

# **GHANA SWIMMING ASSOCIATION**

## **CONSTITUTION**

### **PREAMBLE**

There is established by this Constitution the Ghana Swimming Association (hereinafter referred to as 'the GSA') as an independent, autonomous, non-governmental and non-profit organization, of unlimited duration, responsible for aquatic sports; and which exercises its jurisdiction over the whole territory of the Republic of Ghana.

### **ARTICLE 1: ORGANIZATIONAL DESCRIPTION**

1.1 The GSA, as the national governing body for aquatic sports. In this capacity, the GSA formulates the rules, implements the policies and procedures, conducts national and sub-national championships, disseminates aquatic safety and sports medicine information and selects athletes to represent the Republic of Ghana in international aquatic competitions.

#### **1.2 MISSION**

The GSA shall teach, develop, and organize aquatic sports for leisure and competition at all levels and for all age groups throughout the Republic of Ghana on its own or in conjunction with affiliates such as the Ghana/International Olympic Committee, National Sports Authority and the Ministry of Youth and Sports.

#### **1.3 SEAL, LOGO & COLOURS**

1.3.1 The GSA shall have a seal and a logo identifiable with its mission. The Executive Committee of GSA shall provide for the safe custody of the seal which shall only be used by the authority of the Executive on its behalf and every instrument to which the seal shall be affixed shall be signed by the President or General Secretary of GSA or any other member of the Executive so appointed.

1.3.2 The colours of the GSA shall be predominantly Blue, Grey and White.

#### **1.4 LANGUAGE**

The official and working language of GSA shall be English. Any other language, local or international, may be used in correspondence or debate provided that adequate translation is supplied. In case of doubt, the English language shall prevail.

## **ARTICLE 2: DEFINITIONS**

**2.1** Aquatics – means swimming, open water swimming, diving, high diving, water polo, synchronized swimming and Masters programme/activity.

**2.2** Competitions – include the GSA’s national competitions as well as competitions sanctioned by the GSA, FINA world championships, world cups, grand prix, world leagues, world trophies and world series events and tournaments, events sanctioned by FINA, and international events in any of the aquatic disciplines, as well as CANA competitions.

**2.3** Competitor – means a person who is taking part in competitions.

**2.4** Congress – means the General Assembly.

**2.5** GSA Executive Council – means the Executive Committee consisting of the President, the First Vice President, the 2<sup>nd</sup> Vice President, the General Secretary, the Treasurer, the 4 elected Members and Co-opted Members.

**2.6** GSA Rules – means the Constitution, General Rules, By-laws, Technical Rules, Medical Rules, and any other rules and regulations that accord with FINA Rules.

**2.7** Officers – means the President, the First Vice President, Second Vice President, the General Secretary, Treasurer and 4 Elected Members as well as any person appointed by the Executive to perform any duty on behalf of GSA.

**2.8** Official – means any person elected or appointed to any position within GSA.

**2.9** Swimsuits – means, whenever used in these rules, the attire worn by Competitors.

**2.10** Swimwear – means swimsuit, cap and goggles.

**2.11** Fiscal year – January to December.

**2.12** Calendar year - January to December.

**2.13** Whenever the fact or context so requires in order to give effect to the GSA Rules, words in the singular shall include the plural, words in the plural shall include the singular; words of the masculine, feminine or neuter gender shall include any gender, except in the specification of a Competition being for male or female Competitors; and correction of any clerical errors shall be made.

### **ARTICLE 3: OPEN MEETINGS**

All meetings of the GSA, including but not limited to national, regional or district, shall be open to the concerned members, except in those situations where by a majority vote of the meeting body it would be in the best interest of the GSA to hold closed sessions.

### **ARTICLE 4: ELIGIBILITY/NONDISCRIMINATION**

4.1 No conditions or restrictions to eligibility for participation in open competitive events may be imposed unless otherwise set forth in the GSA Rules, Regulations and/or Bylaws.

4.2 It is the intent and purpose of the GSA to provide equal opportunity to eligible athletes, coaches, trainers, managers, administrators, and officials to participate in competitions within its jurisdiction, without discrimination on the basis of race, ethnicity, colour, religion, age, gender, disability, or national origin.

