21 days notice shall be given to members of the time, date and place of the Annual General Meeting.

RULE 14: SPECIAL GENERAL MEETING

The Secretary shall convene a Special General Meeting which shall be open to all members on receiving a petition setting forth the objects of such meeting signed by not less than 50% of affiliated clubs. Only such business as that for which the meeting was convened shall be discussed.

RULE 15: AMENDMENTS OF THE CONSTITUTION

Any amendment to the Constitution rules shall be made at an Annual General Meeting or Special General Meeting of FS and shall be in accordance with the following provisions:-

- a. Notice of the intended amendment is given in writing to the Secretary at least 21 days prior to the Meeting at which the proposed change is to be considered.
- b. Written notice has been given to all financial members that the proposed amendment to the Constitution is to be considered at the Meeting.
- c. 75% of those attending the Meeting vote in favour of the amendment.

RULE 16: RIGHT TO COMPETE

A swimmer will only be eligible to take part in competitions organised by any club, association of FS if he/ she is a member of FS and had paid membership fees that are due.

RULE 17: BY LAWS & RULES

The Fiji Swimming Competition By-Laws is reference for By-Laws for the conduct of Fiji Swimming competitions – Nationals and Grand Prixes.

Any amendments to Fiji Swimming competitions shall be approved by the Board

RULE 18: FIJI RECORDS

To be eligible to hold a Fiji record, a swimmer must both be a member of FS and a Fijian.

“Fijian” means any member who has been a member of FS for at least six months and who is either a Fiji citizen or has been granted permanent residence in Fiji during that time.

FS shall maintain a register of all Fiji long-course and short-course individual and regional relay records.

Fiji records will only be accepted when times are recorded by automatic timing or semi-automatic timing in the event of an automatic timing system malfunction or when three certified stopwatches are used, and shall be recognised to 100th (one hundredth) of a second. Swimmers will be recognised as joint holders of the record when more than one has the same time.

The distances for Fiji individual and relay records and age-group records for males and females shall be:

Long Course & Short Course Open & Age Group Records

50m – FR, BK, BR, FL
100m – FR, BK, BR, FL
200m – FR, BK, BR, FL, IM
400m – FR, IM
800m – FR
1500m – FR
4 x 50m MED
4 x 100m MED
4 x 100 FR
4 x 200m FR

Short Course Open & Age Group Record

100m – IM

Fiji age group records will be recognised for males and females in yearly ages as follows:-

8 years and Under

9 years

10 years

11 years

12 years

13 years

14 years

15 years

16 years

17 years

18 years

FS Constitution 27/11/06

Amended 28/05/08

Amended 13/9/08

Amended 15/10/18

Open age group

Age will be determined as at the date of the swim.

A swimmer may establish a record for an intermediate distance within an individual record distance. The swimmer must successfully complete the entire distance for the record to be accepted.

The first swimmer in a relay event may establish a record for an individual record distance. The individual performance shall not be nullified by any team disqualifications for violations after the record is achieved.

RULE 19: INTERNATIONAL REPRESENTATION

To represent Fiji at either the Olympic, r Commonwealth Games or any sanctioned FINA competition, any swimmer must be a member of FS and fulfill the eligibility requirements as from time to time are promulgated by the Fiji Association of Sports and National Olympic Committee.

To represent Fiji at any other international swimming competition any swimmer must be a member of FS and fulfill the eligibility requirements as from time to time are promulgated by FINA.

RULE 20: DOPING

Every member of FS agrees as a condition of such membership to:

- FS shall comply with the Anti-Doping Rules and allow out-of-competition doping control by FINA. 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 FS representatives under the jurisdiction of FS (FINA Rule C 8.2.4 FINA Rule) (FINA Rule D 14.1)

RULE 21: WINDING UP

FS may be wound up at either an annual general meeting or a special general meeting if a resolution to so wind up is passed by a majority of at least 75% of those present and entitled to vote.

