

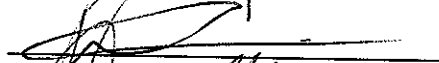
This constitution was adopted at the annual general meeting of LPA held on the 17th day of September 2016 at Stanford Lake College, Haenertsburg.

Signed by:

President: Louise Blignaut

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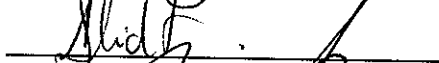
Vice President: Rob Anderson

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General Secretary: Jacqueline du Plessis

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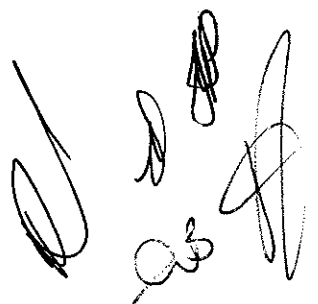
Records Officer: Alta Schmidt

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Treasurer: Denzil Haynes

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LIMPOPO PROVINCE AQUATICS CONSTITUTION

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1.0 DEFINITIONS

- 1.1 Limpopo Province Aquatics (LPA) is the official body responsible for the aquatic disciplines of Diving, Open Water Swimming, Swimming, Synchronised Swimming, Water Polo and Masters in the province of Limpopo.
- 1.2 LPA is affiliated to Swimming South Africa (SSA), which is the recognised national body governing the above disciplines in South Africa.
- 1.3 'Provincial Council' shall mean the Council referred to in Clause 8.1 hereof.
- 1.4 'District Council' shall mean the Council referred to in Clause 8.19 hereof.
- 1.5 'Affiliates' shall mean the Clubs affiliated to LPA, in accordance with Clause 6.0 hereof.
- 1.6 'Associations' shall mean those associations, with similar activities, that seek association to LPA,
- 1.7 'Members' shall mean the Clubs and Associations in LPA, and the individual members of such Clubs and Associations.
- 1.8 'Clubs' shall mean a group of individuals within a District appropriately constituted to meet the objectives set out by their District, Affiliated member or Swimming South Africa. Will have a:
 - Chairman
 - Secretary
 - Coach
 - 2 Members

2.0 PREAMBLE

- 2.1 Words importing the masculine gender shall include the feminine gender.
- 2.2 Where the context so requires, words of a plural nature shall include the singular and the singular shall include the plural.
- 2.3 LPA, based on its activities and objectives, will apply to be registered with the Department of Sport and Recreation and the South African Revenue Services as a Public Benefit Organisation.
- 2.4 LPA and its Members, jointly and severally, (including *inter alia* all registered individual members) agree that they are bound by the provisions of the constitution, bye-laws, rules and rulings of FINA, CANA, SSA or anybody having control over the recognised aquatic disciplines in the Republic of South Africa, and agree to abide hereby.
- 2.5 Unless contrary to the provisions of this Constitution and/or the Constitution of Swimming South Africa (SSA), and insofar as they can be applied hereto, the obligations and duties of LPA in and to SSA, shall apply *mutatis mutandis* in respect of the Member in and to LPA.

3.0 OBJECTIVES

The objectives of LPA shall be:

- 3.1 To promote and encourage Diving, Open Water Swimming, Swimming, Synchronised Swimming, Water Polo and Masters in the area of its jurisdiction.

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- 3.2 To ensure that LPA and any of its affiliates do not practice discrimination on the grounds of gender, race, social origins, sexual orientation, disability, conscience, belief, culture, language, religion or political affiliations.
- 3.3 To promote the formation of Clubs in connection therewith.
- 3.4 To promote and control within its jurisdiction, Championships and competitions in Diving, Open Water Swimming, Swimming, Synchronised Swimming, Water Polo and Masters.
- 3.5 To act as Board of Appeal and Tribunal in all matters concerning Diving, Open Water Swimming, Swimming, Synchronised Swimming, Water Polo and Masters, and to this end, to adjudicate upon any matter referred to it by any Board, Affiliated Association, Club or individual members concerning:
- 3.5.1 the meaning of or the interpretation of the Laws connected with the relevant discipline;
 - 3.5.2 any matter of practice or procedure;
 - 3.5.3 any rules, by-laws, regulations and conditions;
 - 3.5.4 any matters of practice, policy, misconduct or complaint which may be within its jurisdiction;
 - 3.5.5 to act as a controlling body for all Clubs under its jurisdiction;
 - 3.5.6 to make such By-laws as may be considered necessary or desirable with regard to matters of administration and administrative awards, and at the request of the relevant Boards or District structures in respect of
 - the staging of competitions, galas and events
 - the formalities for entry
 - the selection criteria applicable to teams
 - the award of colours
 - the recognition of recordsand matters ancillary thereto.
 - 3.5.7 to represent the interest of divers, open water swimmers, swimmers, synchronised swimmers and water polo players of LPA at all meetings of SSA;
 - 3.5.8 to pass on to Clubs communications of interest and importance from SSA;
 - 3.5.9 to stimulate public opinion, by all possible means, so as to influence all authorities to provide facilities for diving, swimming, open water swimming, synchronised swimming, water polo and masters in accordance with the standards as laid down from time to time by SSA, CANA and FINA; and
 - 3.5.10 to raise funds by donation, bequest or sponsorship in any lawful manner.
 - 3.5.11 to accelerate the transformation process at all levels of the sport.