*4.3 Participation in activities of the GSA, which is an independent and autonomous body, shall be voluntary, but allowance may be paid to any volunteer or elected/appointed officer assigned specific duties by the GSA if budget for it and funds are available.*

### **ARTICLE 5: FINANCE**

5.1 Funds of GSA shall be derived from:

- (a) Public Funds
- (b) Sponsorships
- (c) Donations
- (d) Fund Raisers
- (e) Membership Dues
- (f) And other sources approved by the General Assembly

5.2 All financial transactions shall be carried out in accordance with international best practices and the approved accounting and procurement principles.

5.3 All expenditures and quarterly budgets should be approved by the Executive Council.

### **ARTICLE 6: FUNDAMENTAL PRINCIPLES**

6.1 The GSA shall protect its autonomy from the interference of any third party and shall resist all pressures that interfere in the independent management of aquatic sports in Ghana.

6.2 The GSA shall not allow political, religious, racial, ethnic, or gender discrimination to affect its decisions or actions.

6.3 The GSA is affiliated to CANA ZONE 2, CANA and FINA and recognises FINA as the *only* body which governs aquatics sports internationally.

6.4 The GSA shall comply and act in accordance with FINA's Constitution and Rules as well as the decisions of the FINA Congress and the FINA Bureau at all times.

6.5 The GSA constitution and rules shall not be in conflict with those of FINA. Where there is a conflict, FINA Rules shall prevail.

6.6 All members of the GSA shall comply with all FINA rules including WADA/FINA Anti-doping rules, and allow FINA to conduct out-of-competition controls.

## **ARTICLE 7: OBJECTIVES**

7.1 The GSA shall promote aquatics sports as an essential life skill critical to the prevention of drowning accidents and safety as well as for competition, health, leisure throughout Ghana.

7.2 The GSA shall promote and develop aquatic sports in Ghana by building the capacity of technical personnel of the sport including but not limited to coaches, life guards, life savers, time keepers, recorders, judges and starters.

7.3 The GSA shall develop and promote the aquatic sport as a discipline and any other related matter throughout Ghana.

7.4 The GSA shall organize regional and national tournaments, prepare and present national teams to participate in sub-regional, continental, international and World championships and other events.

7.5 The GSA shall ensure the adherence to international rules and regulations of the sport.

7.6 The GSA shall encourage and support the participation of persons with disability, women and girls in aquatic sports at all levels.

7.7 The GSA shall strengthen the bonds of friendship between members of GSA and encourage mutual recognition in their dealings with one another.

7.8 The GSA shall promote the welfare of athletes, clubs and institutions; and foster healthy relations between athletes, coaches, officials and the GSA.

7.9 The GSA shall uphold and enforce the Olympic Charter.

7.10 The GSA shall ensure a healthy relationship between GSA and FINA as well as other Federations at all times.

## **ARTICLE 8 ACCOUNTS AND AUDIT**

8.1 The Treasurer shall present to the Executive Council quarterly statement of accounts and a final statement at the end of each fiscal year.

8.2 The Treasurer shall present an audited account at the General Assembly.

*8.3 The GSA shall have an official bank account with the account name, “Ghana Swimming Association” known to the Executive Council.* There shall be three (3) signatories to the account, namely the:

- President
- General Secretary
- Treasurer

Of which any two (2) can sign.

8.4 An annual budget shall be presented by the treasurer to the executive council for consideration and approval.

## **ARTICLE 9: MEMBERSHIP**

### **9.1 REQUIREMENTS FOR MEMBERSHIP**

All members of the General Assembly, Executive Council, and any other committee, sub-committee, or regional division of the GSA, appointed or elected, swimming clubs, teams and institutions, technical officials, coaches and lifeguards must hold membership either as individuals or part of a group, pursuant to the provisions of this Article, unless otherwise specified by the Executive Committee in the Rules, Regulations or By-Laws of the GSA.

### **9.2 CLASSES OF MEMBERSHIP**

The membership of GSA shall consist of the following two classes whose rights and privileges are as set forth in this Constitution:

- (A) organizational members, including but not limited to clubs, teams, institutions and organizations interested in aquatic sports; and
- (B) Individual members, including athletes and non-athletes.

