



**REVISED CONSTITUTION
OF THE UGANDA SWIMMING
FEDERATION**

EFFECTIVE FROM 1 JANUARY 2015

**REVISED ON 19 JULY 2014 AND APPROVED BY THE FINA BUREAU IN
ITS MEETING HELD IN DOHA (QAT) FROM 28 – 29 DECEMBER 2014**

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THE UGANDA SWIMMING FEDERATION, 2015

C 1 NAME OF THE FEDERATION

The name of the federation shall be **THE UGANDA SWIMMING FEDERATION**, hereinafter referred to as "**USF**" or "**the Federation**".

C 2 LEGAL STATUS AND HEADQUARTERS

USF is established for an indefinite period with its legal status as an association in accordance with the Laws of the Republic Uganda. USF has its headquarters in the city of Kampala, Uganda.

C 3 DEFINITIONS

- C 3.1 Aquatics** – means Swimming, Open Water Swimming, Diving, Water Polo, Synchronized Swimming and Masters Program or Activity.
- C 3.2 Executive** – means the Executive Committee of the USF provided for under with Article C 16.
- C 3.3 FINA** is an acronym for **Fédération Internationale de Natation** – the only recognised body in the world which governs Aquatics globally.
- C 3.4 Committees** – means USF's Committee's including all members therein appointed by the Executive in accordance with Article C 20.
- C 3.5 Competitions** shall include championships, events and tournaments.
- C 3.6 Competitor or Athlete** – means a person who is taking part in a Competition.
- C 3.7 Swimsuit** – whenever used in these rules means the attire worn by competitors.
- C 3.8 Swimwear** – means swimsuit, cap and goggles;

- C 3.9** Whenever the fact or context so requires in order to give effect to the Federation's Constitution and 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 manifestly evident clerical errors shall be made.

C 4 DISCRIMINATION

The Federation shall not allow any discrimination against Members, individuals (competitors, officials, judges, delegates, etc.) on the grounds of race, sex, religion, or political affiliation.

C 5 PRIMACY OF FINA CONSTITUTION, RULES AND REGULATIONS

C 5.1 Compliance with FINA Statues

This Constitution must comply with the Constitution, Rules and Regulations of FINA, which is the only recognised body in the world which governs Aquatics globally.

C 5.2 FINA Statutes to Prevail in Event of Conflict

The Constitution, Rules and Regulations of the Federation must not be in conflict with those of FINA or with the laws of Uganda, and in case of conflict, the FINA Constitution, Rules and Regulations shall prevail.

C 5.3 Compliance with FINA Decisions

USF shall comply and act in accordance with all the decisions, Rules and Regulations taken by the FINA Congress and FINA Bureau.

C 5.4 Independence of USF's Decisions

The USF being a member of FINA shall, as stipulated under FINA Rules, be obliged to manage its affairs independently and not be influenced by third parties.

C 6 OBJECTIVES OF THE FEDERATION

The objectives of the Federation are –

- C 6.1** To promote and encourage the development of Aquatics in all possible manifestations throughout Uganda;
- C 6.2** To provide a drug free sport;
- C 6.3** To promote and encourage the development of international relations;
- C 6.4** To adopt necessary uniform rules and regulations to hold competitions in Aquatics;
- C 6.5** To organize National Championships and other Federation competitions;
- C 6.6** To increase and or encourage the increase in the number of facilities for Aquatics Disciplines throughout Uganda with the support of the Government of Uganda, sports enterprises, donor agencies or other interested parties;
- C 6.7** To create awareness, encourage mass participation in Aquatics, promote public safety and advise on best industry standards for Aquatics and related facilities for public and private institutions in conjunction and or with the support of public authorities; and
- C 6.8** To carry out such other activities as may be desirable to promote the sport or the achievement of the above objectives.

C 7 OFFICIAL LANGUAGE OF THE FEDERATION

The official language of the Federation shall be English.

C 8 MEMBERSHIP

C 8.1 Eligibility for USF Membership

Swim clubs, schools, and tertiary institutions in Uganda shall be eligible for membership in the Federation, and shall be indicated in a Register to be kept by the General Secretary.

C 8.2 Constitutions and Rules of Members Not to Conflict

The constitution and rules of a Swim club, school, and tertiary institution or other eligible entity that is admitted as a Member must not be in conflict with those of the USF. Where there is a conflict, the USF Constitution and Rules shall prevail.

C 8.3 Acknowledgement of Federation in Members' Constitutions

Each Member shall acknowledge in its constitution and rules that the Federation is the only recognized body in Uganda which governs Aquatics in accordance with FINA's Constitution, By-Laws and established Rules.

