



FÉDÉRATION
INTERNATIONALE
DE NATATION

FINA CONSTITUTION

Approved by the FINA Congress in Doha (QAT) on 5 June 2021

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C 1 NAME AND AUTHORITY

The FEDERATION INTERNATIONALE DE NATATION, hereinafter known as FINA, is the sole and exclusive world governing body for the Aquatic sports.

C 2 LEGAL STATUS AND HEADQUARTERS

FINA is established for an indefinite period with legal status as an association in accordance with article 60ff of the Swiss Civil Code. FINA has its headquarters in the city of Lausanne, Switzerland.

C 3 DEFINITIONS

C 3.1 Aquatics – means swimming, open water swimming, diving, high diving, water polo, artistic swimming and Masters programme / activity.

C 3.2 Bureau – means all FINA Bureau members elected or serving in accordance with C 15.10 and C 17.

C 3.3 CAS – means the Court of Arbitration for Sport, based in Lausanne, Switzerland.

C 3.4 Competitions – includes FINA world championships, world cups, grand prix, world leagues, world trophies and world series events and tournaments, events sanctioned by FINA members, and international events in any of the Aquatics disciplines.

C 3.5 Competitor – means a person who is taking part in competitions.

C 3.6 Congresses – means the General Congress, the Technical Congress and the Extraordinary Congress.

C 3.7 Continental Organisations – means organisations formed by the FINA Member Federations from the same geographical continent and specified in FINA Rule C 14.

C 3.8 Executive – means the FINA Executive Committee consisting of nine (9) Bureau members - the President, the First Vice President, the Second Vice President, three (3) Vice Presidents, the Treasurer, the Immediate Past President and one (1) more member to be nominated by the President in accordance with FINA Rule C 17.8.

C 3.9 Executive Director – means the Executive Director of FINA appointed pursuant to C 17.13.15.

C.3.10 *FINA Office – means the office managed by the Executive Director under the supervision of the FINA President.*

C 3.11 *FINA Financial Statements – means written records that convey the business activities and the financial performance of FINA, including balance sheet, income statement, cash flow statement and notes.*

C 3.12 FINA Rules – means the Constitution, Code of Ethics, General Rules, By-laws, Technical Rules, Facilities Rules, Medical Rules, Doping Control Rules, and any other rules and regulations adopted by FINA.

C 3.13 Judicial Panels – means the Doping Panel, the Disciplinary Panel and the Ethics Panel.

C 3.14 Management Committee – means the committee responsible for the entire management of a Competition.

C 3.15 Member, Member Federation - means the national federations affiliated to FINA in a country or Sport Country recognized by FINA in accordance with FINA Rule C 7, C 8 and C 9.

C 3.16 Officers – means the President, the First Vice President, the Second Vice President, other three (3) Vice Presidents and the Treasurer.

C 3.17 Official – means any person elected or appointed to any position within FINA, the Continental Organisations, the FINA Member Federations and any person appointed into any position.

C 3.18 Specialised Committees – means any committee including all members appointed by the Bureau for special tasks in accordance with FINA Rule C 19.1.2.

C 3.19 Sport Country – means a geographical territory or region which, though not recognized as a country, has certain aspects of self-government at least to the extent in being autonomous in the control of its sports, and is recognized as such by FINA.

C 3.20 Swimsuits – means, whenever used in these rules, the attire worn by Competitors.

C 3.21 Swimwear – means swimsuit, cap and goggles.

C 3.22 Technical Committees – means the FINA technical committees, one for each of the six FINA disciplines and Masters, including all members therein appointed by the Bureau in accordance with FINA Rules C 19.1.1.

C 3.23 WADA – *means the World Anti-Doping Agency.*

C 3.24 Whenever the fact or context so requires in order to give effect to the FINA 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.

C 4 DISCRIMINATION – POLITICAL NEUTRALITY

FINA shall not allow any discrimination against national federations or individuals (competitors, officials, judges, delegates, etc.) on the grounds of race, gender, religion, *sexual orientation*, *gender identity*, or political affiliations, languages or *abilities*. FINA is politically neutral. Political activity or demonstrations are prohibited at FINA events.

C 5 OBJECTIVES

The objectives of FINA are:

- a) to promote and encourage the development of Aquatics in all possible regards throughout the world,
- b) to provide fair and drug free sport,
- c) to promote and encourage the development of international relations,
- d) to encourage participation in Aquatic disciplines at all levels throughout the world regardless of age, gender or race,
- e) to adopt necessary uniform rules and regulations and to hold or sanction competitions in swimming, open water swimming, diving, high diving, water polo, artistic swimming, and masters,
- f) to promote and organise World Championships and other FINA competitions,
- g) to encourage the increase of facilities for Aquatic' disciplines throughout the world with the support of other interested parties, and
- h) to carry out such other activities as may be desirable to promote the sport.

C 6 LANGUAGE

The official languages of FINA shall be English and French. In case of inconsistency, English shall prevail. The working language shall be English. Other languages may be used in correspondence or debate providing that adequate translation is provided.

C 7 MEMBERSHIP

C 7.1 The national body governing swimming, open water swimming, diving, high diving, water polo, artistic swimming, and Masters in any country or Sport Country shall be eligible to become a FINA Member in application of FINA Rule C 9.

C 7.2 There can only be one (1) body recognised by FINA as Member and as the only national governing body for Aquatics in a country or Sport Country. The jurisdiction of a Member shall be limited to the political boundaries of the country or Sport Country that it represents.