9.2.1 An organizational membership is for a calendar year.

9.2.2 Any individual may join the GSA as a member.

9.2.3 Athlete members who register with the GSA are eligible for aquatic sports.

9.2.4 Each class of membership is for a calendar year period.

9.2.5 The membership of GSA shall be without discrimination as to colour, ethnicity, race, religion or politics.

9.2.6 The Executive Committee of the GSA shall have the power to approve membership and where such application is rejected, the applicant may appeal against the decision to the General Assembly of GSA, whose decision shall be final.

### **9.3 CONDITIONS OF MEMBERSHIP**

9.3.1 As a condition of membership in any category a member agrees to submit to the jurisdiction of the GSA with respect to any violation of the Rules of the GSA during the period when that person is a member or participating in the affairs of the GSA, and further agrees that GSA retains jurisdiction over such violations and even if such a person ceases to be a member of GSA.

9.3.2 All Members of the GSA shall comply with FINA Anti-Doping Rules. All GSA and FINA Rules including Anti-Doping Rules shall be deemed as incorporated into and shall be directly applicable, agreed to and followed by Competitors, Competitor Support Personnel, coaches, physicians, trainers, managers, officials, medical or paramedical personnel, team leaders, as well as club and representatives under the jurisdiction of the GSA.

9.3.3 The Constitution and rules of a Member must not be in conflict with the GSA Constitution. Where there is a conflict, the GSA Constitution shall prevail.

9.3.4 Members must notify GSA in writing of any change of name and/or constitution.

9.3.5 Each Member shall acknowledge in its rules that GSA is the only recognized body in Ghana which governs aquatics nationally.

### **9.4 RIGHTS AND DUTIES OF MEMBERS**

9.4.1 All Members are entitled:

9.4.2 to use the services of GSA;

9.4.3 to take part in GSA championships and competitions.

9.4.4 All members are obliged:

9.4.5 to support GSA in its efforts to achieve its objectives;

9.4.6 to act in accordance with the decisions of the GSA General Assembly, as well as the Constitution and Rules;

9.4.7 to pay the annual membership fee and all other financial obligations to GSA;

9.4.8 to include within its constitution a provision, which allows out-of-competition doping control by GSA;

9.4.9 to insert in its constitution, rules and regulations such provisions as may be required by the GSA Rules;

9.4.10 to manage its affairs independently and not be influenced by third parties;

9.4.11 to participate in national aquatics competitions and other GSA competitions;

9.4.12 to hold elections at least every four years, to notify GSA of the dates and the location of the elections, and to provide the minutes of its congress to GSA no later than 60 days after conclusion of the congress;

9.4.13 to ensure that their own members comply with the GSA Constitution, Rules, regulations, directives and decisions of GSA bodies.

## **9.5 APPLICATION FOR ORGANIZATIONAL MEMBERSHIP**

9.5.1 An application for membership shall be submitted to the GSA Secretariat with:

9.5.2 a statement of the name, vision, mission and objectives of the organization;

9.5.3 its official address and contact details;

9.5.4 a copy of its current constitution and rules and regulations;

9.5.5 a list of its main officers;

9.5.6 a list of its active membership (i.e. number of athletes, coaches, officials);

9.5.7 a formal undertaking to observe and abide by the GSA Constitution, Rules, as well as the jurisdiction and decisions of GSA;

9.5.8. the appropriate membership fee.

9.5.9. An individual not affiliated to a member club or organization shall submit his/her application, which shall provide his name, address, contact details and interest, to the GSA Secretariat together with the appropriate membership fee.

9.5.10. The GSA Executive shall have the power to approve the application for membership. If such membership is not accepted, the applicant is allowed to appeal this decision to the next General Assembly. The decision of the General Assembly shall be final.

## **9.6 TERMINATION OF MEMBERSHIP**

9.6.1 Membership in GSA ends:

9.6.2 if the Member no longer exists, and in the case of an individual, if he dies;

9.6.3 if the Member withdraws his/her/its membership, or

9.6.4 if the Member is expelled.

9.6.5 Any Member who wants to withdraw his/her/its membership in GSA shall give written notice thereof to the GSA General Secretary. The membership shall end immediately, but no refund of fees will be made.