C 8.4 "Good Standing"

A Member, Official, Athlete, Coach affiliated to the Federation shall be said to be in 'good standing' where the said Member, Official, Athlete or Coach is –

- a) Fully paid up with affiliation/membership or any other fees payable to USF; and
- b) Has not been cited for a breach of the USF Constitution, USF By-Laws, Policies or Regulations, and is not undergoing disciplinary actions or serving a disciplinary sentence.

C 9 ENTITLEMENTS, DUTIES AND OBLIGATIONS OF MEMBERS

C 9.1 Entitlements of Members

All Members are entitled –

- a) To use the services of the Federation; and
- b) To take part in the Federation's Championships and competitions when they are eligible.

C 9.2 Obligations of Members

All Members are obliged –

- a) To support the Federation in its efforts to achieve its objectives;

- b) To act in accordance with the decisions of the Federation's General Assembly and Executive;
- c) To pay the annual affiliation or membership fees and meet any other financial obligations;
- d) To act in accordance with the decisions of the FINA Congress and the FINA Bureau;
- e) To include within its constitution a provision, which allows out-of-competition doping control by FINA; and
- f) To comply with the laws of the Republic of Uganda in so far as they do not conflict with the Olympic Charter and the FINA Statutes, By-Laws, Regulations and Policies.

C 10 APPLICATION FOR MEMBERSHIP

C 10.1 Submission of Application for Membership

A written application for membership duly signed by the President/Chairman and the Secretary General/Secretary or such other individual duly authorized to apply on behalf of the applicant shall be addressed to the General Secretary accompanied by –

- a) A resolution of the applicant duly signed by its President/Chairman and the General Secretary/Secretary or such other individual duly authorized approving application for the membership;
- b) The constitution of the applicant which must mention that the federation and its members commit to complying with the FINA Statutes, By-Laws, Administrative Rules, Anti-Doping Code and any other applicable law or regulation;
- c) The composition and full addresses of the executive committee members;
- d) The list and addresses of members;
- e) The lists of athletes, lists of coaches and other technical support official of the applicant;

- f) The physical and postal address of the applicant;
- g) A non-refundable application fee to be determined by the Executive;
- h) Any other information or requirement that may be necessary.

C 10.2 Consideration of Application by the Executive

- a) Upon receipt of the said application, the USF Executive Committee will make a decision regarding the same, and may reject the application or approve temporary membership subject to payment of the prescribed affiliation/membership fee and any other considerations that may require fulfillment.
- b) In the event that all conditions are fulfilled, the Executive Committee shall seek a confirmation of the temporary membership by the USF General Assembly. Any federation receiving temporary affiliation shall be granted full rights and obligations in relation to the USF.

C 10.3 Approval for Changes in Members' Constitution

Members must seek prior approval of the Executive for any change of name and or other clause in the constitution before such changes are valid.

C 10.4 Honorary Membership

C 10.4.1 Eligibility for Honorary Membership

Honorary membership of the USF may be conferred by the General Assembly upon any person who has rendered outstanding service to the Federation, Aquatics or sports in general.

C 10.4.2 Non-Voting Status of Honorary Members

An Honorary Member will be a permanent member of the USF without voting power, if he or she does not hold an elective position in USF with voting powers.

C 11 TERMINATION OF MEMBERSHIP

C 11.1 Cessation of Membership

Any membership or affiliation with the Federation ends –

- a) If the Member ceases to exist or dies (in the case of Officials, Athletes, Coaches and any other natural person);
- b) If the Member, Official, Athlete, Coach or other affected person withdraws their membership or affiliation; or
- c) If the Member, Official, Athlete, Coach or other affected person is expelled.

C 11.2 Withdrawal of Affiliation by a Member

Any Member who wants to withdraw its affiliation to the Federation shall give written notice thereof of at least 6 (six) months to the General Secretary. The membership shall end immediately unless withdrawn and no refunds of fees will be made.

C 11.3 Expulsion of Member, Official, Athlete, Coach, etc

The Executive shall have the power to expel a Member, Official or Athlete for significant violation of the Constitution and By-Laws and or Rules of the Federation. The respective Member, Official or Athlete shall be entitled to appeal this decision. In this case, the next General Assembly shall make the final decision.

C 12 FEES

Each Member, Official, Athlete or Coach affiliated to the Federation shall pay an annual affiliation or membership fee. The Executive shall fix the amount payable. If payment is not received when it is due, the Member, Official, Athlete or Coach may be suspended or unaffiliated in accordance with the Federation's Constitution, Rules and Regulations, and shall not be eligible to take part in the Federation's Competitions or sanctioned events.