If, in the event of FS being wound up or dissolved, there remains after the satisfaction and discharge of all debts, liabilities and obligations, any property or assets, the same shall be given or transferred to an association or organisation having objects similar to FS.

RULE 22: CONFLICT OF INTEREST

All members, staff, persons elected or appointed, individuals engaged in FS activities and/or consultants or contractually connected person/firms representing or serving FS shall act for the

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Amended 15/10/18

benefit of FS when making decisions that affect, or may affect FS and to do so without reference to their own personal interests either financial or otherwise.

Adopted at the Annual General Meeting of Fiji Swimming held at the National Aquatic Centre, Suva, Fiji on Saturday 25 November 2006

Amendments adopted at the Annual General Meeting of Fiji Swimming held at the National Aquatic Centre, Suva, Fiji on Friday 25 April 2008

Amendments adopted at the Special General Meeting of Fiji Swimming held at the National Aquatic Centre, Suva, Fiji on Saturday 13 September 2008

Amendments adopted at the Annual General Meeting of Fiji Swimming held at the National Aquatic Centre, Suva, Fiji on Saturday 18 March 2017

Amendments adopted at the Special General Meeting of Fiji Swimming held at the Nadi Sports & Social Club, Nadi, Fiji on Saturday 13 October 2018

APPENDIX 1

CODE OF CONDUCT

This Code of Conduct shall apply to all Fiji Swimming Members and persons participating in or connected to FS activities

The following requirements must be met in regard to your conduct;

- Respect the rights, dignity and worth of others.
- Be fair, considerate and honest in all dealings with others.
- Be professional in, and accept responsibility for, your actions.
- Make a commitment to providing quality service and performance.
- Be aware of, and maintain an uncompromising adherence to, standards, rules, regulations and policies.
- Operate within the Constitution, Regulations, Policies and Procedures of FS and FINA.
- Abide by the Sports Anti - Doping Policy
- Understand the possible consequences of breaching the FS Code of Conduct.
- Immediately report any breaches of FS members to the appropriate authority.
- Refrain from any form of abuse towards others.
- Refrain from any form of harassment towards others.
- Refrain from any form of discrimination towards others
- Refrain from any form of victimisation towards others
- Provide a safe environment for the conduct of the activity in accordance with relevant FS policy.
- Show concern and caution towards others who may be sick or injured.
- Be a positive role model.
- To not provide comment to any media on behalf of Fiji Swimming.
- To not speak to any media in a negative way regarding Fiji Swimming.
- Never act in any way that may bring disrepute or disgrace to FS members, its stakeholders and/or its sponsors, potential sponsors and/or partners.

Fiji Swimming expects all members, supporters, advisors, staff and associates of FS to abide by a Code of Conduct that upholds the principles and values of the organisation and the FS Member Protection Policy. Members should recognise that at all times they have a responsibility to a duty of care to all FS members.

In addition a **Team Manager will:**

- Agree to abide by the code of conduct.
- Be responsible for the overall welfare and well being of team members and officials when travelling with a team.

- Not participate (or benefit from assisting others involved) in sports betting or gambling activity associated with swimming events and/or swimming results in which they are participating or have been directly involved in.
- Maintain a 'duty of care' towards team members and be accountable for the management of the team.
- Have a sound working knowledge of FS Constitution, Regulations, and Policies, and ensure that the conduct of the affairs of the team is in accordance with these and or any other policies and guidelines determined by FS.
- Foster a collaborative approach to the management of the team.

Teacher / Coach will:

Agree to abide by the code of conduct

Respect the rights, dignity and worth of every individual athlete as a human being

- Treat everyone equally regardless of gender, disability, ethnic origin or religion.
- Respect the talent, developmental stage and goals of each athlete in order to help each athlete reach their full potential.
- Not participate (or benefit from assisting others involved) in sports betting or gambling activity associated with swimming events and/or swimming results in which they are participating or have been directly involved in.
- Maintain high standards of integrity
- Operate within the rules of your sport and in the spirit of fair play, while encouraging your athletes to do the same.
- Advocate a sporting environment free of drugs and other performance enhancing substances.
- Do not disclose any confidential information relating to their athletes without written prior consent.