9.6.6 The GSA Executive shall have the power, upon the recommendation of the Disciplinary Committee and in consultation with the Legal Committee, to expel or suspend a Member for significant violation of the GSA Rules.

## **9.7 MEMBERSHIP FEES**

The Executive Council shall establish and fix an annual fee for individual and group membership. If payment is not received when it is due, the Member may be suspended or expelled in accordance with the GSA Rules.

## **ARTICLE 10: SANCTIONS**

10.1 Any member may be sanctioned:

10.1.1 if financial obligations to GSA are not fulfilled; or

10.1.2 if found to be in violation of the GSA Constitution or FINA Rules; or

10.1.3 for bringing the sport into disrepute.

10.2 Sanctions may include:

- (a) warning
- (b) fine
- (c) suspension
- (d) expulsion
- (e) cancellation of results
- (f) return of awards, medals, prizes, etc
- (g) any other sanction GSA deems appropriate.

10.3 Sanctions shall be imposed and applied by the GSA Executive, upon the recommendation of the Disciplinary Committee.

10.4 Any sanction imposed on a competitor or a person by GSA, a member club or organization shall be recognised and enforced by all Members.

10.5 Before any member is sanctioned by the GSA Executive, the member must be given the right to appear before the Disciplinary Committee either in person or in writing. The General Secretary shall inform the respective member, in writing, in sufficient time to allow the member to exercise this right.

10.6 Sanctions shall be in force immediately upon the decision being made unless same is suspended upon a contingency.

10.7 GSA may take no action with respect to a violation of GSA Constitution unless such action is taken within two (2) years of the event to which it relates.

10.8 Sexual misconduct, bribery and corruption are not subject to the limitation period pursuant to Article 10.7 of the GSA Constitution: notwithstanding any criminal action against the member.

10.9 The limitation period under Article 10.7, when applicable, shall be prolonged if proceedings are opened and/or suspended.

10.10 Appeals

10.11 A Member, member of a Member or individual sanctioned by the GSA Executive may appeal to the General Assembly, whose decision on the matter will be final and binding.

10.12 An appeal shall be submitted by the appealing party to the General Secretary within twenty-one (21) days from the date of receipt of the decision.

### **ARTICLE 11: THE ORGANISATION OF GSA**

11.1 The following entities are established to govern and administer GSA

- (a) the General Assembly,
- (b) the GSA Executive Council,
- (c) the Legal Committee,
- (d) the Disciplinary Committee,
- (e) the Technical Committee,
- (f) the Organising Committee, and
- (g) the Finance Committee

### **ARTICLE 12: THE GENERAL ASSEMBLY**

12.1. There shall be a General Assembly which shall consist of registered members in good standing with voting rights. Non-voting members may attend and participate in deliberations but shall not vote.

12.2 General Assembly meetings shall be held annually and the precise date and venue of the General Assembly shall be decided by the GSA Executive Council with not less than 30 (thirty) days written notice to the members.

12.3 The General Assembly shall be the highest decision-making body whose decision on any matter shall be final.

12.4 The following shall have voting rights:

- (a) Each Aquatic Club or organisation which meets the criterion established in the Constitution of the GSA and has been inducted as a voting member, shall have Two

- (2) votes cast by Two (2) representatives present at the General Assembly on any matter.
- (b) The Association of Coaches, Association of Technical Officials and Athletes commission shall have one (1) vote each cast by one (1) representative at the General Assembly.
- (c) Each of the sixteen (16) Regional Swimming Associations shall have one (1) vote cast by one (1) representative at the General Assembly.

12.5 The Executive Council may call an emergency congress when they deem it necessary.

*12.6 Any member may propose the convening of an extraordinary General Assembly upon the occurrence of an emergency. At least Three (3) members must give written endorsements for such a proposal.*

*12.7 The GSA shall notify FINA of the outcome of the General Assembly in the elections minutes not later than Thirty (30) days after the General Assembly.*

## **ARTICLE 13: ELECTIONS**

### **13.1 ELECTION SCHEDULE**

All GSA Executive members shall be elected by GSA members with voting rights at the General Assembly Meeting held in every four years.