C 13 SANCTIONS

C 13.1 Instances of Imposition of Sanctions

Any Member, Official, Athlete, Coach affiliated to the Federation may be sanctioned by the Executive –

- a) If duties and financial obligations to the Federation are not fulfilled, or
- b) In case of violation of the Constitution, Rules & Regulations, and/or decisions of the General Assembly or the Executive, or
- c) For bringing the sport into disrepute.

C 13.2 Sanctions

Sanctions are –

- a) Warning or reprimand;
- b) Fine;
- c) Suspension;
- d) Expulsion; or
- e) Any other sanction deemed appropriate under the circumstances.

C 13.3 Recognition and Enforcement of Sanctions

Any sanction imposed by the Executive on a Member, Official, Athlete or Coach affiliated to the Federation or such other person that is the subject of the sanctions shall be recognized and enforced by all Members and organs of the USF.

C 13.4 Disciplinary Committee to Recommend Sanctions

In cases of disciplinary nature, sanctions shall be recommended to the Executive by the Federation's Disciplinary Committee.

C 13.5 Fair Hearing

Before any Member or individual is sanctioned, the individual or a representative of the Member must be given the right to appear before the Executive either in person or in writing. The General Secretary shall inform the respective Member or individual about this right, in writing, in sufficient time to allow the Member or individual to exercise this right.

C 13.6 Effectiveness of Sanctions

Sanctions shall be in force immediately upon the decision being made unless the deciding body rules otherwise.

C 13.7 Appeals

- a) A Member or individual sanctioned by the Executive may appeal to the General Assembly.
- b) An appeal may be submitted by the appealing party to the General Secretary within twenty-one (21) days from the date of receipt of the decision.

C 14 ORGANIZATION OF THE FEDERATION

The following entities are established to govern and administer the Federation –

C 14.1 The USF Annual General Assembly;

C 14.2 The USF Executive Committee;

C 14.3 The USF Secretariat; and

C 14.4 The USF Committees.

C 15 THE USF ANNUAL GENERAL ASSEMBLY

C 15.1 USF Annual General Assembly to be Highest Authority

The USF Annual General Assembly is the highest authority of the Federation and shall have the power to decide upon any matters arising in the Federation in accordance with the Constitution.

C 15.2 Constituents of the USF Annual General Assembly

The USF Annual General Assembly shall consist of –

- a) The USF Executive whose members shall not have voting rights;
- b) The Members of FINA or CANA, if any, who are citizens of Uganda, who shall have voting rights;
- c) Two (2) duly appointed delegates of each Member with only one voting delegate entitled to one vote. Notice of the appointment of a delegate, certified in writing by the Member

they represent, must be lodged with the General Secretary at least 5 (five) days prior to the Annual General Assembly;

- d) The Athletes' Committee represented by two (2) elected delegates with one vote each;
- e) The Patron (who will not have voting power); and
- f) Honorary Members (who will not have voting powers).

C 15.3 Quorum for all General Assemblies

Quorum for all General Assemblies shall be a simple majority for Members in good standing and a simple majority of Members of the Executive.

C 15.4 President to Preside Over Annual General Assemblies

The President shall preside at all Annual General Assemblies or in his/her absence the 1st Vice President, or in his/her absence such other member of the Executive appointed by the Executive.

C 15.5 Convening of Annual General Assembly

The Annual General Assembly shall be convened once every year, but not later than **31 March**. The General Secretary shall inform the Members not later than twelve 30 (thirty) days ahead of the exact date fixed for the Annual General Assembly concerned. The General Secretary shall send an invitation to all Members, together with the Agenda for the Annual General Assembly and the reports together with all duly submitted motions and applications prior to the date fixed for the meeting.

C 15.6 Agenda of the Annual General Assembly

At each Annual General Assembly, the following items will be included on the agenda –

- a) The Report of the President;
- b) The Report of the Treasurer and presentation of Audited Accounts for the previous year;
- c) Election of the Executive (in the case of an elective Annual General Assembly); and
- d) Other business for which notice has been given.

C 15.7 The USF Extraordinary General Assembly

An Extraordinary General Assembly of the USF may be convened by the Executive or upon receipt of a written request of two-thirds of the Members in good standing. The Notice period for the Extraordinary General Assembly shall not be less than twenty – one (21) days. However, Members may dispense with the requirement for said Notice or agree to a shorter notice period depending on justifiable circumstances.

C 15.8 Eligibility to Attend and Vote During General Assemblies

A Member may attend, participate and vote in a meeting of the General Assembly provided that –

- a) The Member has paid all membership or other fees due to the Federation;
- b) During the preceding twelve (12) months the Member has participated in at least one Aquatics competition organized by the Federation; and
- c) The Member is not suspended.