C 7.3 The constitution of Members shall be approved by FINA upon their affiliation. The constitution and rules of a Member must in any event not be in conflict with the FINA Rules. Where there is a conflict, the FINA Rules shall prevail.

C 7.4 Members must seek approval of the Bureau for any change of their name and/or constitution before such changes come into effect.

C 7.5 Each Member shall acknowledge in its national rules that FINA is the only recognized body in the world which governs Aquatics internationally.

C 7.6 A Member Federation may choose to have separate organisations responsible for the different aquatic disciplines providing the Member Federation notifies FINA of the identity of each organisation and the Member Federation assumes ultimate responsibility

for the action of such organisations. The Constitution of the separate organisations responsible for the different aquatic disciplines are also subject to approval of FINA.

C 8 RIGHTS AND DUTIES OF MEMBERS

C 8.1 All Members are entitled:

C 8.1.1 to use the services of FINA,

C 8.1.2 to take part in the FINA World Championships and FINA competitions when they are eligible, and

C 8.1.3 to be recognised as the only Aquatics' governing body of its country or Sport Country, by everybody, including its National Olympic Committee.

C 8.1.4 to take part in FINA Congresses as set forth in FINA Rule C 15.

C 8.1.5 to exercise all rights of Members set forth in the FINA Rules and to receive all Members benefits set forth in the same.

C 8.1.6 to make proposals to change FINA Rules and/or Constitution and to make nominations for the position of President, Bureau Member and/or Committee member.

C 8.2 All Members are obliged:

C 8.2.1 to support FINA in its efforts to achieve its objectives,

C 8.2.2 to comply with the FINA Rules at all times,

C 8.2.3 to ensure that their own constitution and rules comply at all times with the FINA Rules and to amend them as may be necessary for this purpose,

C 8.2.4 to insert in their constitution a provision to the effect that in case of inconsistency between the Member's constitution and/or rules and FINA Rules, the latter shall prevail,

C 8.2.5 to comply with and implement decisions and directives of FINA, notably of the Congress, the Bureau the Executive, Judicial Panels (including CAS decisions confirming the same) at all time.

C 8.2.6 to ensure that their own members comply with and implement the FINA Rules, as well as directives and decisions of the FINA bodies.

C 8.2.7 to include within its constitution a provision, which allows out-of-competition doping control by FINA,

C 8.2.8 to hold a general assembly at least every two (2) years. The general assembly must approve the accounts, the budget, a technical report as well as an audit report. Elections must be held every four (4) years. FINA shall be notified of the dates and the location of the General Assembly sixty (60) days before the general assembly. The minutes shall be provided to FINA within sixty (60) days of the general assembly.

C 8.2.9 to manage its affairs independently and not be influenced by third parties,

C 8.2.10 to participate in international Aquatics' Competitions recognized and/or sanctioned by FINA, especially in the FINA World Championships and other FINA competitions,

C 8.2.11 to pay the annual membership fee set pursuant to FINA Rule C 11 and comply with all other financial obligations to FINA,

C 8.3 Members shall have no liability in regard to debts and other liabilities of FINA.

C 9 APPLICATION FOR MEMBERSHIP

C 9.1 Application for membership shall be submitted to the Bureau with:

C 9.1.1 a statement of the name of the national body which must reflect the territorial extent, jurisdiction, and sport tradition of that country or Sport Country;

C 9.1.2 its official address and contact details;

C 9.1.3 a copy of its current constitution and rules and regulations;

C 9.1.4 a list of its main officers;

C 9.1.5 a list of its active membership (i.e. number of clubs, athletes, coaches, officials);

C 9.1.6 a formal undertaking to observe and abide by the FINA Rules, the World Anti-Doping Code as well as the jurisdiction and decisions of CAS;

C 9.1.7 the appropriate membership fee.

C 9.2 The Bureau shall have the power to approve the applicant for membership. If such membership is not accepted, the applicant is allowed to appeal this decision to the next General Congress. The decision of the General Congress shall be final.

C 10 SUSPENSION OR TERMINATION OF MEMBERSHIP

C 10.1 Membership in FINA ends:

C 10.1.1 if the Member no longer exists, or

C 10.1.2 if the Member withdraws its membership, or

C 10.1.3 if the Member is expelled.

C 10.2 Any Member who wants to withdraw its membership in FINA shall give written notice thereof to the Executive Director. The membership shall end immediately, but no refund of fees will be made.

C 10.3 The Bureau shall have the power to expel or suspend a Member for significant violation of the FINA Rules. The respective Member is allowed to appeal the Bureau's decision to the Court of Arbitration for Sport (CAS).

C 10.4 The FINA Bureau shall also have the power to suspend a Member in case a Member is unable to preserve its independence in accordance with C 8.2.9 for reasons beyond its control (e.g. governmental interventions).

C 10.5 Suspension implies in any event the suspension of the right to participate to the Congress. In each case of suspension, the FINA Bureau determines the further effects of the suspension on the Member's rights and notably and without limitation, the effects on the possibility for the Members representatives or their members, officials, competitors, support personnel to take part to FINA or other Members activities or to exercise or be candidates to FINA functions, and/or to receive support granted to FINA Members.

C 11 FEES AND OTHER FINANCIAL OBLIGATIONS

Each Member of FINA must pay an annual membership fee decided by the Bureau as part of the budget. FINA may set off fees with payments due to Members.

Default in payment of the membership fees or other amounts which may be due by Members to FINA in application of the FINA Rules may lead to sanctions, including suspension or, ultimately expulsion.