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4.0 JURISDICTION

- 4.1 The jurisdiction of LPA shall be the Limpopo Province, as defined by the Constitution of South Africa and its subsequent amendments.
- 4.2 The districts as defined by the Provincial and National government within the Limpopo Province will fall under the jurisdiction of LPA.
- 4.3 The districts in Limpopo Province will be:
- **Capricorn District**
 - **Mopani District**
 - **Sekhukhune District**
 - **Vhembe District**
 - **Waterberg District**

5.0 MEMBERSHIP

5.1 Club Membership

Membership of LPA shall be open to Clubs and Associations, comprising of individual members, who will act as administrators, officials, coaches and competitors in that Club or Association, subject to the following requirements;

- 5.1.1 Any diving, open water swimming, swimming, synchronised swimming, water polo, masters Club or Association, provided that it has a registered membership of the individual members, as defined in Clause 5.1.4 and 5.1.7.
- 5.1.2 A club seeking membership with LPA must first be affiliated to a District Council.
- 5.1.3 A Club seeking membership with LPA must deposit a fee as determined by Provincial Council from year to year with its application for membership, together with a copy of its constitution and a letter of endorsement from the District Council.
- 5.1.4 A Club seeking membership must register within fourteen (14) days, of paying its deposit fee, at least three (3) officials (Chairperson, Secretary and Treasurer or other).
- 5.1.5 Should the application for membership be revoked, the application fee will be returned.
- 5.1.6 Provincial Council in its sole discretion may refuse any application for membership, provided that refusal is not based on religious or political belief, gender, nationality or race.
- 5.1.7 Should the membership numbers of competitors in a Club reduce to less than 5 athletes, Provincial Council reserves the right to terminate membership of the Club.
- 5.1.8 In terms of Clause 5.1.3, all Clubs are required to forward copies of their constitutions, minutes of the Annual General Meeting, list of elected Executive Members, and District Council endorsement to LPA annually by 30th August of each year.

- 5.1.9 All Clubs are expected to meet transformation criteria as set out by the Provincial Council.

5.2 Individual Members

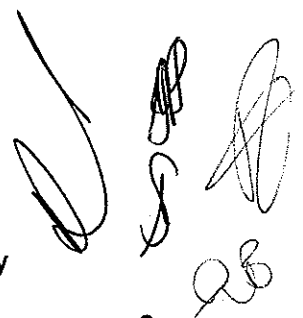
- 5.2.1 All individual members of Clubs and Associations shall automatically become Members of LPA on registering with a Club or Association, by completing the prescribed Registration Form. On completion of the form, the member agrees to abide to the Constitution, Code of Conduct, By-Laws, Policies and Guidelines of LPA and Swimming South Africa.
- 5.2.2 Only individual members may hold any official position in a Club, District Council or Association.
- 5.2.3 An individual member must register with a Club in his district of domicile.
- 5.2.4 Scholars, students or workers who are temporarily resident outside their region of domicile, such as at boarding schools, place of employment or overseas, may register with a Club outside of the district or province for the period in which they are away from their normal period of activity.
- 5.2.5 Competitors will be accepted as being fully registered for competitions when the registration forms and payment have been received by the LPA Registration Clerk.
- 5.2.6 In the event of an individual being temporarily resident in a district within the province, then proof of such temporary residence will be necessary prior to registration as a member of a club within the district or temporary residence.

5.3 Life Membership

- 5.3.1 Life membership may be conferred upon individuals who, in the opinion of the Council, have rendered outstanding service to LPA over an extended period of time, and such membership shall be recommended by Council to a General Meeting of LPA by way of a notice of motion, which should be accompanied by a citation detailing the extraordinary service rendered to the Association.
- 5.3.2 Life membership can only be granted on a two-thirds majority at the General Meeting.
- 5.3.3 No Life Member shall be required to pay any subscription fee or charge after being so elected.
- 5.3.4 Life Members shall have the right to attend all Council Meetings, without a right to vote, and Annual and Special General Meetings, with a right to vote.
- 5.3.5 The award will comprise of the LPA badge, in accordance with Clause 15.0, with the words LIFE MEMBER underneath.

5.4 Other

Associate membership to LPA will also be open, through agreement, to representation from the Disability Swimming South Africa (DISSA), primary and secondary schools, and the tertiary institutions.

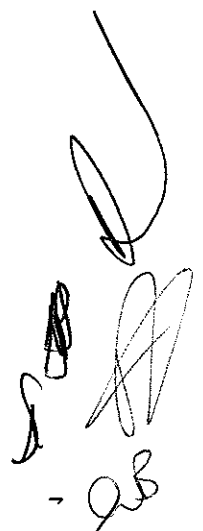
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6.0 AFFILIATION FEE

- 6.1 Every affiliated body or Club and District, shall pay an annual affiliation fee in an amount which shall be determined by the Council annually and which shall be notified to each such body not later than the 30th April in each year, prior to the start of the new season.
- 6.2 All clubs based in historically (based on pre-1994 political classifications) or currently disadvantaged townships or rural areas will pay an affiliation fee ranging between 10% and 50% of the annual fee determined in Clause 6.1.
- 6.3 Clubs eligible for the fee remission as stated in Clause 6.2 must submit a request to the Executive via their respective District structure.
- 6.4 The Provincial Council shall have the discretion to exempt any class of member from the payment of an annual affiliation fee, and unless an express determination of a fee in respect of any class of member is made in accordance with the provisions of this Clause, it shall be deemed that the class of member concerned has been exempted from the payment of an affiliation fee for the ensuing year.
- 6.5 The Provincial Council may differentiate between classes of membership in determining the annual affiliation fee.
- 6.6 The Council may increase the affiliation fee at any time in respect of any class of member as it may consider necessary or desirable.
- 6.7 The affiliation fees shall be payable in advance on or before the start of each new season, but not later than the 30th May of the new season. In the event of the affiliation fee being unpaid by the 30th May, all rights and privileges shall be suspended until the affiliation fee is paid.
- 6.8 Should any Club, or other member body be more than two months in arrears with its affiliation fee, its delegate or delegates shall not have the right to attend any meeting of LPA, its District Councils and its Boards, and all rights and privileges arising from its membership of the LPA shall be suspended until all arrears due to LPA shall have been paid.
- 6.9 The defaulting Member shall, notwithstanding the foregoing suspension of rights and privileges, continue to remain liable to LPA for the fulfilment of all its obligations.