### **13.2 TERM OF OFFICE**

The elected officers shall hold office for four years or until their successors are elected and qualified. Their term of office shall commence at the close of the annual meeting of the GSA at which they are elected.

*13.2.1 An officer may not hold a specific elective position for more than Two (2) terms.*

13.2.2 An individual shall hold only one elective office at any given time.

### **13.3 VACANCIES**

Any vacancy that may occur in an office of the GSA caused by death, resignation, incapacity or other reason, may be filled permanently or temporarily by an appointment on the part of the

Executive Council for the unexpired term of a permanent vacancy or until the individual is able to resume the duties of the office in the event of a temporary vacancy.

13.3.1 A member cannot nominate more than one candidate for the same position. However, a seconder to a candidate for a position can nominate another candidate for the same position.

13.3.2 An appointment to fill a permanent or temporary vacancy shall be with the full rights of the office.

13.3.3 An election committee will be put together by the Executive Council. ***To ensure democratic, free and fair elections, the election committee shall strictly apply the principles of integrity and neutrality in its work.***

13.3.4 Modalities for election will be circulated by the election committee at least Thirty (30) days before the elective congress.

***13.3.5 In case there is a tie in an election at a General Assembly, the following shall take place;***

***a) Voting for that particular position shall take place again between the candidates involved.***

***b) Where there is a tie for the second time, the election committee shall meet with the candidates involved to see if a consensus can be reached between/among them.***

***c) Where there is a failure to reach consensus between/among the candidates involved after meeting with the elections committee, voting for that particular position would be postponed to a date not later than Thirty (30) days from the day of the meeting when an extraordinary General Assembly would be called to elect an officer between/among the candidates in the tie.***

#### **13.4 NOMINATIONS**

Persons seeking for Executive positions shall be nominated by a minimum of two GSA members with voting rights.

#### **13.5 VOTING PROCEDURES**

Each vote shall carry the same weight and may be exercised in respect of any proposed resolution or other matters brought before the General Assembly.

13.5.1 A resolution or decision of the General Assembly shall be passed by a simple majority of votes cast at the meeting, unless otherwise stated elsewhere in the Constitution.

13.5.2 Voting for Officers shall be conducted by secret ballot. All other resolutions shall be conducted by a show of hands, unless otherwise decided by the General Assembly.

***13.5.3 Any CANA Zone 2, CANA or FINA bureau member who is a citizen or ordinarily resident in Ghana shall be an ex-officio member with a voting right at the General Assembly of the GSA.***

### **13.6 QUORUM**

The General Assembly has a quorum if more than half of the Members are represented. Decisions by the General Assembly are made on vote of a majority of those Members present and voting. *Where a quorum is not reached at the commencement of the General Assembly, the meeting will be postponed to a suitable date not later than Twenty One (21) days from the day of the meeting.*

### **13.7 AGENDA FOR GENERAL ASSEMBLY**

13.7.1 The Agenda for the General Assembly shall include but not limited to;

- (a) Declaration of a quorum;
- (b) Amendment of the Constitution, internal regulations and rules and regulations controlling the sport;
- (c) Election of members of the Executive Council every four years;
- (d) The President's Annual Report – activity and financial report;
- (e) Policy matters;
- (f) Inauguration of members;
- (g) Appointment of Auditors, and other bodies; and
- (h) Any other business for which notice has been given.

### **ARTICLE 14: THE EXECUTIVE COUNCIL**

14.1 There shall be a GSA Executive Council which shall consist of the following nine (9) principal persons:

- (a) President
- (b) 1<sup>st</sup> Vice President
- (c) 2<sup>nd</sup> Vice President
- (d) General Secretary
- (e) Treasurer
- (f) Executive members (4)

14.2 Co-opted members shall include a member of the Athletes Commission, Technical Officials and the Coaches Association.

14.3 The Executive Council shall have the right to appoint additional members to the Executive Council as Co-opted Members.

14.4 The officers shall perform such duties as set forth in the Constitution, or assigned by the General Assembly.

14.5 Whenever the President is unable to perform his/her duties, the 1<sup>st</sup> Vice President shall perform such duties.