C 12 SANCTIONS

C 12.1 Any Member, member of a Member, or individual member of a Member, as well as Continental Organisation, may be sanctioned:

C 12.1.1 if duties and obligations to FINA are not fulfilled, or

C 12.1.2 in case of violation of the FINA Rules and/or decisions of the Congress and/or decisions of the Bureau and Executive, or

C 12.1.3 for bringing the Aquatics sport and/or FINA into disrepute.

C 12.2 Sanctions are:

- a) warning
- b) fine
- c) suspension
- d) expulsion, withdrawal of recognition
- e) cancellation of results
- f) return of awards, medals, prizes, etc.

C 12.3 Sanctions shall be imposed by the Executive unless otherwise provided by the FINA Rules (e.g. and without limitation, FINA Rule C 12.4, FINA Rule C 12.5, FINA Rule C 12.6 FINA Rule C 12.7).

C 12.4 Suspension or expulsion of a Member as well as suspension of a Continental Organisation may only be issued by the Bureau.

C 12.5 Any sanction imposed on a competitor or a person by FINA, a Member or by a FINA recognised body shall be recognised and enforced by all Members.

C 12.6 In cases involving violation of FINA DC Rules, sanctions shall be considered and applied by the Doping Panel (FINA Rule C 22).

C 12.7 In cases of a disciplinary nature referred by the Executive, sanctions shall be considered and applied by the Disciplinary Panel (FINA Rule C 23).

C 12.8 In cases involving violation of the FINA Code of Ethics, sanctions shall be considered and applied by the Ethics Panel (FINA Rule C 24).

C 12.9 Before any Member, Continental Organisation or individual is sanctioned, the individual or a representative of the Member must be given an opportunity to exercise a right to be heard, either orally or in writing.

C 12.10 Sanctions shall be in force immediately upon the decision being made unless the deciding body rules otherwise.

C 12.11 Subject to specific provisions of FINA Rules, FINA may no longer engaged proceedings in respect to violations of FINA Rules when such action is not initiated within ten (10) years of the event to which it relates. This statute of limitation does not apply to cases of sexual misconduct, bribery or corruption.

C 12.12 In addition to the measures and sanctions provided in the case of infringement of the FINA Rules, the FINA Executive may take any reasonable decisions for the protection of the Aquatics in the country of a Member, including suspension of or withdrawal of recognition from such Member if the constitution, law or other regulations in force in the country concerned, or any act by any governmental or other body, causes the activity of the Member or the making or expression of its will to be hampered. The FINA Executive shall offer such Member an opportunity to be heard before any such decision is taken.

C 12.13 Appeals

C 12.13.1 A Member, member of a Member or individual or Continental Organisation sanctioned by the Executive may file appeal to the Bureau. The appeal shall be addressed to the Executive Director within twenty-one (21) days from the date of communication of the decision.

C 12.13.2 A Member, member of a Member, or individual sanctioned by the Doping Panel, the Disciplinary Panel or the Ethics Panel may appeal the decision exclusively to the Court of Arbitration for Sport (CAS), Lausanne Switzerland. The CAS shall also have exclusive jurisdiction over interlocutory orders and no other court or tribunal shall have authority to issue interlocutory orders relating to matters before the CAS.

C 12.13.3 An appeal against a decision by the Bureau (including a decision on appeal pursuant to FINA Rule C 12.11.1), may only be filed to the CAS. The CAS shall also have exclusive jurisdiction over interlocutory orders and no other court or tribunal shall have authority to issue interlocutory orders.

C 13 THE ORGANISATION OF FINA

The following entities are established to govern and administer FINA:

- a) the General Congress,
- b) the Technical Congress,
- c) the Bureau,
- d) the Executive,
- e) the Judicial Panels,
- f) the Specialised Committees,
- g) the Technical Committees,
- h) the Commissions.

C 14 CONTINENTAL ORGANISATIONS

C 14.1 FINA Member Federations that belong to the same continent have formed the following Continental Organisations recognised by FINA:

- a) Confédération Africaine de Natation (CANA)
- b) Union Americana de Natacion (UANA)
- c) Asia Swimming Federation (AASF)
- d) Ligue Européenne de Natation (LEN)
- e) Oceania Swimming Association (OSA)

provided their respective constitutions comply with the conditions in FINA Rule C 14.2.

C 14.2 The constitution of Continental Organisations must be approved by the Bureau. It must not be in conflict with the FINA Rules which must prevail in case of any inconsistency. A provision to this effect must be included in the constitution. Any change must be submitted to FINA for approval.

C 14.3 FINA may in exceptional circumstances authorise a Continental Organisation to grant membership to a federation that belongs geographically to another continent and is not affiliated to the Continental Organisation on that continent.

C 14.4 Each continental organisation shall hold a general assembly at least every two years and elections every four years. FINA shall be notified of the dates and the location of general assemblies at least sixty (60) days in advance, and be provided with the minutes within sixty (60) days.

C 14.5 Championships/Games FINA Sanction/Approval

C 14.5.1 Continental, Regional Organisations, Member Federations and/or members of Member Federations (clubs)/independent organizers must, before

announcing dates and place for championships/games which they organize or sanction within their jurisdiction, seek approval by FINA. The FINA sanction shall include the following approvals:

- a) dates for the championships/games,
- b) competition programmes,
- c) doping control organization,
- d) any modifications of the FINA Rules and requirements.

C 14.5.2 The approval shall include the conditions and requirements in accordance with the FINA Rules, whilst the appointment of FINA delegate(s) shall be granted by the Executive. All Competitors must comply with FINA eligibility rules.