Be a positive role model for your sport and athletes and act in a way that projects a positive image of coaching

- All athletes are deserving of equal attention and opportunities
- Ensure the athlete's time spent with you is a positive experience
- Be fair, considerate and honest with athletes
- Encourage and promote a healthy lifestyle – refrain from smoking and drinking alcohol around athletes.

Professional responsibilities

- Display high standards in your language, manner, punctuality, preparation and presentation

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Amended 13/9/08

Amended 15/10/18

- Display control, courtesy, respect, honesty, dignity and professionalism to all involved within the sphere of sport - this includes opponents, coaches, officials, administrators, the media, parents and spectators.
- Encourage your athletes to demonstrate the same qualities.
- Be professional and accept responsibility for your actions.
- You should not only refrain from initiating a relationship with an athlete, but should also discourage any attempt by an athlete to initiate a sexual relationship with you, explaining the ethical basis of your refusal.
- Accurately represent personal coaching qualifications, experience, competence and affiliations.
- Refrain from criticism of other coaches.

Make a commitment to providing a quality service to your athletes

- Seek continual improvement through ongoing coach education, and other personal and professional development opportunities.
- Provide athletes with planned and structured training programmes appropriate to their needs and goals.
- Seek advice and assistance from professionals when additional expertise is required.
- Maintain appropriate records

Provide a safe environment for training and competition

- Adopt appropriate risk management strategies to ensure that the training and/or competition environment is safe.
- Ensure equipment and facilities meet safety standards.
- Ensure equipment, rules, training and the environment are appropriate for the age, physical and emotional maturity, experience and ability of the athletes.
- Show concern and caution toward sick and injured athletes
- Allow further participation in training and competition only when appropriate
- Encourage athletes to seek medical advice when required
- Provide a modified training program where appropriate
- Maintain the same interest and support toward sick and injured athletes

Protect your athletes from any form of personal abuse

- Refrain from any form of verbal, physical and emotional abuse towards your athletes.
- Refrain from any form of sexual and racial harassment, racial vilification and harassment on the grounds of disability.
- Any physical contact with athletes should be appropriate to the situation and necessary for the athlete's skill development.
- Be alert to any forms of abuse directed towards athletes from other sources while in their care.

Swimmer will:

- Agree to abide by the code of conduct.
- Never argue with or verbally abuse an official. Always use the appropriate rules and guidelines to resolve a dispute.
- Not participate (or benefit from assisting others involved) in sports betting or gambling activity associated with swimming events and/or swimming results in which they are participating or have been directly involved in.
- Conduct yourself in a sportsman-like manner and respect fellow swimmers, coaches, managers, staff, officials and the achievement of opponents.
- Do not bully or take an unfair advantage of another competitor.
- Cooperate with your coach, manager team mates and opponents.
- Refrain from possessing, consuming prohibited substances while in FS camps or on tours.
- Do not consume or purchase alcohol and tobacco while in FS camps or on Tours without the agreement of the Team Manager and Head Coach.
- Comply with training, competition, curfew and behaviour requirements directed by FS, while in camp or on tours.

Technical Official will:

- Agree to abide by the code of conduct.
- Be consistent objective and courteous when making decisions.
- Not participate (or benefit from assisting others involved) in sports betting or gambling activity associated with swimming events and/or swimming results in which they are participating or have been directly involved in.
- Compliment and encourage all participants.
- Condemn unsporting behaviour and promote respect for all opponents.
- Emphasise the spirit of competition rather than the errors.
- Encourage and promote rule changes, which will make the participation more enjoyable.
- Be a good sport yourself.
- Keep up to date with the latest trends in officiating and the principles of growth and development of young people
- Remember, you set an example. Your behaviour and comments should be positive and supportive.
- Place the safety and welfare of the participants above all else.
- Give all your people a 'fair go' regardless of their gender, ability, cultural background or religion.