14.6 The Treasurer shall have all the duties incidental to that office; and those specifically set forth in of the GSA Rules.

14.7 The Executive Council shall have the duty to ensure the formation of Associations in all the regions of Ghana.

14.8 The regional Associations must be formed along the lines of the GSA constitution.

14.9 The Executive Council shall have the power to appoint

- A) Technical Director
- B) National Coach and Deputy
- C) All other administrative and technical staff
- D) All standing and Adhoc committees

14.10 The Executive Committee shall evaluate the performance of appointed officials and committees periodically.

14.11 All decisions regarding the composition of the National Team and GSA international delegations shall be subject to the approval of the Executive Council.

14.12 All budgets, expenditures and sponsorship arrangements shall be subject to the approval of the Executive Council.

14.13 An Executive Council meeting shall be held at least once a month. Dates and venue shall be communicated to GSA Executive Members by the General Secretary in due time.

14.14 For the avoidance of doubt, the Executive Council shall consist of the Nine (9) elected GSA Executive members and other Co-opted Members.

***14.15 Any Executive or Co-opted member who has an interest in a transaction involving the GSA shall disclose such interest to the Board at the earliest opportunity, and such a member shall not make secret profits out of the said transaction.***

**ARTICLE 15: RIGHTS AND DUTIES OF THE EXECUTIVE**

15.1 The principal elected officer of GSA shall be the President.

15.2 The President shall inter alia have the following roles and duties:

15.2.1 to preside at all meetings of the General Assembly, and the Executive Council,

15.2.2 to represent GSA in all dealings with the Ghana Olympic Committee; National Sports Authority, FINA and CANA among others;

15.2.3 to be an ex officio member of all GSA Committees unless the subject matter affects;

15.2.4 to create any task force or working group he may deem necessary or advisable to address any urgent situation; and

15.2.5 to maintain relations with the Regional Associations and members.

**FIRST VICE PRESIDENT**

15.3.1 The First Vice President shall have the following roles and duties:

15.3.2 in the absence of the President conduct the General Assembly and Executive meetings with all the rights and duties and perform any other duty assigned him/her by the President or the Executive Council,

15.3.3 represent GSA in the absence of the President at ceremonies or other activities requiring the presence of the highest GSA authority.

**SECOND VICE PRESIDENT**

15.4 The Second Vice President shall act and perform the roles and duties of the President in the absence of the President and First Vice President and any other duty assigned him/her by the Executive Council.

**GENERAL SECRETARY**

15.5 The General Secretary shall have the following roles and duties on the instruction of the Executive Council

15.5.1 the GSA relations with national, regional and continental organizations prepare the annual activity calendar for the consideration and approval of the Executive Council.

15.5.2 Coordinate the activities of Committees,

15.5.3 compile and finalize the minutes from the meetings of General Assembly and Executive Council.

15.5.4 The General Secretary shall also be responsible for:

(a) all GSA correspondence;

(b) implementing decisions passed by the General Assembly, and the Executive Council in compliance with the President's directives;

(c) overview of the operations of the GSA Office and, where appropriate, take such measures as he/she may deem necessary for the proper administration of GSA;

(d) the appointment and dismissal of staff working in the GSA Office in consultation with the GSA President; and

(e) Perform any duty assigned by the Executive Council.

## **TREASURER**

15.6 The Treasurer shall have the following roles and duties:

15.6.1 act as secretary to the Finance Committee,

15.6.2 be responsible for the financial planning of GSA,

15.6.3 supervise and prepare the income and expenditure account and the financial statement of the year.

15.6.4 draw up the yearly budget together with the Finance Committee.

15.7 The GSA Office shall carry out all the administrative work of GSA under the direction of the General Secretary, in accordance with the policies of the GSA Executive.

15.8 The GSA office shall keep the register and performance history of all athletes.

15.9 The Four (4) Members of the GSA Executive shall be responsible for:

15.9.1 assisting to further the goals of GSA nationally and internationally;

15.9.2 assisting the President in his duties as may be requested from time to time by the President.

15.9.3 perform any other duties assigned by the Executive Council.