C 14.5.3 The championships/games shall be supervised by one or more FINA delegates. The Organising Committee of championships/games (except for continental competitions organized by the Continental Organisations) shall provide full board accommodation and travel expenses for the FINA delegate(s).

C 14.6 Continental Organisations shall:

C 14.6.1 promote the sport of Aquatics in their continents and regions in a permanent regular manner,

C 14.6.2 work closely with FINA in every domain so as to achieve the Objectives stated in the FINA Rule C 5,

C 14.6.3 organise continental, regional and international competitions in their area of jurisdiction,

C 14.6.4 where appropriate, form or encourage the formation of regional or sub-continental organizations to promote the sport of Aquatics in a manner appropriate to the conditions prevailing in their area of jurisdiction,

C 14.6.5 foster cooperation with FINA, and engage in consultative meetings to resolve matters relating to the interests of Continental Organizations and FINA,

C 14.6.6 coordinate with FINA for the promotion of Aquatics by arranging development programmes, courses, clinics and conferences,

C 14.6.7 elect their own President and *board* members at least every four (4) years, with nominations for these positions emanating from the respective Member Federations.

C 15 GENERAL CONGRESS

C 15.1 The General Congress is the highest authority of FINA and shall have the power to decide upon any matters arising in FINA. Decisions by the Technical Congress may be overruled by the General Congress. The Bureau may decide to submit to the General Congress proposals relating to Technical Rules as well as other proposals.

C 15.2 The General Congress is held either as an Ordinary General Congress or as an Extraordinary General Congress. *A General Congress may be held in person, by teleconference, by video-conference or by another means of communication.*

C 15.2.1 The Ordinary General Congress shall be held every two (2) years at the site on the occasion of the FINA World Championships. FINA shall inform the Members not later than six (6) months ahead of the exact date of the Congress. FINA shall send an invitation to all Members, together with the agenda, reports (C 15.10.5 and C 15.10.6 below) and duly submitted motions and applications at least two (2) months prior to the date of the Congress.

C 15.2.2 An Extraordinary General Congress shall be convened either by a decision of the Bureau or if one-third (1/3) of the Members requests it in writing. The request shall specify the items for the agenda. The Congress shall be held within three (3) months of receipt of such request. The Bureau shall fix the date and place of the Extraordinary General Congress. The call including the agenda shall be made in writing at least one (1) month before the date of the Congress by the Executive Director. The agenda of an Extraordinary Congress may not be altered.

C 15.3 The General Congress of FINA shall consist of:

C 15.3.1 Members entitled to vote each, Member represented by two (2) duly appointed delegates. Each delegate shall have one (1) vote, provided, however, where a Member is represented by only one (1) delegate, such delegate shall be entitled to two (2) votes. Notice of the appointment of delegates, certified in writing by the Member they represent, must be lodged with the Executive Director at least thirty (30) days prior to the commencement of the General Congress. A Member may have no more than two (2) delegates present at the General Congress,

C 15.3.2 the Athletes Committee represented by up to seven (7) members of the Athletes Committee with each member present having one (1) vote,

C 15.3.3 all members of the Bureau without vote,

C 15.3.4 the Honorary Life President and the Immediate Past President, each without vote,

C 15.4 A Member may appoint delegates in accordance with FINA Rule C 15.3.1 to participate and vote in a General Congress provided that:

C 15.4.1 it has paid all membership fees due to FINA; and

C 15.4.2 during the preceding twelve (12) months it has participated in at least one International Aquatics Competition (the FINA World Championships, other FINA Competitions, continental Competitions, regional Competitions or other international Competitions); and

C 15.4.3 it is not suspended.

C 15.5 Members shall only be represented by delegates. Delegates shall be representatives of the Member or otherwise have a function in the Member's organization

or to be affiliated to the Member (i.e. be an officer of the Member, individual member of the Member etc.). A delegate may represent only one (1) Member.

C 15.6 Continental Organisations as listed in FINA Rule C 14 may appoint up to two (2) representatives who may attend the General Congress as observers.

C 15.7 The President of FINA, or in his or her absence the First Vice President, the second Vice-President, or a Vice-President or a Bureau Member designated by the Bureau or any other person appointed by the Congress shall preside over the General Congress. Upon proposal of the President of FINA the conduct of the Congress may be delegated to another person. Such delegation must take place when the President is a candidate during the election. On the occasion of elections of the FINA President, during the election, the chair of the meeting shall be handed to a person who is not a candidate.

C 15.8 The General Congress may, in order to reward exceptional merit in or service for the advancement of international Aquatics, elect an Honorary Life President, who shall be a member of the Bureau without vote. All existing Honorary Members will finish their term with the occasion of the General Congress 2021. The Honorary Members who serve their third term will be allowed to be elected for one (1) more four-year term with the occasion of the General Congress 2021.

C 15.9 The General Congress has a quorum if more than half of the Members are represented. If a quorum is not present at the previously announced opening time of the Congress, the meeting shall not open until one hour later, at which time the quorum shall not be fewer than fifty (50) Members. Decisions by the General Congress are made on vote of a majority of those Members present and voting.