C 15.9 Attendance of General Assembly for Suspected Offenders

A Member that is not suspended but is otherwise suspected to be in breach of the Federation's Constitution, By-Laws, Rules, FINA Rules or other FINA requirement may participate at the meeting of the General Assembly but shall not be eligible to vote unless the Executive determines that there is a justifiable reason for the Member in question not to attend, pursuant to the breach in question.

C 15.10 Visitors

A visitor, defined as any person other than a person required to attend the General Assembly or other meeting of the Federation, may at the discretion of the Executive, attend a meeting of the Federation but will not take part in the proceedings unless by a direct invitation of the Chairperson, nor have a vote. Government officials, members of USF Committees, athletes, coaches, officials, heads of other sports federation/associations, members of the press and any other person may be invited to attend the General Assembly or other meeting of the Federation as a visitor.

C 16 THE USF EXECUTIVE COMMITTEE

C 16.1 Composition of the USF Executive Committee

There shall be elected an Executive Committee composed of the following positions:

- a) The President;
- b) The 1st Vice President (Administration);
- c) The 2nd Vice President (Technical);
- d) The General Secretary;
- e) The Assistant General Secretary;
- f) The Treasurer;
- g) The Assistant Treasurer;
- h) 6 (six) Committee Members at least 2 (two) of whom shall be female, and 1 (one) of whom shall be the Athletes' Representative elected by the athletes as provided under Sub-Article C.20.2; and
- i) Any FINA or CANA Bureau Member who is a citizen of Uganda.

C 16.2 Executive to Appoint Competitions Secretary as *Ex Officio*

The Executive shall appoint a Competitions Secretary who will be an *ex officio* member of the Executive.

C 16.3 Eligibility to Serve on the Executive

- a) A person shall be eligible to serve on the USF Executive if that person is a citizen of Uganda and has participated in Aquatics or has acquired sufficient experience and knowledge from involvement in the administration of Aquatics.
- b) A person shall not hold a USF executive office or be involved, concurrently, in the governance of another national sports association. For avoidance of doubt, this provision shall not apply to membership and governance in bodies such as FINA, CANA, Uganda Olympic Committee, Uganda Paralympics Associations, Specials Olympics Uganda and any other associations comprised of national sports associations.

C 16.4 Executive Committee Members to Represent Federation

Save for the Athletes' Representative, a member of the Executive will not represent any particular USF Swim Club, School, Institution or body that they belong to and will serve on the Executive in their individual capacity as elected or appointed.

C 16.5 Meetings of the Executive

The Executive shall meet as often as deemed necessary but at least once a month. The Executive may invite non – members to attend its meetings.

C 16.6 Notice of Meetings of the Executive

The General Secretary shall call the meetings after consulting the President and other members of the Executive, and shall issue a Notice of not less than 5 (five) days for the meeting.

C 16.7 Agenda for Meetings of the Executive

The General Secretary will receive items from the members of the Executive and draw up an agenda, which will be circulated to the members at least two days before the meeting.

C 17 POWERS AND FUNCTIONS OF THE USF EXECUTIVE COMMITTEE

C 17.1 Day-To-Day Running of USF

The Executive shall be responsible for the day-to-day running of the affairs of the Federation and shall execute decisions on behalf of the Federation.

C 17.2 Executive to Initiate Policies

The Executive shall initiate policy or policies and carry them out.

C 17.3 Appointment of Committees

The Executive shall appoint Committees and shall have the power to approve, amend and or reject resolutions of Committees.

C 17.4 Power of Executive to Take Disciplinary Action

The Executive shall have the power to dismiss or take any other disciplinary action on any Member of the Federation, official or precipitant in the sport.

C 17.5 Power of Executive to Fill Vacant Positions on Executive
The Executive shall have the power to fill vacant positions on the Executive and shall thereafter report to the next Assembly of the Federation.

C 17.6 Executive Responsible for Federation's Finances
The Executive shall be responsible for the control of the Federation's finances and the appointment of the Federation's external Auditors.

C 18 DUTIES AND FUNCTIONS OF MEMBERS OF THE EXECUTIVE

C 18.1 The President
The President will represent the Federation and will preside over each meeting of the USF and the Executive. He will be ultimately answerable for all activities of the Federation and is charged with the responsibility of ensuring the smooth functioning of USF.

C 18.2 The First Vice President (Administration)
The First Vice President (Administration) will carry out the functions of President in the latter's absence or under delegation by the President, and may be assigned any other duties by the President and or the Executive.