Member, Administrator, Associate will:

- Agree to abide by the code of conduct.
- Be fair, considerate and honest with others.

- Be professional in all actions. Ensure language, presentation, manner and punctuality reflect high standards.
- Resolve conflicts fairly and promptly through established procedures.
- Maintain strict impartiality.
- Maintain a safe environment for others.

Parent/ Guardian will:

- Agree to abide by the code of conduct.
- Remember that children participate in sport for their enjoyment, not yours.
- Encourage children to participate, do not force them.
- Focus on the child's efforts and performance rather than winning or losing.
- Encourage children always to compete according to the rules and to settle disagreements without resorting to hostility or violence.
- Never ridicule or yell at a child for making a mistake losing a competition.
- Remember that children learn best by example.
- Support all efforts to remove verbal and physical abuse from sporting activities.
- Respect officials' decisions and teach children to do likewise.
- Show appreciation for coaches, officials and administrators.

Any breach of the Code of Conduct, or any part of it, may result in disciplinary action under the FS Constitution, Regulations and policies.

APPENDIX 2

ENFORCEMENT OF THE FIJI SWIMMING CODE OF CONDUCT (refer Appendix 1)

The Code of Conduct Committee shall be elected by the Fiji Swimming Board. Four positions shall be elected by the Board and a fifth shall be appointed by the Fiji Swimming President. The first four positions may be Board Members or non-Board Members. Each candidate for a position on the Ethics Code of Conduct Committee must have a minimum 2 years experience as a Fiji Swimming Member.

Responsibilities of the Code of Conduct Committee shall be:

- Receive and investigate complaints pertaining to conduct among the members of Fiji Swimming.
- Develop procedures to ensure the individual's right to due process is protected at all times.
- Develop within the due process system, a series of outcomes for those members found in violation of the Fiji Swimming code of conduct. These may vary in degree, from a letter of caution to permanent revocation of membership and/ or coaching accreditation.
- Deliver said penalties in such cases as might be necessary to protect the integrity of our membership.

DUE PROCESS

Definition: Due Process is the procedure that ensures that if a Fiji Swimming member is charged with a code of conduct violation, their rights are protected in this following manner.

- They receive notice, in writing, of those specific offences with which they are charged.
- They have an opportunity to represent themselves, and reasonable period of time to prepare a response.
- They have the right to legal counsel if they wish it.
- They have a right to a hearing before an objective body, (the Fiji Swimming Code of Conduct Committee) at a specific time that will allow them full opportunity to present their position.
- They receive notice, in writing, of how to appeal any decision.

PROCEDURES

The following are the general procedures for reporting a violation of Fiji Swimming's Code of Conduct.

- 1 Any member of the public or member of Fiji Swimming may bring charges against a member of Fiji Swimming. In the case of criminally charged offences, the Association itself will be considered the complainant.
- 2 Code of Conduct complaints brought by one Fiji Swimming against another that are found to be essentially of a spurious nature, will itself be considered to be a very serious breach of professional conduct, and will be considered by Fiji Swimming's Code of Conduct Committee. This is meant specifically to prevent "nuisance" complaints, or issues arising from personal animosity.