## **ARTICLE 16: COMMITTEES**

16.1 The GSA shall have the following Committees:

- a) the Disciplinary Committee consisting of at least Five (5) members,
- b) the Legal Committee consisting of at least Three (3) members,
- c) the Technical Committee consisting of at least Three (3) members,
- d) the Finance Committee consisting of at least Three (3) members,
- e) the Organization Committee consisting of at least Five (5) members.

16.2 The Executive Council shall be entitled to form any kind of ad hoc committee when it is considered appropriate.

16.3 The members of the various Committees and Co-opted Members shall be appointed by the GSA Executive at its first meeting.

16.4 GSA Committee members shall serve at the discretion of the Executive Council and may be appointed for such number of successive terms as considered appropriate by the Council.

16.5 The Committees shall meet whenever there is business to be transacted.

16.6 The absolute majority of members (50% plus one member) shall form a quorum at any meeting of a GSA Committee.

16.7 Where a member of any Committee has been absent from three consecutive meetings without reasons acceptable to the Executive Council, the Council shall have the right to declare that such a member has forfeited his membership.

16.8 The Executive Council shall have the authority to fill any vacancy which occurs through death, resignation or removal of any member of a Committee.

16.9 All recommendations or decisions made by any GSA Committee require the approval of the Executive Council before becoming effective.

## **ARTICLE 17: THE DISCIPLINARY COMMITTEE**

17.1 The Disciplinary Committee shall consist of at least Five (5) persons, who shall serve until their successors are appointed.

17.2 Members of the Disciplinary Committee shall be appointed by the GSA Executive at its first meeting following its election. The Disciplinary Committee shall elect one of the members to be the Chair.

17.3 The Disciplinary Committee shall adjudicate all matters before it. The Committee shall conduct hearings and apply sanctions in all disciplinary cases originating from violations from any GSA Rule referred to it by the Executive Council.

17.4 The hearings of the GSA Disciplinary Committee shall respect the following principles:

- a) A timely hearing;
- b) A fair and impartial hearing body;
- c) The right to be represented by counsel at the hearing, at no expense to GSA;
- d) The right to be fairly and timely informed of the rule violation;
- e) The right to respond to the rule violation and resulting consequences;
- f) The right of each party to present evidence, including the right to call and question witnesses (subject to the hearing body's discretion to accept testimony by telephone or written submission);
- g) The right to an interpreter at the hearing, at no expense to GSA; and
- h) The right to a timely, written, reasoned decision; specifically, including an explanation of the reason(s) for any period of suspension.

## **ARTICLE 18: THE LEGAL COMMITTEE**

18.1 The Legal Committee shall consist of at least Three (3) persons, who shall serve until their successors are appointed.

18.2 Members of the Legal Committee shall be appointed by the GSA Executive at its first meeting following its election. The Committee shall appoint one of the members to be the Chair, who shall have legal training, knowledge and expertise.

18.3 The powers and duties of the Legal Committee are:

- a) to provide legal expertise to the Executive Council and to give recommendations regarding legal matters whenever needed,
- b) to assist the GSA in proposing and drafting amendments to the Constitution, GSA Rules and regulations,
- c) to conduct administrative reviews regarding violations referred to the Legal Committee,
- d) to advise, if necessary, on matters referred to GSA, and
- e) to advise, if necessary, on agreements between GSA and third parties.

#### **ARTICLE 19: TECHNICAL COMMITTEE**

19.1 The Technical Committee shall consist of at least Three (3) persons, who shall serve until their successors are appointed.

19.2 Members of the Technical Committee shall be appointed by the GSA Executive at its first meeting following its election. The Technical Director, who shall be appointed by the Executive Council, shall be the Secretary of the Technical Committee.