C 18.3 The Second Vice President (Technical)
In absence of the First Vice President (Administration), the Second Vice President (Technical) may be delegated to undertake the duties of the President. He or she will be charge of all technical affairs of the UOC and may be assigned any other duties by the President and or the Executive. Should the two Vice-Presidents or the General Secretary be unable so to act, in the absence of the President, at a General Assembly or any other meeting of the Executive, then the meeting will elect or decide from amongst the Members of the Executive present, a Chairperson for that Meeting.

C 18.4 The General Secretary
a) The General Secretary will be responsible for the efficient and effective operation of the USF Secretariat and shall ensure that it performs effectively and efficiently.

- b) The General Secretary will be secretary to the General Assembly, the Executive, and will be responsible for maintaining an accurate record and proceedings of all meetings of the General Assembly and the Executive.
- c) Except as otherwise provided in this Constitution, the General Secretary will keep in his or her custody or under his or her control the Register of Members, all records of meetings, books and other relevant documents of the USF.
- d) All documents of the USF shall be available for inspection by any Member in good standing upon request.
- e) A Member may make a copy of any documents of the USF with approval of the President or General Secretary.
- f) The President may notwithstanding the above, in his or her absence or for any justifiable reason, delegate the General Secretary to undertake the duties of the President.

C 18.5 The Assistant General Secretary

In the absence of the General Secretary, the Assistant General Secretary may be delegated to undertake the duties of the General Secretary. The Assistant General Secretary may also be assigned such other duties by the President, the General Secretary and or the Executive, as they may from time and again determine.

C 18.6 The Treasurer

C 18.6.1 Responsibilities of the Treasurer

The Treasurer shall be responsible for handling the funds of the USF, assuring their safety and prudent use. He or she shall be responsible for –

- a) Paying or causing the payments of USF obligations;
- b) Assuring expenditures of the USF are in accordance with the budget approved by the Assembly;
- c) He or she may recommend, and with the approval of the Executive, invest or cause the investment of USF funds;
- d) He or she shall serve as the Executive Committee contact for Audit Committee, if one is appointed, and may be

assigned responsibility as the Executive Committee liaison for other Committees.

C 18.6.2 Other Responsibilities of the Treasurer

The Treasurer shall also be responsible for –

- a) Maintaining a positive balance in the account.
- b) Preparing a quarterly fiscal report that shall be distributed at the Executive Committee meetings.
- c) At year-end, initiating an audit of the accounts of USF by the External Auditors.
- d) Maintaining the USF's accounts in a bank or savings institution approved by the Executive.
- e) Before the end of the financial year, initiating and preparing or causing to be prepared audited accounts and financial reports for consideration by the Executive and or the Assembly.
- f) Preparing the USF's annual budget for consideration by the Executive before approval by the Assembly.
- g) Ensuring tax compliance of the USF, and seeking tax exemptions where applicable; and
- h) Any other duties as may be assigned by the President and or the Executive from time to time.

C 18.7 The Assistant Treasurer

In the absence of the Treasurer, the Assistant General Secretary may be delegated to undertake the duties of the Treasurer. The Assistant Treasurer may also be assigned such other duties by the President, the General Secretary and or the Executive, as they may from time and again determine.

C 18.8 The Five (5) Executive Committee Members

The five (5) Committee Members will duly attend meetings of the Executive and carry out any other duties as assigned by the President, General Secretary and or the Executive from time to time.

C 18.9 The Athlete's Representative

The Athletes' Representative shall be expected to attend all Executive Committee and Federation's meetings where there is no conflict of interest on his or her part, and will in consultation with the Athletes' Committee, advise the Executive on all matters relating to athletes in Aquatics including their welfare, training needs, development and other related matters. He or she may be assigned other roles by the President, General Secretary and or the Executive from time to time.

C 18.10 The Competition Secretary

The roles of the Competition Secretary shall be assigned to him or her by the President, General Secretary and or the Executive, and shall among others, include the coordination of USF Competitions, attending all meetings of the Executive and any other duties as may be assigned.

C 19 THE USF SECRETARIAT

C 19.1 Establishment of USF Secretariat

The Executive will establish an office that shall be managed appropriately as a functional Secretariat of the Federation.

C 19.2 Staffing of the USF Secretariat

The Secretariat may be staffed with such employees and or volunteers as the Executive shall determine.

C 19.3 Duties of the Secretariat

The Secretariat shall carry out all administrative functions required to effect and or implement the decisions of the Executive, and the day-to-day running of the USF, and will handle with all internal and external correspondences under the supervision of the General Secretary. The Secretariat shall ensure sound performance of the Federation and will carry out any other functions as shall be stated in the terms of reference or assigned from time to time.