7.0 REGISTRATION OF INDIVIDUAL MEMBERS

- 7.1 Registration of all individual members and officials shall be effected by their Secretary through their District Council, with the Registration Secretary/Treasurer of LPA for each season and such registration shall be on the forms approved by the Provincial Council from time to time. The season shall commence on the 1st day of May in each year and terminate on the 30th April of the following year.
- 7.2 In respect of all registered Club members and officials there shall be paid a registration fee in an amount determined by Provincial Council from time to time and the registration fee shall be payable, and shall be paid when the form concerned is submitted.
- 7.3 All members of clubs based in historically (based on pre-1994 political classifications) or currently disadvantaged townships or rural areas will pay an registration fee ranging between 10% and 50% of the annual fee determined in Clause 7.1.

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- 7.4 Members eligible for the fee remission as stated in Clause 7.3 must submit a request to the Executive via their respective District structure.
- 7.5 The Provincial Council may increase the registration fee at any time in respect of any class of members as it may consider necessary.
- 7.6 In any competition held under the auspices of LPA and/or SSA, no unregistered swimmer, open water swimmer, synchronised swimmer, diver, water polo player or masters swimmer may compete.
- 7.7 No competitor will be allowed to participate in any event until such time as the registration form and fee are submitted in accordance with Clauses 7.1 and
- 7.8 Two classes of officials are recognised by LPA, namely (1) Club and other administrators, and (2) poolside/technical officials who shall be members of the Officials' Society.

8.0 ADMINISTRATION

The Provincial Council

- 8.1 The Management of LPA shall be vested in a 18 member Provincial Council of the following members and represented in Appendix III
 - President, (1)
 - Deputy President (1)
 - General Secretary, (1)
 - Treasurer, (1)
 - Records Officer, (1)
 - The Chair of each District Council (4),
 - One delegate representing DISSA, (1)
 - One delegate representing schools, and (1)
 - Coaches' Representative (1)
 - Education and Learning (1)
 - Open Water representative
 - Masters representative (1)
 - Technical Equipment Officer (1)
 - Gala secretary (1)
 - Technical Officials officer (1)
- 8.2 The President, Deputy President, General Secretary, Treasurer, and the Records Officer shall form the Executive Committee of the Council and shall hold office for four years.
- 8.3 It shall be lawful for the same person to hold the posts of Honorary Secretary and Honorary Treasurer.
The person holding the post of Honorary Secretary and Honorary Treasurer shall exercise only one vote at any meeting at which he/she is present.

Provincial Council Meetings

- 8.4 The Members of Provincial Council shall hold office and act until the completion of their term following the date on which they were elected or appointed.
- 8.5 Attendance at meetings:
 - 8.5.1 In the case of a Board's delegate's inability to attend a Provincial Council meeting, an alternate, to be nominated by that Board, but who must be a registered member of the relevant Board, may attend a Provincial Council meeting of LPA in the delegate's stead.

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- 8.5.2 In the case of a District Council's standing delegate unable to attend a Council meeting, an alternate, to be nominated by that District, but who must be a registered member of the Association, may attend a Provincial Council meeting of LPA in the delegate's stead.
- 8.6 The Provincial Council shall meet once every third month to transact the business of the LPA. Seven (7) days notice in writing of such meeting shall be given to the Provincial Council Members unless all members shall waive such notice.
- 8.7 At all Provincial Council meetings of LPA, 50% of elected Provincial Council members shall form a quorum and the Chairperson shall have a casting, as well as a deliberative vote in the event of an equality of votes. Should any member of the Provincial Council absent himself/herself from two consecutive meetings, after having notice thereof, and without having applied for leave of absence, he/she shall be deemed to have vacated office, but may be reinstated by the Provincial Council upon good cause shown at the next ensuing meeting.
- 8.8 Provincial Council shall have the powers to deal with all cases of misconduct and is empowered to expel, suspend or fine any member, District, Club or Association of LPA for such misconduct. For the purpose of this provision, misconduct shall include any unauthorised media statement by any individual member, District or Club, or any act which in the opinion of the Council has brought, or is calculated to bring any of the sporting disciplines over which it has jurisdiction into disrepute.
- 8.9 Meetings of the Provincial Council may be convened at any time by the President, and shall be convened on a requisition signed by four members of the Council and delivered to the General Secretary. Such requisition shall state the motion/s or other business which the Meeting is required to discuss, and these matters will then become the sole agenda for that meeting. Such a meeting shall be convened within ten (10) days of the presentation of the requisition.
- 8.10 Provincial Council shall at all times be empowered to appoint sub-committees to carry out any specific duties allocated by the Council.

Finance

- 8.11 Provincial Council shall maintain an account or accounts in the name of LPA at a commercial bank or building society, which shall be operated by means of the signature of the Treasurer, and counter signature of other officials approved by the Provincial Council.
- 8.12 The accounts of LPA shall be audited by the Auditors or Accountants to be elected and appointed at the Annual General Meeting. The Financial Year of the Association shall extend from the 1st day of May to 30th day of April in the following year.
- 8.13 Provincial Council may hire, purchase or lease movable and/or immovable property in the name of LPA upon such terms as may be considered expedient and shall further have the right to borrow money on a mortgage or otherwise for any such purpose.
- 8.14 The Provincial Council shall receive and pass accounts for payment, including accounts for the refund of expenses incurred by any persons engaged in the work of LPA, provided prior written authority has been granted for such expenses to be incurred on the behalf of LPA.