C 15.10 At each Ordinary General Congress the following items shall be included on the agenda:

C 15.10.1 verification of quorum

C 15.10.2 address by the President

C 15.10.3 appointment of scrutineers amongst the attendants (outside active Bureau members),

C 15.10.4 approval of the agenda

C 15.10.5 report of the Bureau on its activities since the previous General Congress presented by the President,

C 15.10.6 *presentation of the financial report of the Treasurer, presentation of the report of the Audit Committee, presentation of the report of the External Auditors, and approval of the FINA Financial Statements presenting two (2) fiscal years,*

C 15.10.7 approval of the budget (financial projection) for two (2) years,

C 15.10.8 proposals for changes and amendments of the FINA Constitution, Code of Ethics, General Rules, Facilities Rules, Medical Rules and Doping Control Rules,

C 15.10.9 release of responsibility and liability of the President and other Bureau Members,

C 15.10.10 election of Bureau members in accordance with C 17.5 and Officers in accordance with C 17.6 and Honorary positions in accordance with C 15.8 (if applicable),

C 15.10.11 election of Ethics Panel members in accordance with C 24 (if applicable),

C 15.10.12 election of Audit Committee members in accordance with C 21.13 (if applicable), and

C 15.10.13 other business for which notice has been given.

C 15.11 Motions, applications and proposals for amendments of or addition to the FINA Rules shall be considered only if submitted by a Member or by the Bureau. All motions, applications, and proposals to be considered by the Ordinary General Congress must reach the Executive Director at least *three (3)* months prior to the *Ordinary General Congress* and must appear on the agenda given to the Members in accordance with C 15.2.1. *Motions, applications, and proposals to be considered by the Extraordinary General Congress must reach the Executive Director at least thirty-five (35) days prior to the Extraordinary General Congress and must appear on the agenda given to the Members in accordance with C 15.2.2.* On a motion of urgency approved by a three quarter (3/4) majority of Members present and voting, the Ordinary General Congress may deal with new proposals not appearing on the agenda.

C 15.12 Any amendment of or addition to the Constitution decided by the General Congress shall become effective immediately unless otherwise determined at the time of such decision. Any amendment of or addition to the other FINA Rules decided by the General Congress shall not become effective earlier than two (2) months after the decision has been made, unless otherwise decided by the General Congress.

C 16 TECHNICAL CONGRESS

C 16.1 The Technical Congress shall address and decide all technical matters concerning the competitive sport in swimming, open water swimming, diving, high diving, water polo, artistic swimming, and Masters and shall have the power to determine the Technical Rules of FINA.

C 16.2 The Technical Congress shall be convened every four (4) years, preferably on the occasion of the FINA World Championships. *A Technical Congress may be held in person, by teleconference, by video-conference or by another means of communication.* The Executive Director shall inform the Members not later than *six (6)* months ahead of the exact date of the Technical Congress. The Executive Director shall send an invitation to all Members, together with all duly submitted motions and applications at least *two (2)* months prior to the date of the meeting. The Bureau may convene an extraordinary Technical Congress. In this case, the twelve (12) months deadline does not apply.

C 16.3 The Technical Congress shall consist of:

C 16.3.1 two (2) duly appointed delegates of each Member, if the Technical Congress is divided into separate meetings for individual disciplines. If the Technical Congress is for two or more disciplines combined, each Member may however

appoint one delegate for each discipline. Notice of the appointed delegates, certified in writing by the Member they represent, must be lodged with the Executive Director at least thirty (30) days prior to the commencement of the Technical Congress. In each Technical Congress, each Member has two votes, regardless of the number of delegates.

C 16.3.2 all members of the Bureau without vote,

C 16.3.3 the Honorary Life President without vote,

C 16.3.4 all members of the respective Technical Committee without vote.

C 16.4 The President of FINA, or in his or her absence and in order of priority, the First Vice President, the second Vice-President, or a Vice-President or a Bureau Member designated by the Bureau or any other person appointed by the Congress shall preside the General Congress, shall preside the Technical Congress. Upon proposal of the President of FINA the conduct of the Congress may be delegated to another person.

C 16.5 The Technical Congress has a quorum if at least twenty (20) Members are represented.

C 16.6 At each Technical Congress the following items shall be included on the agenda:

C 16.6.1 verification of quorum,

C 16.6.2 address by the President,

C 16.6.3 appointment of scrutineers amongst the attendants (outside active Bureau members),

C 16.6.4 approval of the agenda

C 16.6.5 proposals of changes and amendments of the Technical Rules, and

C 16.6.6 other technical business for which notice has been given.

C 16.7 Motions, applications, and proposals for amendments of or addition to the Technical Rules shall be considered only if submitted by a Member or by the Bureau. All motions, applications and proposals to be considered by the Technical Congress must reach the Executive Director at least *three* (3) months prior to the Congress and must appear on the agenda given to the Members in accordance with C 16.2. On a motion of urgency approved by a three quarter (3/4) majority of Members present and voting, the Congress may deal with new proposals not appearing on the agenda.

C 16.8 Any amendment of or addition to the Technical Rules agreed upon by the Technical Congress shall not become effective earlier than two (2) months after the decision has been made unless otherwise decided by the Technical Congress.

C 17 BUREAU

C 17.1 The Bureau shall consist of twenty-six (26) voting members and members without vote as follows:

C 17.1.1 the President,

C 17.1.2 five (5) Vice Presidents one from each of the five Continents including the First Vice President and the Second Vice President,

C 17.1.3 the Treasurer, and

C 17.1.4 eighteen (18) additional members elected by the Congress

C 17.1.5 The Chair of the Athletes Committee shall further be ex officio Bureau Member with vote.

C 17.1.6 The Honorary Life President, the Immediate Past President, the Immediate Past First Vice President, and the Immediate Past Treasurer are also members of the Bureau with voice, but without vote. The Immediate Past President, the Immediate Past First Vice President, and the Immediate Past Treasurer shall stay as such.