C 20 COMMITTEES

C 20.1 Committees of the Federation

The Committees of the Federation are –

- a) The Athletes' Committee;
- b) The Coaches' Committee;
- c) The Competitions Committee;
- d) The Disciplinary Committee, which shall be appointed on an *ad hoc* basis as and when the need arises;
- e) The Finance Committee;
- f) The Marketing and Publicity Committee;
- g) The Medical Committee;
- h) The National Records' Committee;
- i) The Planning and Development Committee;
- j) The Team Selections' Committee;
- k) The Technical Officials' Committee;
- l) Any other Committees which the Executive may from time to time appoint, if deemed necessary.

C 20.2 The USF Athletes' Committee

C 20.2.1 Establishment of Athletes' Committee

The USF will establish an Athletes' Committee that will be governed by a charter, and which will comprise –

- a) Eight (8) members directly elected or agreed by Athletes belonging to the Athletes in good standing;
- b) Two (2) members to be appointed by the USF Executive; and
- c) Any member of the FINA or CANA Athletes' Committee who is a citizen of Uganda.

C 20.2.2 Eligibility to Serve on Athletes' Committee

To be eligible for election or appointment to the Athletes' Committee, an athlete must be –

- a) At least eighteen (18) years of age and must not have been sanctioned for a doping or any other sporting offence during his or her sports career; and
- b) Without a criminal conviction for an offence involving moral turpitude.

C 20.2.3 Election of Athletes Committee Members

The USF Executive will arrange for an conduct elections for members of the Athletes' Commission at a date after finalization of the USF elective General Assembly, and will conduct the said election following procedures to be indicated the USF By-Laws. Pending the coming into full force of this Sub-Article, the USF Executive will upon promulgation of the Constitution arrange for elections of the inaugural Athletes' Committee whose term of office will expire with that of the current USF Executive.

C 20.2.4 Term of Office for Athletes' Committee Members

Members of the Athletes' Committee will hold office for the same period as the USF Executive and will cease to hold office at the USF elective assembly when the new USF Executive is to be elected.

C 20.2.5 Advice from Athletes' Committee and Meetings

The Athletes' Commission will advise the Executive on all matters relating to athletes within the Federation and will for this purpose, meet at least twice a year with the prior approval of the USF President and or General Secretary at the expense of the USF, and for such meetings a quorum will consist of six (6) members of the said commission.

C 20.3 Executive to Appoint Members to Other Committees

With the exception of the Athletes' Committee, all Committees shall be appointed by the Executive Committee, and be comprised by only those persons who are interested in, actively and regularly attending the meetings of the Committee and dispensing its business.

C 20.4 Quarterly Meetings of Committees and Quarterly Reports

The Committees shall meet at least once quarterly, ie at least once every 3 (three) months and shall keep a record of all their discussions. The Committee Chairpersons at the end of every quarter shall prepare and submit a quarterly Report of the Committee's activities to the USF President.

C 20.5 Absence from Committee Meetings

Where a member of any Committee has been absent from two consecutive meetings without reasons acceptable to the Committee Chairperson, the Chairperson shall have the right to declare that such a member has forfeited his membership. The USF Executive shall then fill the vacancy.

C 20.6 Powers and Duties of Committees

The powers and duties of Committees save as herein specifically provided, shall be determined by the Executive and indicated in the USF By-Laws and Regulations.

C 21 THE FEDERATION'S PATRON

C 21.1 The Federation shall invite a person of repute to take up the patronage of the Federation.

C 21.2 The Patron shall be the chief advisor and titular head of the Federation.

C 21.3 The Patron shall be an ex-officio member of the Federation.

C 21.4 The Patron shall hold such office for the period to be specified by the Executive but in any case not longer than the elected term of the Executive, and may be reappointed.

C 22 AFFILIATIONS

The Federation shall be affiliated to the following organizations:

- C 22.1** **Fédération Internationale de Natation (FINA);**
- C 22.2** **Confédération Africaine de Natation (CAN);**
- C 22.3** **The Uganda Olympic Committee (UOC);**
- C 22.4** **The National Council of Sports (NCS); and**
- C 22.5** Any other organization or entity which may be preferred by the Executive and ratified by the General Assembly.

C 23 GENERAL ELECTIONS

C 23.1 Elections Conducted Every Four Years

Elections for the positions on the Executive will be conducted every 4 (four) years at an Annual General Assembly or an Extraordinary General Assembly duly notified by the General Secretary in accordance with the procedures laid out in this Constitution and or the Federation's By-Laws & Regulations.