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Executive Meetings

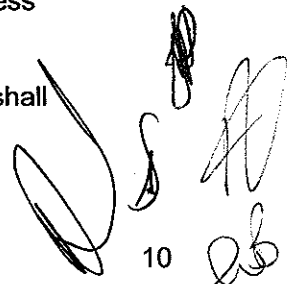
- 8.15 At meetings of the Executive, four (4) members shall form a quorum and the Chairperson of the meeting shall have a casting, as well as a deliberative vote in the event of a deadlock.
- 8.16 Whenever the Executive has conducted business on the behalf of the Provincial Council as provided in Clause 8.6, it shall report the business so conducted to the first meeting of the Council to be held thereafter.
- 8.17 The Executive shall not, however, be empowered to settle any matter that is in the nature of an appeal to LPA or to take any disciplinary action against any individual member, District or Club, save suspension pending investigation by the Provincial Council.
- 8.18 In cases of emergency, the Executive Committee shall have the power to conduct business on behalf of the Provincial Council, subject to Clause 8.17.

The District Council

- 8.19. The Management of the sport within the districts under the jurisdiction of LPA shall be vested in a District Council of the following members:
Chairperson,
Secretary/Treasurer
One delegate representing each of the clubs registered with the District will act as ex-officio members of the Council
- 8.20 The above members of the District Council shall hold office for two of the four years of office of the Provincial Executive Committee.
- 8.21 In addition to the above members of Council, the following will have ex-officio representation on the District Council:
One district delegate representing DISSA,
One district delegate representing schools.
- 8.22 The functions of the District Council is to promote, at a district level, the objectives of LPA as stipulated in Section 3.0 of this Constitution, and to further implement the functions stated in Appendix II: Functions of the District Council.
- 8.23 The finances of each District Council shall be under the control of the Treasurer of LPA.

District Council Meetings

- 8.24 The Members of District Council shall hold office and act until the completion of their term following the date on which they were elected or appointed.
- 8.25. The District Council shall meet once every third month to transact the business of the district. These meetings will take place in the month preceding the Provincial Council Meeting. Fourteen (14) day notice either verbally or in writing of such meeting shall be given to the District Council Members unless all members shall waive such notice.
- 8.26 At all District Council meetings, 50% of elected District Council members shall form a quorum and the Chairperson shall have a casting, as well as a deliberative vote in the event of an equality of votes.



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- 8.27 Should any member of the District Council absent himself/herself from two consecutive meetings, after having notice thereof, and without having applied for leave of absence, he/she shall be deemed to have vacated office, but may be reinstated by the Provincial Council upon good cause shown at the next ensuing meeting.
- 8.28 Meetings of the District Council may be convened at any time by the District Chairperson, and shall be convened on a request of four members of the Council and delivered to the District Secretary. Such request shall state the motion/s or other business which the Meeting is required to discuss, and these matters will then become the sole agenda for that meeting. Such a meeting shall be convened within ten (10) days of the presentation of the requisition.

General

- 8.29 The Provincial or District Council may employ part-time or full-time employees in the field of clerical, secretarial or technical assistance.
- 8.30 Employees of LPA and its structures are not eligible to stand for election onto the Executive or Council, nor are the Executive or Council members eligible for full-time or major time employment by LPA.
- 8.31 Each District structure will utilise the standardised LPA letterhead as indicated in Appendix II, with the wording "X District Aquatics" sub titled in size 12 Arial font below the words "Limpopo Province Aquatics", where "X" is replaced by the name of the District.. The details of the district will replace the provincial details on the letterhead.
- 8.32 Each District will utilise the LPA logo, with the name of the district indicated under the title "Limpopo Province Aquatics"

9.0 ANNUAL AND SPECIAL GENERAL MEETINGS OF THE ASSOCIATION

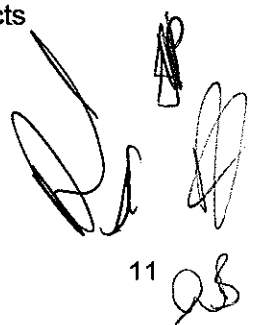
Provincial Annual General Meeting

- 9.1 The Annual General Meeting of LPA shall be held on a date to be determined by the Provincial Council, but not later than the 31st day of August, in each year, and fourteen (14) days notice of Meeting shall be given in writing to each member, District, Club and Association.
- 9.2 At the Annual General Meeting, reports by the President, Treasurer including the Financial Statements for the previous year, duly prepared and certified by the Auditors or Accountants, Board Convenors, District Chairpersons and Chairpersons of Associations shall be submitted, together with reports on major events.
- 9.3 Officers set out in Clause 8.2 shall be elected every fourth year.
- 9.4 The nominations, with written acceptances from the nominees as referred to in Clause 8.2 hereof, shall be submitted to the General Secretary in writing, at least twenty-eight (28) days prior to the Annual General Meeting.

Nominations for vice-presidents to represent the regional grouping of districts will be specifically requested.

The person so nominated shall sign a letter indicating acceptance of such nomination.

Should insufficient nominations be received in writing, the President or the Chairperson of the meeting may permit nominations to be moved from the floor.



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- 9.5 The following persons or bodies shall be elected at the Annual General Meeting:

President
Deputy President
General Secretary
Treasurer, and
Records Officer

- 9.6 Notices of Motion, duly given, shall be considered.

All Notices of Motion must be delivered in writing to the General Secretary of LPA at least Thirty (30) days before the Annual General Meeting.

- 9.7 The ratification of all Boards members, Selection Committee members and elected District Council members shall also take place at the Annual General Meeting.
- 9.8 The nominated delegates representing DISSA, school sport and tertiary academic Associations shall also be announced.
- 9.9 The nominated delegates representing Open Water, Masters, Gala Secretary, Technical Officials, Technical Equipment and Education and Training, Coaches representative shall also be announced.
- 9.10 Nominations for awards must be forwarded to the General Secretary of LPA, with a detailed "curriculum vitae" within thirty (30) days prior to the Annual General Meeting.

Provincial Special General Meeting

- 9.11 A Special General Meeting may be summoned at any time by the Provincial Council, or by the General Secretary on receipt of a requisition signed by four (4) or more Clubs or by three (3) or more districts.