19.3 The National Coach, who shall be appointed by the GSA Executive, shall be a member of the Technical Committee.

19.4 The Technical Committee shall be charged with the following responsibilities:

- a) to prepare a technical requirement for all;
- b) to take part in the technical preparations for and in the conduct of competitions in all aquatic disciplines in the country including matters bordering on swimsuits and swimwear;
- c) to draft a criteria and assessment tools for selecting national swimmers, divers, and polo players among others to represent Ghana at international competitions such as the Olympic Games, World Championships and other FINA competitions;
- (d) to consider and decide upon any matter affecting their particular responsibility, which may be referred to them by the Executive Council or the General Assembly;
- (e) to investigate, study, and recommend on matters dealing with standard equipment and specifications of competitive pools as well as venues for national competitions;

(f) to evaluate and make recommendations regarding candidates, nominated by Members, for the title of national referee, starter or judge; and to report periodically on the continued qualifications of referees, judges, or starters on the existing list;

(g) to receive and report to the Executive Council any complaint made by referees regarding misconduct of individuals in national competitions and to make recommendations thereof;

(h) to control all technical equipment and installations prior to and during the competitions;

(i) to make rosters for officials;

(j) to investigate cases of protests in cases of cheating among others in national competitions;

(k) to recommend and with the approval of the Executive Council, organize periodic courses for officials and coaches' certification programs in the country; and

(l) to advise on any proposal or amendments to Technical Rules for each discipline.

## **ARTICLE 20: FINANCE COMMITTEE**

20.1 The Finance Committee shall be appointed by the GSA Executive Council.

20.2 The Finance Committee shall have as its Secretary, the Treasurer, and may include such other members as the Executive Council may deem particularly suited to contribute to the oversight of the financial affairs of GSA by virtue of their relevant expertise and experience.

20.3 The Finance Committee shall analyze the GSA budget and the financial statement prepared by the GSA Treasurer and submit them to the Executive Council for approval.

20.4 The Finance Committee is deemed to be the main fundraising body of the GSA.

## **ARTICLE 21: ORGANISING COMMITTEE**

21.1 The Organizing Committee shall be appointed by the Executive Council.

21.2 The Organizing Committee shall have the responsibility of organizing GSA competitions, in collaboration with the Technical Committee.

## **ARTICLE 22: ADOPTION AND AMENDMENT OF THE CONSTITUTION**

22.1 Once adopted, no part of this Constitution of GSA shall be modified, altered, repealed or any addition(s) made unless:

22.1.1 Due notice of proposed modification, alteration, repeal or addition(s) has been sent to the Executive Council a fortnight before the General Assembly Meeting. *Stakeholders including athletes, coaches, executive board members of GSA and the various clubs may propose modification or alteration to the GSA constitution. Any other proposal unrelated to the constitution shall be forwarded to the GSA Secretariat to be considered by the executive board.*

22.1.2 Such proposals must receive approval from at least two third majority of the General Assembly.

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

22.3 After the coming into force of this constitution, all members and office holders shall be deemed to be continuing with their offices until the next election.

## **ARTICLE 23: EXECUTIVE COUNCIL CONFLICT RESOLUTION**

Disputes between the GSA and any of its Members or members of Members, individual members of Members shall be resolved by the General Assembly whose decision shall be final and binding on the parties concerned. However, disputes between Members of GSA shall be resolved by the Executive Council.

## **ARTICLE 24: AFFILIATIONS**

24.1 In furtherance of its objectives the GSA shall liaise with the Ministry of Youth and Sports, the National Sports Authority and the following international and continental federations:

- a. Federation Internationale de Natation (FINA);
- b. Confederation Africainne de Natation (CANAN);
- c. International Life Saving Federation;
- d. International Olympic Committee (IOC);
- e. Ghana Olympic Committee; and
- f. Any other international organization that may be approved by the General Assembly.

**ARTICLE 25: DISSOLUTION**

25.1 The GSA may be dissolved only by a 2/3 (two-third) majority vote at a special General Assembly convened for this purpose.

*25.2 In the event of a dissolution, the General Assembly shall appoint a liquidator who shall discharge all debts and liabilities incurred on behalf of GSA. The remaining assets, if any, shall be donated as directed by the General Assembly to a suitable body for the ongoing promotion and development of Aquatics.*

*25.3 At the conclusion of the liquidation, the liquidators shall submit a final report to the General Assembly, which shall declare the liquidation closed.*

**ARTICLE 26: PROMULGATION**

This Constitution comes into effect this.....29th..... day of...June.....2019.....

SIGNED:

.....  
THEOPHILUS WILSON EDZIE  
(PRESIDENT)

-----  
MOHAMMED MUNIRU KASSIM  
(GENERAL SECRETARY)