C 23.2 Only Members in Good Standing Eligible to Vote

Only Members in good standing shall be entitled to vote.

C 23.3 Supervision of USF Elections

The election shall be conducted under the supervision of the Uganda Olympic Committee or the National Council of Sports where possible, or such other impartial body or individual who shall be elected or appointed by Members at the preceding General Assembly before the elective General Assembly.

C 23.4 Quorum for Elective General Assembly

An election of a new Executive shall only take place once a quorum consisting of simple majority of the duly registered and fully paid up Members in good standing are present at the Elective General Assembly.

C 23.5 Nomination of A Candidate

A candidate for an elective position on the Executive shall be nominated by at least one Member in good standing and seconded by another member in good standing.

C 23.6 Notification by Candidates of Intention to Run for Election

An eligible candidate in good standing who intends to run for an elective position on the Executive shall notify the General Secretary of their intention in writing not less than 14 (fourteen) days to such Assembly when the election will be held. In the case where the General Secretary has decided to run for office, he or she shall notify the President of his or her intention to stand within 14 (fourteen) days to the elective Assembly.

C 23.7 Returning Officer to Obtain Nomination

The Returning Officer appointed by Members pursuant to **Article C 23.3** shall be availed with the nominations for verification and preparation for the election not later than 5 (five) days to the elective General Assembly.

C 23.8 Secret Ballot Voting

Voting for the Executive shall be by secret ballot.

C 23.9 President to Notify FINA of Election Date and Results

The President shall notify FINA of the dates and the location of the elections, and shall provide FINA with the minutes of its elective Assembly no later than 60 (sixty) days after conclusion of the Assembly.

C 24 DURATION OF TERM OF OFFICE

The Executive will hold office for a period of 4 (four) years from election, and shall be eligible for re-election. Any member of any USF Committee or Commission shall hold office for such period as shall be specified by the Executive but in any case not longer than 4 (four) years from election of the Executive.

C 25 FINANCIAL MONITORING AND CONTROL

C 25.1 Financial Year of the Federation and Preparation of Accounts

The financial year of the Federation is the calendar year (i.e. 1 January – 31 December). For each calendar year, the Executive shall cause a statement of accounts to be prepared. The annual statements of accounts shall be audited by a Certified Public Accountant appointed by the Executive.

C 25.2 Federation's Sources of Funds

The Federation's sources of funds shall be –

- a) Membership and or affiliation fees;
- b) Donations and sponsorship contributions;
- c) Gate collections during competitions and or events;
- d) Fundraising through social functions;
- e) Grants, loans and advances on such terms as shall be consistent with the objectives of the Federation; and
- f) Any other source of funds approved by the Executive.

C 25.3 USF Funds to be Kept in Approved Banks

The Federation's funds shall be kept with a recognized and reputable commercial bank(s) appointed by and approved the Executive.

C 25.4 All USF Income to be Receipted

All income of the Federation shall be receipted.

C 26 ANTI – DOPING RULES

The Federation shall comply with the Anti-Doping Rules set out by FINA and shall include in its regulations the procedural rules necessary to effectively implement the FINA Anti-Doping Rules including in particular the determination of the person(s) or body in charge of the application of the Rules. All Members of the Federation shall adhere and recognize the out-of-competition doping controls by FINA, and shall include in their constitutions and or regulations the necessary procedural rules to effect the FINA Anti-Doping Rules including in particular the determination of the person(s) or body in charge of the application of the Rules.

C 27 CONFLICT OF INTERESTS

The fundamental principle is that the Executive, Official, Athletes, Coaches, Committee Member, Employee, Volunteer or any other person under the purview of this Constitution should not have, or appear to have, any personal interests, relationships, or affiliations that conflict with the best interests of the Federation. In order to ensure maximum integrity of all USF affairs, a Member of the Federation, its Executive, Officials, Athletes, Coaches Committee Member, Employee, Volunteer or any other person shall refrain from any relationship or association that would conflict with their membership or service with the Federation, and will be required at the earliest possible opportunity to declare or report the conflict. Failure to report or declare a conflicting situation may be punishable as a disciplinary offence with appropriate sanctions. Failure to maintain such independence following declaration of the conflict of interest shall be subject to corrective or disciplinary action in accordance with the disciplinary procedure provided for under this Constitution and Regulations.