The Meeting must be held within twenty-eight (28) days of receipt of the requisition and fourteen (14) days notice in writing of the meeting shall be given.

The requisition must state the object of such meeting which shall become the whole agenda of the meeting.

Voting

- 9.12 At Annual and Special General Meetings, those entitled to vote will be:
- Each Association: two delegates, each with one vote
 - Each District two delegates, each with one vote
 - Each Club: two delegates, each with one vote
 - Each Member of the Executive: one vote
 - Each Life Member of LPA: one vote

Each delegate must be a registered member of the Association.

- 9.13 The quorum at a General Meeting shall be no less than thirty (30) per cent of the members or delegates who are entitled to vote.
- 9.14 Notwithstanding anything in this Constitution contained, no person, District, Club, or Association affiliated to LPA, who or which is entitled to be present and vote at any General Meeting, shall be entitled to vote by proxy.

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- 9.15 In the event of the Executive being reduced in number, the replacement shall be the person obtaining the next highest number of votes at the Annual Meeting.
- 9.16 The results of the voting shall be retained by the General Secretary until the next Annual Meeting, whence the General Secretary will confirm their disposal.
- 9.17 Each elected Executive Member shall serve for four (4) years.

District Annual General Meeting

- 9.18 The Annual General Meeting of the districts under the jurisdiction of LPA shall be held on a date to be determined by the District Council, but not later than the 31st day of July, in each year and at least fourteen (14) days before the provincial Annual General Meeting. Fourteen (14) days notice of Meeting shall be given in writing to each member, Club and Provincial Council.
- 9.19 At the district Annual General Meeting, reports by the Chairperson, Secretary and Discipline Co-ordinators shall be submitted, together with reports on major events.
- 9.20 Officers set out in Clause 8.19 shall be elected every second year, in the same period as the Provincial Executive members.
- 9.21 The nominations, with written acceptances from the nominees as referred to in Clause 8.2 hereof, shall be submitted to the General Secretary in writing, at least twenty-eight (28) days prior to the Annual General Meeting.

The person so nominated shall sign a letter indicating acceptance of such nomination.

Should insufficient nominations be received in writing, the Chairperson of the meeting may permit nominations to be moved from the floor.

- 9.22 The following persons or bodies shall be elected at the Annual General Meeting:
- Chairperson
 - Secretary/Treasurer
 - Other Discipline Co-ordinators

- 9.23 Notices of Motion, duly given, shall be considered.

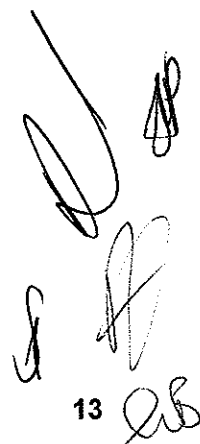
All Notices of Motion must be delivered in writing to the District Secretary of LPA at least forty (40) days before the Annual General Meeting.

District Special General Meeting

- 9.24 A District Special General Meeting may be summoned at any time by the Provincial Council, or by the District Secretary on receipt of a requisition signed by two (2) or more Clubs.

The Meeting must be held within twenty-eight (28) days of receipt of the requisition and fourteen (14) days notice in writing of the meeting shall be given.

The requisition must state the object of such meeting which shall become the whole agenda of the meeting.



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Voting

- 9.25 At Annual and Special General Meetings of the District Council, those entitled to vote will be:

Each Club: two delegates, each with one vote

Each elected Member of the District Council: one vote

Each delegate must be a registered member of the Association.

- 9.26 The quorum at a General Meeting shall be no less than forty (40) per cent of the members or delegates who are entitled to vote.
- 9.27 Notwithstanding anything in this Constitution contained, no person, District, Club, or Association affiliated to LPA, who or which is entitled to be present and vote at any General Meeting, shall be entitled to vote by proxy.
- 9.28 In the event of the Executive being reduced in number, the replacement shall be the person obtaining the next highest number of votes at the Annual Meeting.
- 9.29 The results of the voting shall be retained by the General Secretary until the next Annual Meeting, whence the General Secretary will confirm their disposal.
- 9.30 Each elected Executive Member shall serve for two (2) years.

10.0 BOARDS/COMMITTEES/SOCIETIES

- 10.1 The function of the Boards/Committees/Societies, shall be to organise and administer the discipline for which each is responsible, subject to the overall control and direction of the Provincial Council of LPA.

Boards/Societies

- 10.2 The disciplines to be controlled and administered by the Boards/Societies are:

Diving
Open Water Swimming
Swimming
Swimming Instructors
Synchronised Swimming,
Water Polo, and
Masters

- 10.3 All Boards/Societies are directly responsible for the development and transformation of their sport, which will be monitored by the Transformation Committee.
- 10.4 Each Board/Society will appoint a member who will be responsible for the development of the sport.
- 10.5 The finances of each Board/Society shall be under the control of the Treasurer of LPA.
- 10.6 All funds raised must be made payable to LPA, who will allocate such funds to the specific Boards, for the purpose for which they were raised.
- 10.7 All income and expenditure received or incurred by the Board, ect, will be administered through the Treasurer of LPA

Transformation Committee

- 10.8 The objective of the Transformation Committee is to monitor the progress of transformation at all levels within the Association, and to report regularly to the LPA Executive of progress, with recommendations.
- 10.9 The Transformation Committee will comprise of the four Chairmen and the Provincial Convenor of each Board/Society.
- 10.10 The Convenor of the Committee will be appointed from among the four Chairmen at the Annual General Meeting.

11.0 SELECTION COMMITTEES

- 11.1 At the Annual General Meeting, there shall be elected a Selection Committee consisting in each case of three (3) members from nominations submitted to the General Secretary of LPA.

The Synchronised Swimming Selection Committee shall consist of qualified judges, who are non-competitors.