C 17.1.7 The Bureau shall have the right to co-opt a representative from the Member where the next Olympic Games and/or World Championships will be held. This representative shall be a member of the Bureau without vote until the closing ceremony of the Olympic Games and/or World Championships in his/her country. This rule shall not apply if such a Member has already a representative in the Bureau. The Bureau may remove such co-opted Bureau member if he/she cannot fulfil the role for which he/she was appointed to.

C 17.1.8 Bureau Members shall be ex-officio members with a voting right in the bureau and the general assembly of the respective Member to which they are affiliated, or by default the member of which is citizen.

C 17.2 Members of the Bureau are not personally liable for the debts and obligations of FINA.

C 17.3 The voting members of the Bureau including the President shall be elected or confirmed by the General Congress. All the Bureau members, except the Honorary Life President, the Immediate Past President, the Immediate Past First Vice President, the Immediate Past Honorary Treasurer and the Chair of the Athletes Committee, shall be of different countries or Sport Countries. Persons not actually in attendance may be elected if a written declaration of consent is presented.

C 17.4 The newly elected Bureau shall take office at the conclusion of the FINA World Championships (50m).

C 17.5 The election of Bureau Members for a term of four (4) years shall proceed as follows:

C 17.5.1 The election of the President is the first election.

C 17.5.1.1 Each candidate must be proposed to FINA by its own National Federation four (4) months before the FINA General Congress. The candidate shall have played an active role in aquatics (e.g. as athlete or official within FINA, a Continental Organisation or a Member, etc.) for at least ten (10) years before being proposed as candidate.

C 17.5.1.2 Candidates are subject to an eligibility check by FINA Ethics Panel. No candidate is allowed to carry out any type of campaign before such check has been performed.

C 17.5.1.3 The campaign of any candidate for the office of FINA President must be conducted in dignified manner and in accordance with FINA Rules. Violation of the above may lead to the removal of the candidate. A decision in this respect is made by the FINA Ethics Panel.

C 17.5.1.4 Candidates for the position of President cannot apply for any other position within the Bureau. The elected President is considered within the number of Bureau Members elected upon proposal of their respective Continental Organisations pursuant to FINA Rule C 17.5.2. Therefore, the Continental Organisation who has a candidate shall provide another candidate for the Bureau in case of the non-election of its candidate for the position of President. Accordingly, the number of Bureau Members who can be elected for the continent of the elected President is reduced by one.

C 17.5.2 Election of seventeen (17) members to be elected by the General Congress in accordance with the elections of their respective Continental Organisations. They shall be elected to provide the following geographical representations, taking into account that the President is counted in the below numbers:

- a) four (4) from Africa,
- b) four (4) from America,
- c) four (4) from Asia,
- d) four (4) from Europe,
- e) one (1) from Oceania.

The Continental Organisations shall inform the Executive Director in writing of the names of their *respective nominated candidates at least four (4) months before FINA General Congress*. As a condition the candidates must be supported by their own National Federation. The candidates shall be subject to eligibility checks by the FINA Ethics Panel prior to their appointment by the *FINA* General Congress. Only candidates nominated by the respective Continental Organisations can be nominated for election by the FINA General Congress.

C 17.5.3 Another eight (8) members shall be elected from the world at large, not exceeding one (1) from Africa, two (2) from Asia, one (1) from Oceania, two (2) from the Americas and two (2) from Europe.

For this election, candidates must be nominated in writing to FINA through the Executive Director at least four (4) months before the Congress by the Member Federation to which they are affiliated. Candidates are subject to eligibility checks to be performed by the Ethics Panel.

C 17.6 The General Congress shall elect from among the seventeen (17) voting Bureau Members elected in accordance with C 17.5.2:

C 17.6.1 Five (5) Vice Presidents who shall be elected on the basis of continental representation, one (1) for each of the continents of Africa, America, Asia, Europe, and Oceania. At the election of the Vice Presidents, only the candidates for the position of the Vice President from their respective continents shall be presented to the Congress for ratification. The Continental Organisations shall inform the FINA Executive Director of the name of the elected Vice President by the Continental Congress in writing at least four (4) months *prior to the FINA General Congress*. Only candidates proposed by the respective Continental Organisations can be presented for election by the General Congress.

C 17.6.2 The First Vice President shall be designated from among the newly elected five Vice Presidents;

C 17.6.2.1 The five Vice Presidents shall propose to the Congress one (1) candidate for the position of the First Vice President. This candidate shall be approved by the Congress by a majority vote. In the event, the candidate does not obtain a majority of votes, the Vice Presidents shall present another candidate to the Congress.

C 17.6.2.2 The President, the First Vice President and the Second Vice-President must be from different Continents

C 17.6.3 the Second Vice President from among the remaining four (4) Vice Presidents;

C 17.6.3.1 The five (5) Vice Presidents shall propose to the Congress one candidate for the position of the Second Vice President. This candidate shall be approved by the Congress. In the event the candidate does not obtain a majority of votes, the Vice Presidents shall present another candidate to the Congress.

C 17.6.4 the Treasurer

C 17.6.4.1 Candidates for the position of Treasurer shall be nominated by Members in writing to the Executive Director from amongst the eligible candidates (i.e. candidates for election in accordance with FINA Rule 17.5.2) at the latest *four (4)* months before the General Congress. Only Bureau Members elected in accordance with FINA Rule 17.5.2 and who are not elected Vice- President can be maintained for election as Treasurer by the Congress.