C 28 DISPUTE RESOLUTION

Disputes between the Federation and any of its Members shall be resolved amicably using and exhausting all available means, failure which the dispute shall be referred to a Mediator. In the event that amicable resolution and or Mediation fails, the dispute shall be referred to an Arbitrator who shall be chosen by an independent party (where the disputing parties fail to agree on the Arbitrator). The venue for arbitration shall be Kampala and the applicable rules shall Court of Arbitration for Sport (CAS) Rules. Any decision made by the Arbitrator shall be final and binding on the parties concerned. The foregoing notwithstanding, Parties to a dispute may refer the dispute to the CAS.

C 29 AMENDMENTS TO THE CONSTITUTION

This Constitution shall be amended by resolution of two-thirds of the Members who are duly registered, fully paid up and in good standing at either a General Assembly or Extraordinary General Assembly. The Federation shall seek the approval of the FINA Bureau before the amendments become effective where the requirement to seek such approval is stipulated under the FINA Constitution.

C 30 USF BY-LAWS, RULES AND REGULATIONS

The Executive shall ensure that USF By-Laws, Rules and Regulations are in place for the better performance of the Constitution. The Rules and Regulations shall not conflict with the Constitution, in which case the latter shall prevail.

C 31 EFFECTIVE DATE OF THE CONSTITUTION



Pursuant to Article C 7.4 of the FINA Constitution currently in force, this Constitution as revised shall come in force on **1 January 2015** following its approval by the USF Extraordinary General Assembly held on **19 July 2014**, and after further approval by the FINA Bureau during its Meeting held from **28 – 29 December 2014, in Doha, QATAR**.

C 32 REPEALS

The current Constitution, Rules and Regulations of the Federation are repealed on the date of effectiveness of this Constitution, specified in Article C 31 above.

IN WITNESS WHEREOF THE REPRESENTATIVES OF THE EXECUTIVE COMMITTEE OF THE UGANDA SWIMMING FEDERATION HAVE HEREUNTO SET THEIR RESPECTIVE SIGNATURES THIS 1ST DAY OF JANUARY 2015 FOR AND ON BEHALF OF THE MEMBERS OF THE UGANDA SWIMMING FEDERATION.

THE REPUBLIC OF UGANDA
REGISTRY OF DOCUMENTS
IT IS HEREBY CERTIFIED THAT THE
WRITTEN DOCUMENTS HAS BEEN
REGISTERED UNDER THE NO. 9287
OF 20...16 ON THE 22...DAY OF...06...
20...16...
KAMPALA

Donald RUKARE (Dr.) Moses B. MWASE
P R E S I D E N T REGISTRAR OF DOCUMENTS GENERAL SECRETARY

In the Presence of: -

Signature:



COLLINS JOSEPH SSEMMANDA

Name:

Designation:

ADMINISTRATOR, UGANDA OLYMPIC COMMITTEE

FINA BUREAU APPROVAL CERTIFICATE



FÉDÉRATION
INTERNATIONALE
DE NATATION

President
DR. RUIO MACCHIONE
Uruguay

Honorary Secretary
PAOLO BARELLI
Italy

Honorary Treasurer
PHAT INKAMCHUT
Thailand

Vice Presidents

HIJABAN AL ARISALLAH
Korea

TAMAS CHARTAS
Hungary

DENNIS MILLER
AUS

DALE NEUBURGER
United States of America

SAM RAMSAMY
South Africa

Members

FERNANDO CARRERA
Spain

ERROL CLARKE
Barbados

DIMITRIOS DAKHOSPOULOS
Greece

DR. HOWARD GIOR
Israel

MATTHEW DUNN
Australia

REN KUMBO
Kenya

ANDREY KOPYLOV
Ukraine

EUGENIO MARTINEZ
Cuba

JEAN MIRA CAMPOS
Morocco

DR. MARIO MONTAÑO
Colombia

COADUNY RUIZ FLORES
Bolivia

DONALD RUKARE
Uganda

VYACHESLAV SALNIKOV
Russia

KAZUO SANO
Japan

BRUNO VAN MEEREN
Netherlands

QIU FENG ZHANG
China

Honorary President
MUSTAFA LAHFOUFA
Algeria

Executive Director
CORNEL MARCULESCU

**UGANDA SWIMMING
FEDERATION**

ugandaswimmingfed@hotmail.com

To att.: **Dr. Donald RUKARE**
President of UGA NF

Lausanne, December 16th 2014

RE: UGA – Approval of Constitution

Dear Mr. Donald RUKARE

In accordance with the FINA Rule C 7.4, the FINA Bureau agreed with the proposed amendment of your Constitution dated on July 19th 2014.

The new Constitution of the Uganda Swimming Federation was unanimously accepted and approved by the FINA Bureau during its meeting held on December 28th - 29th 2014 in Doha, Qatar.

Yours Sincerely,

Cornel Marculescu
FINA Executive Director

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