- 11.2 The Selection Committee shall select all teams to represent the Association at all competitions. The Committee will also nominate all teams and individual competitors for official trials.

At its first meeting, the Selection Committee will elect a Convenor.

- 11.3 All selections must be submitted to the Convenor of the Board who will seek ratification of the selection by the Board.

- 11.4 The nominations, with written acceptances from the nominees, shall be submitted to the General Secretary of LPA in writing.

The person so nominated shall sign a letter indicating acceptance of such nomination.

Should insufficient nominations be received in writing, the Chairperson of the meeting may permit nominations to be moved from the floor.

- 11.5 The Chairperson of the Board, once selection is approved, shall submit the name of the selected members to the President for ratification by the Executive.

- 11.6 Each elected member of the Selection Committee will serve for four (4) years.

Voting

- 11.7 Once voting has been completed, the appointed scrutineer, or his deputy, will read out the results starting with the delegates with the highest number of votes.

The top delegate from the disadvantaged community will be duly elected, irrespective of placing.

12.0 COLOURS

- 12.1 The colours of LPA shall be royal blue, red and white.

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13.0 EMBLEM

- 13.1 The emblem of LPA shall be the traditional Cremetart tree, with a sun, placed behind the tree.
- 13.2 Below the emblem on a horizontal, Limpopo Province Aquatics will be printed in capital letters.
- 13.3 Below the tree, either horizontal or as an arc, the discipline, office or award shall be inserted in accordance with the By-Laws.

14.0 HEADQUARTERS

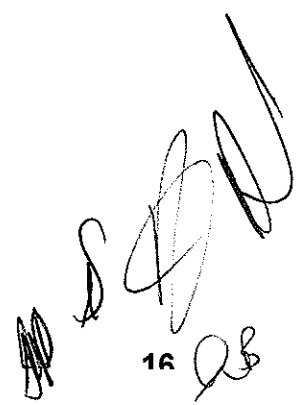
- 14.1 The headquarters of LPA shall be at such place as the Provincial Council may decide from time to time.

15.0 SANCTIONS

- 15.1 Any District, Club or individual member may be sanctioned:
 - 15.1.1 in the case of violation of the Constitution, By-Laws, Rules and/or decisions, and/or
 - 15.1.2 for bringing the sport into disrepute
- 15.2 Sanctions shall be imposed by the Provincial Executive of LPA and may consist of one or more of the following:
 - 15.2.1 warning,
 - 15.2.2 fine,
 - 15.2.3 suspension, and / or
 - 15.2.4 expulsion.
- 15.3 Sanctions shall be enforced immediately upon the decision being made by the Provincial Executive of LPA
- 15.4 LPA, through the General Secretary, shall notify the affiliated District, Club or individual member of the sanctions imposed.
- 15.5 An affiliated District or Club or an individual member sanctioned by the Executive of LPA may appeal to LPA not later than one month after the sanction has been submitted by the General Secretary of LPA.

16.0 DISQUALIFICATION/SUSPENSION

- 16.1 Any sentence of disqualification and/or suspension by LPA on an affiliated District or Club, shall be binding on all the individual members of the affiliated District or Club.
- 16.2 Full power of disqualification or suspension shall be vested in LPA on the Affiliated District or Club.
- 16.3 The General Secretary of LPA must send a list of suspensions immediately after the meeting at which they were resolved upon to and notify the General Secretary of SSA.
- 16.4 LPA, to whom preliminary appeals shall lie, have the power to reinstate any individual member or affiliated District or Club disqualified.



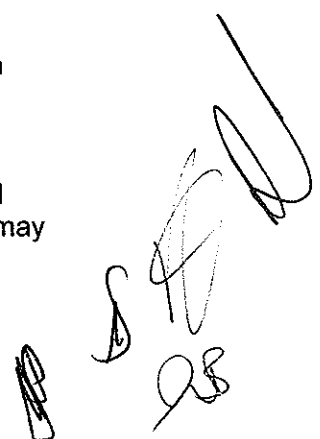
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17.0 DISPUTES / DISCIPLINARY MATTERS

- 17.1 Where a dispute (i.e. a matter which is subjudice or any decision affecting the Policy or function of the Executive) affecting any of the matters within the jurisdiction of the LPA exists, the matter concerned shall be treated as a domestic dispute and the channels and methods provided in the Constitution for the settlement of such matters shall be followed.
- 17.2 Any attempt to take such matters outside the sphere of LPA jurisdiction by resort to the media shall constitute misconduct on the part of the person concerned.
- 17.3 All disciplinary matters concerning members shall fall under the jurisdiction and control of the Executive of LPA.
- 17.4 Any complaint made by either an individual member or a non- member against an individual member, shall be lodged in writing with the General Secretary of LPA, who in consultation with the Executive, shall then, subject to its rights of delegation set out in Clause 17.2, give a directive as to whether or not a disciplinary enquiry should be held, and if so, the nature, composition and details thereof.
- 17.5 Where the member against which the complaint has been made is an individual member of an Affiliated District or Club, the Executive may delegate its powers to the Affiliated District or Club and instruct them to deal with the matter accordingly in terms of such mandate.
- 17.6 Such Affiliated District or Club shall send a report of the enquiry to the LPA Executive, who may impose a penalty.
- 17.7 LPA members will follow due process on dispute resolution within sport up to the Court of Arbitration in Sport level;
- 17.8 Any individual member that decides to take LPA to court without exhausting internal avenues, that member shall have his/ her membership terminated
- 17.9 Subject to the Constitution of the Republic, and save in circumstances where there is a need for urgent relief of a sort which cannot be obtained through the dispute resolution procedures contemplated by this Section (including the holding of an arbitration on an urgent basis), no body or individual falling under the jurisdiction of SASCOG shall approach a Court of Law to decide on a dispute it has with a body or individual affiliated to SASCOG or with SASCOG, itself."