C 17.6.5 *Notification of the candidatures*

The Executive Director shall notify to all FINA Members and Continental Organisations the candidates for the President, Vice Presidents, Bureau members and Treasurer's positions at least two (2) months prior to the FINA General Congress

C 17.7 The Executive shall consist of up to nine (9) members: the President, the First Vice President, the Second Vice President, the Treasurer, the three (3) other Vice Presidents, the Immediate Past President and one (1) more Bureau member to ensure continental representation as per FINA Rule C 17.5.3.

The Executive is responsible for:

- a) monitoring establishment and implementation of the annual business plan and the long-term strategic plans defined and approved by the Bureau;
- b) being the interface between the Bureau and the management of FINA, in particular the Executive Director and the FINA Office and the management,
- c) dealing with critical issues which may impact on the outcomes of the strategy defined by the Bureau and matters requiring immediate attention between meetings of the Bureau;
- d) issuing decisions on the application of FINA Rules, in cases which are not delegated to a specific body (e.g. presently the Doping Panel, the Disciplinary Panel or the Ethics Panel).

C 17.8 The Bureau members can be elected for a maximum of three (3) full terms with any period of time served before 2015 to be disregarded in calculating the number of full terms that a person has served as a Bureau member. The President can be elected for a maximum of three (3) full terms as President irrespective of terms served before as Bureau member.

C 17.9 If the President, the First Vice President, the Second Vice President and/or the Treasurer are not elected for a second period in their previous post or not elected for other posts, they shall remain as members of the incoming Bureau, without vote, as Immediate Past President, Immediate Past First Vice President, Immediate Past Second Vice President and Immediate Past Treasurer.

C 17.10 Vacancies:

C 17.10.1 Any vacancy in the office of President shall be filled by the First Vice President until election of a new President at the next Ordinary General Congress. If such Congress is not an Ordinary General Congress at which full Bureau elections are to take place, the President shall be elected for a reduced term expiring at the next Ordinary General Congress with full Bureau election. This reduced term does not count as part of "full term" as per FINA Rule C 17.8.

C 17.10.2 Any vacancy in the office of the First Vice President for any reason including substitution of the President pursuant to FINA Rule C 17.12 shall be filled by the Second Vice President until the next Ordinary General Congress at which either elections of a complete Bureau are to be held if such elections were to take place at the end of a 4 years term or, alternatively, complement elections are to be held to fill in only the missing positions until for the remainder of the term.

C 17.10.3 Subject to the previous paragraphs, the Bureau shall have the authority to fill any vacancy in the position of second Vice-President, Treasurer or any other vacancy in the Bureau occurring in respect of any Member of the Bureau elected in accordance with FINA Rule C 17, subject to observance and preservation of the balance in the geographical representation as set out in FINA Rule C 17.6 and in consultation with the respective Continental Organisation. The substitution shall be in effect until the next Ordinary General Congress at which either elections of a complete Bureau are to be held if such elections were to take place at the end of a

four (4) years term or, alternatively, complement elections are to be held to fill in only the missing positions until for the remainder of the term.

C 17.11 If a Bureau member has been absent from two (2) meetings without reasons acceptable to the Bureau, the Bureau shall have the right to declare that such a Member has forfeited his or her membership. The Bureau may then fill the vacancy in accordance with FINA Rule C 17.12.

C 17.12 Members of the Bureau shall serve until their successors are elected and take office.

C 17.13 Rights and duties of the Bureau shall include the following:

C 17.13.1 to discuss and make decisions on all matters assigned to the Bureau by the Congresses,

C 17.13.2 to interpret and enforce the FINA Rules,

C 17.13.3 to issue by-laws,

C 17.13.4 to issue administrative directives, including notably but without limitation in regard to time and manner of payment of any financial obligations,

C 17.13.5 to issue and publish regulations for competitions organized or sanctioned by FINA,

C 17.13.6 to decide and take action on any matter pertaining to the affairs of FINA,

C 17.13.7 to submit proposals to the General Congress,

C 17.13.8 to decide on FINA awards,

C 17.13.9 to make decisions in case of emergency and in any situation in which no other FINA body may act,

C 17.13.10 to approve the title of international referee, starter, or judge on presentation of candidates certified by the FINA Technical Committees. These titles are to be awarded to the swimming, open water swimming, diving, high diving, water polo, and artistic swimming referees, starters, and judges who have received satisfactory marks for their officiating at major international competitions,

C 17.13.11 to establish rules of order for the meetings of the General Congress, Technical Congress, Bureau, Committees, etc., in compliance with the FINA Constitution,

C 17.13.12 to determine the dates and sites of World Championships and other FINA competitions and to organise and control all swimming, open water swimming, diving, high diving, water polo, and artistic swimming competitions at the Olympic Games, World Championships, and other FINA competitions,

C 17.13.13 to appoint and instruct the FINA Committees in accordance with FINA Rule C 19 as well as to control their activities,

C 17.13.14 to appoint delegates to the Olympic Games, World Championships, other FINA competitions, and other international competitions. The Organising

Committee must guarantee proper accreditation. The responsibilities of the delegates are to observe the organisation and to report back to the Bureau,

C 17.13.15 to appoint the Executive Director, and if applicable, the deputies Executive Directors on proposal of the President. The Executive Director shall attend all FINA meetings. The Executive Director shall be an ex officio member of the Bureau without vote. The Executive Director shall manage the FINA Office,

C 17.13.16 to define FINA's mission, strategic direction, policies and values, in particular, with regard to the organisation and development of Aquatic sports at worldwide level and all related matters,

C 17.13.17 to oversee the overall management of FINA by the Executive Director,

C 17.13.18 to approve the annual budget and annual audited *FINA Financial Statements*, prepared by the *FINA Office*, under the supervision of the Treasurer and reviewed by the Audit Committee,

C 17.13.19 to appoint the chairpersons, deputy chairpersons and members of the committees with the exception of those who are elected by the Congress or by the Athlete Committee, in accordance with this Constitution, as well as to control their activities,

C 17.13.20 to propose to the Congress for election the chairpersons and members of the Ethics Panel and of the Audit Committee.