- 3 A code of conduct complaint must be brought to the attention of the Code of Conduct Committee in writing by the complainant.
- 4 A preliminary evaluation of the nature of the complaint will be conducted by the Chairman of the Code of Conduct Committee or the President of Fiji Swimming. If the complaint is found to represent a potential code of conduct violation it is immediately sent to the full Committee. Notification of specific charges is sent in writing to the member so accused. An invitation to respond is included, with a reasonable time frame set for the accused to present a written response. It is possible that the initial screening process may determine that no code of conduct violation has occurred. If so, the chairman of the Code of Conduct Committee will so inform the complainant.
- 5 Following a reasonable opportunity for a written response, the Committee may choose to:
 - 5.1 Accept the response provided by the accused, taking no further action. Notification must be given to the complainant
 - 5.2 Propose disciplinary action likely to be accepted by the accused. The accused member is notified and may accept the proposal or may insist upon a full hearing
 - 5.3 Schedule a full hearing of the complaint before a Code of Conduct Committee. In this case, a full written explanation of the hearing process will be provided to the accused within fifteen days of receipt of a request for a hearing.
- 6 Should the accused party wish to appeal, such appeal request must be submitted to the Secretary of Fiji Swimming. The appeal board will consist of all members of Fiji Swimming's Executive.
 - 6.1 The appeal will be heard at the next regularly scheduled meeting of the Fiji Swimming Board, or
 - 6.2 The appeal will be heard at a special meeting of the Fiji Swimming Executive called for that purpose. Any member of the Code of Conduct Committee, who is also a member of the Executive, shall be excused from this appeal process.
- 7 The Code of Conduct Committee will present an annual summary report to the Fiji Swimming Board, outlining all disciplinary matters

AUTHORITY OF THE CODE OF CONDUCT COMMITTEE

In the case of a decision that a Code of Conduct violation has occurred, the Committee may impose penalty(s) from among the following options:

- 1 A letter to all members giving the position of Fiji Swimming with regard to the complaint.
- 2 A letter of reprimand directly to the offending Fiji Swimming member.
- 3 A letter of reprimand to the offending Fiji Swimming member, with copies to the club to which that member is registered
- 4 Permanent letter in the file of the offending Fiji Swimming member, to become a part of that member's permanent record.
- 5 Temporary suspension of Fiji Swimming Membership for a defined period of time.

- 6 Membership probation, in lieu of suspension, on such terms as the Fiji Swimming Board may designate.
- 7 Indefinite suspension of Fiji Swimming membership, to be reviewed annually by the Code of Conduct Committee.

APPENDIX 3

FIJI SWIMMING RECORDS

Fiji Swim Venues

1) LONG COURSE OR 50 M POOLS

- | | | |
|------------------------|-------------------------|-------------------|
| a) Suva Aquatic Centre | National Aquatic Centre | Sports Council |
| b) Olympic Pool | Suva City | Suva City Council |

Facilities

- Must be surveyed with a Fiji Swimming approval Certificate to meet FINA standards. (Refer FINA Handbook. Rules and Regulations FR 2. Swimming Pools).
- Electronic Timing must be to International FINA standard.
- Manual time keeping method for recording times must be approved by Fiji Swimming under FINA conditions.

2) SHORT COURSE OR 25 M POOLS

- | | | |
|------------------------|-------------------------|----------------|
| a) Suva Aquatic Centre | National Aquatic Centre | Sports Council |
| b) Nadi Sports Club | Navakai | Nadi |

Facilities

The same Fiji Swimming Regulations apply to Short course or 25 m pools as half Olympic Pools.

3) TYPES OF RECORDS

- International

Olympic Games Records set at Olympic Games can only be broken at Olympic Games.

- World Records

Can be broken at Olympics Games, World Champs or any competition that is approved or sanctioned by FINA

4) FIJI SWIMMING RECORDS - Open and Age Group

- National Record** This record represents the fastest time swum by a Fiji Citizen anywhere in Fiji, provided that they are registered Fiji Swimmers eligible to compete and achieving an official time in accordance with Fiji Swimming Certification. Records set can only be broken at National Championships sanctioned by Fiji Swimming in Fiji.
- Open Record** This record represents the fastest time swum by anyone anywhere and can be set and broken at any time or venue approved by Fiji swimming by Fiji Registered Swimmers.
- Club Records** can be set and broken at club meets at their Club Pool. Record keeping should meet the minimum standards set by Fiji Swimming for the number of time keepers and competition distances. EVENTS are the Club's prerogative.