18.0 APPEALS

- 18.1 Any Affiliated District or Club may appeal to LPA against any decision of the Executive given in terms of Clauses 17.0 and 18.0 and any individual member of an Affiliated Member may appeal against any decision of such affiliated District or Club.
- 18.2 All appeals lodged with LPA must be submitted in writing to the General Secretary setting forth the facts, accompanied by extracts, or copies of all documents quoted, or relating to the case, and such other particulars as may be thought necessary.
- 18.3 All appeals must be lodged with LPA within fourteen (14) days after the incident or sanctions.

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- 18.4 An appellant, on lodging the notice, must deposit with the General Secretary of LPA the sum of R500,00, the whole or part of which may be refunded or retained by LPA at its discretion.
- 18.5 Appeals against a ruling of an affiliated District or Club must be made within fourteen days (14) from the time of receiving the decision of such affiliated Club.
- 18.6 LPA, on receipt of an appeal against disciplinary action taken by an affiliate Club against any individual member of such District or Club, may in its discretion alter such decision, and/or increase or decrease the penalty imposed.
- 18.7 All Appeals shall be heard by the Executive of LPA at its next Executive Meeting.
- 18.8 Should an individual member or an affiliated District or Club object to the decision made by the Executive of KZNA as per Clause 18.7, the individual member or the affiliated District or Club has the right of appeal to Swimming South Africa.

19.0 LAWS GOVERNING THE SPORT

- 19.1 The laws governing the sport as laid down by FINA as adopted and/or amended by the SSA shall govern all aspects of diving, open water swimming, swimming, synchronised swimming, water polo and masters under the jurisdiction of LPA.
- 19.2 Every diving, open water swimming, swimming, synchronised swimming, water polo and masters athlete who is registered with or affiliated to LPA and who has participated or is about to participate in a competition held under the auspices of LPA, shall submit himself or herself to drug testing whenever or wherever called upon to do so by an official authorised by the Council of LPA.

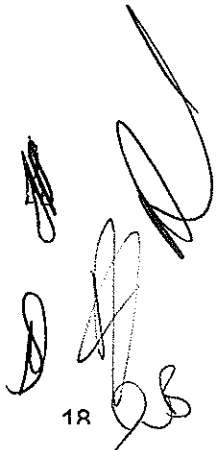
The International Olympic Committee rules as amended by SSA, shall apply to the drug testing procedure and shall be definitive of the list of drugs which, from time to time, are prohibited by that body.

20.0 GENERAL

- 20.1 All LPA Championship events, shall be deemed "Open" Championships. However, should a title be won by a competitor from another Association, the trophy for that event shall not be awarded to the winner, but shall awarded to the first LPA competitor in that Championship.

Visiting competitors and teams may take part in competitions, matches and tournaments in the Limpopo Province area of jurisdiction.

- 20.2 No affiliated member of a District, Club or Association or an affiliated Club or Association shall be entitled to take part in any invitation event or other event outside the jurisdiction of LPA, without first obtaining the consent of the Provincial Executive.
- 20.3 No member of an affiliated District or Club of the same branch of the sport, shall be allowed to join another Club within the jurisdiction of LPA, unless he produces a letter from his previous Club to the effect that he is in good financial standing and/or has not been suspended for any reason.



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- 20.4 In the case of disputes, the member will be allowed to register as UNATTACHED, while the dispute is being resolved, in order not to jeopardise the athletes performance. In the forgoing case, the dispute shall be resolved within 60 days.
- 20.5 Any competition staged by an affiliated Member, Club or Association, as a fund-raising event, shall be in accordance with the Association policy
- 20.6 Athletes transferring from one club to another will be expected to pay a "transfer fee" to the club from which a swimmer is transferring, on a sliding scale, dependent on the competitive level of the athlete. These fees will be determined annually at the Annual General Meeting or will be reviewed by the Provincial Council from time to time. These fees will apply within or across a season. Clubs are not to endorse any transfer without this clause being adhered to. LPA will not recognise the membership of an athlete if this clause is not adhered to.
- 20.7 All members of clubs based in historically (based on pre-1994 political classifications) or currently disadvantaged townships or rural areas will pay a competition participation fee not exceeding 75% respectively of the fee stipulated by the organisers of the competition

21.0 RULES AND ALTERATIONS

- 21.1 No alteration, deletion or addition to the Constitution shall be made except at a Special General Meeting called for the purpose, provided that no such alterations, deletion or addition shall be effective unless with the sanction of at least two thirds of those present and entitled to vote.
- 21.2 Notice in writing shall be given to the General Secretary of LPA of any proposed amendment to the Constitution, setting forth, in full such amendment/s.

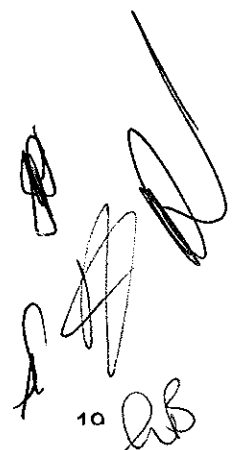
The proposed amendment/s shall become the only item on the Agenda of the Meeting.

The Meeting shall be called within twenty-eight (28) days of receipt of the notice. All Districts, Clubs, Associations and Council members shall be notified, in writing, at least fourteen (14) days before the date set down for the Meeting.

- 21.3 The Provincial Council of LPA may make by-laws relating to administrative matters and awards, and, at the request of the Board concerned, relating to:
- the staging of galas and events
 - the formalities for entry to such events and galas
 - the selection criteria applicable to teams
 - the award of colours, and
 - the recognition of records.
- 21.4 By-laws promulgated by LPA may be rescinded, altered or amended by Council provided such amendment is included in the notice of meeting at which such amendments are proposed.

22.0 FIRST CLAIM MEMBERS

- 22.1 A member, may not belong to more than one Club in respect of each discipline of the sport. The disciplines of the sport referred to are Diving, Open Water Swimming, Swimming, Synchronised Swimming, Water Polo and Masters.



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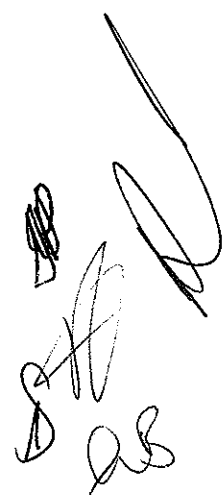
**APPENDIX I:
PORTFOLIOS AND JOB DESCRIPTIONS OF THE LPA EXECUTIVE**

Executive positions in LPA:

- President
- Deputy President
- General Secretary
- Treasurer
- Records Officer

1. President

- Chairs LPA Executive, Council and General meetings
- Is Ex-Officio member of all sub committee
- Is responsible for transformation of aquatic sport
- Has oversight on Executive members
- Represents LPA or engages with the following on behalf of LPA:
 - Swimming South Africa (SSA)
 - LPA Department of Sport and Recreation
 - LPA Sports Confederation
 - Other provincial external bodies
 - The National Lotteries Board

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- Plan, coordinate and manage (during the event) these events on a project management basis:
 - SSA National Events
 - International Events
 - Oversight of LPA Championships in liaison with appointed Board Convenor
 - Any other major event, eg. fundraising drives
- Give regular reports to Exco

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3. General Secretary

- Chairs the Admin Committee
- Responsible for minutes of all General and Exco meetings
- Responsible to ensure that proper minutes are kept by secretaries of committees, sub committees and clubs
- Responsible for the following portfolios and must appoint coordinators for each:
 - Public Relations & Publicity
 - External Communication (Personally responsible)
 - Internal communication (Personally responsible)
 - Website
 - Publications
 - Records of athletes
 - Recordkeeping of valuable documents of LPA (Personally responsible)
- Provides reports of the above to the Exco

4. Treasurer

- Chairs the Finance Committee
- Act as main trustee of funds of LPA
- Responsible for proper financial recordkeeping of LPA funds
- Responsible for Financial Statements
- Responsible to ensure that proper financial control measures are in place and adhered to.
- Must ensure that LPA and clubs comply with all statutory requirements
- Must ensure clubs comply with LPA constitutional requirements
- Responsible for asset register and its upkeep
- Responsible in Finance Committee for the following portfolios and must appoint coordinators for each:
 - Fundraising
 - Sponsorships
 - Catering
 - Clothing
 - Medals and trophies
- Must provide training to club treasurers where necessary
- Responsible to devise and implement an annual fundraising plan
- Specifically responsible to look at security around cash handling at events and galas

5. Records Officer

- Responsible for the complete accuracy of the LPA databases.
- Registration information including the times for transfers both in and out.
- Ensure that all records are updated after each swim meet.
- Ensure that all times are verified and the database is updated after each swim meet.
- Confirm and ratify all times swum by LPA athletes outside the Province are incorporated into the LPA database.
- Oversee all entries for LPA teams and clubs for International, National or Provincial Tournaments.
- Supply the office with the athlete's names that have taken part in competitions that qualify for part or full senior or junior colours.
- Keep the Hytek systems up to date. (Team and Meet Manager)
- Ensure that at least one Hytek training courses are scheduled each year.

APPENDIX II: FUNCTIONS OF THE DISTRICT COUNCIL

While the LPA Provincial Council is responsible for setting the strategic direction of the sport based on its Vision for Swimming, the Districts will be responsible for the delivery of the strategy through the implementation of their District Development Plan.

The District is responsible for advancing the objectives of the Provincial Council (as stipulated in Section 3.0 of this Constitution) at a district level. The Districts ensure that the laws and technical rules of LPA and the resolutions and rulings of the LPA Provincial Council are followed.

District Councils are responsible for the Growth and Development of the Sport within their district, including the increase in the number of clubs and the number of athletes registered to the District.

The LPA Constitution recognises each District as the body responsible for developing and growing the sport within the District. The Districts will deliver the provincial objectives of LPA and manage the affiliations to via the District to LPA

The relationship between the LPA and the Districts is symbiotic with the LPA Provincial Council steering and controlling the direction of the sport provincially and the District Council delivering and directing the sport in the District in accordance with the Provincial strategy.

The District Council will be responsible for the following functions:

- Develop an Annual Operational Plan and Budget for the District and submit to the Provincial Council by 31st December each year
- Develop a Business Plan for submission to the LPA District
- Develop a Calendar for the District which should include:
 - ☐ A minimum of one Level 0 galas in each district each year
 - ☐ One Inter-District Level 0 competition
 - ☐ One age group competition (provided there are sufficient club numbers)
 - ☐ An Inter-schools competition
 - ☐ Schools Trials to select Schools District team to participate in the Provincial Trials
 - ☐ Schedule and Manage the Trials for the selection of the District Team
 - ☐ Manage Sport Games when the respective district is selected as the host
 - ☐ One Learn to Swim Instructors Course
 - ☐ One Level1 Coaches Course
 - ☐ One Club Administrators Course
 - ☐ One Team Managers Course
 - ☐ A Coaching Camp
- Facilitate at least one annual meeting with the District Mayor and Municipal Manager to:
 - ☐ Present the LPA Provincial Strategy and District Operational Plan
 - ☐ Motivate for the District IDP to include the planning and development and upgrade of new Aquatic Facilities including heating thereof.
 - ☐ Motivate for changes to the Local Municipality By-Laws to ensure that District Swimming Clubs and the District federation have free access to municipal facilities
 - ☐ Meet with the Local Municipal Mayor to leverage the MIG (Municipal Infrastructure Grant) and Mass Participation Grants that are ring fenced for sports infrastructure and sports development respectively
- Attend District Sports Confederation and Limpopo DSR District Meetings