C 17.14 The Bureau is not authorised to make any changes in the Constitution, General Rules, Technical Rules, Code of Ethics, Facilities Rules, Medical Rules and Doping Control Rules.

C 17.15 Bureau and Executive meetings

C 17.15.1 The Bureau shall meet as required, and at least twice a year. In principle meetings of the Bureau are held at FINA headquarters or on the occasion of FINA World Championships. The FINA Executive shall meet as, when and where required.

C 17.15.2 The President shall convene meetings of the Bureau and provide an agenda at least seven (7) days in advance by way of letter and/or email. The President must convene a meeting if such is requested by at least thirteen (13) Bureau Members. Meetings of the Executive may be convened at any time by the President,

C 17.15.3 The Executive Director shall attend all the Bureau and Executive meetings without vote. The President may, from time to time invite other persons to attend meetings of the Executive or of the Bureau as appropriate to provide specialized knowledge or specific information.

C 17.15.4 A quorum of thirteen (13) members and respectively five (5) members applies for Bureau and respectively Executive meetings.

C 17.15.5 The Bureau and Executive may issue decisions by circulation.

C 17.15.6 Decisions are made by majority. At meetings, a decision is deemed adopted when it obtains the majority of the votes of the Members present. Decisions by circulation are deemed adopted when they obtain the majority of the votes of the Bureau, respectively the Executive Members.

C 17.15.7 Deliberations of the Bureau and Executive are confidential. Bureau Members shall keep strictly confidential any information or documentation they receive in connection with their function as Bureau Members.

C 17.15.8 The travel and hotel expenses of the Bureau members when travelling to meetings or otherwise on missions on behalf of FINA shall be paid by FINA.

C 18 RIGHTS AND DUTIES

C 18.1 The principal elected officer of FINA shall be the President.

C 18.2 The President shall inter alia have the following roles and duties:

C 18.2.1 to chair Congresses and Bureau and Executive meetings

C 18.2.2 to represent FINA in all dealings with the International Olympic Committee (IOC) and the Association of Summer Olympic International Federations (ASOIF) and any other relevant international organizations,

C 18.2.3 to evaluate the performance of the Executive Director and make an annual report to the Bureau in this regard,

C 18.2.4 to be an ex officio member of all FINA Committees and commissions,

C 18.2.5 to create any task force or working group deemed necessary or advisable to address any urgent situation,

C 18.2.6 to maintain relations with the Continental Organisations, Members, FINA Committees and commissions.

C 18.2.7 *to take any action or make any decision on behalf of FINA when circumstances prevent it from being taken or made by the Congress, Bureau or Executive. Such action or decision must be submitted promptly for ratification by the competent body.*

C 18.3 The First Vice President shall have the following roles and duties:

C 18.3.1 in the absence of the President, to chair Congresses, Bureau and Executive meetings,

C 18.3.2 in the absence of the President, to represent FINA at FINA Competitions, ceremonies or other activities requiring the presence of the highest FINA authority.

C 18.3.3 Generally to act as substitute when the President cannot act or be present.

C 18.4 The Second Vice President shall have the following roles and duties:

C 18.4.1 in the absence of the President and the First Vice President to chair Congresses and Congresses, Bureau and Executive meetings,

C 18.4.2 in the absence of the President and of the First Vice-President, to represent FINA at FINA Competitions, ceremonies or other activities requiring the presence of the highest FINA authority.

C 18.4.3 Generally to act as substitute when the President and the First Vice-President cannot act or be present.

C 18.5 The Treasurer shall have the following roles and duties:

C 18.5.1 chair the Finance Committee,

C 18.5.2 fulfill the obligations as specified in FINA Rule C 25,

C 18.5.3 be responsible for the financial planning of FINA,

C 18.5.4 supervise the current amount of income and expenditure, and

C 18.5.5 draw up the general two (2) year and detailed yearly budget together with the *FINA Office* and present the two (2) year budget to the Ordinary General Congress *in accordance with C 15.10.7*.

C 18.6 The FINA Office shall carry out all the administrative work of FINA under the direction of the Executive Director, in accordance with the policies set by the Bureau and Executive.

C 18.7 The Executive Director shall be appointed on the basis of an agreement governed by the Swiss law. The agreement shall be executed on behalf of FINA by the President.

C 18.8 Candidates for the function of Executive Director, and if applicable, deputy Executive Director(s) who may substitute the Executive Director in case he or she becomes unavailable shall be subject to eligibility checks by the Ethics Panel.

C 18.9 The Executive Director shall be responsible for:

C 18.9.1 implementing decisions passed by the Congresses, the Bureau and the Executive under the supervision of the President;

C 18.9.2 properly managing and keeping the accounts of FINA under the supervision of the Treasurer;

C 18.9.3 negotiating or overseeing the negotiation of all major contracts on behalf of FINA in consultation with the members of the Executive;

C 18.9.4 compiling the minutes of the meetings of the Congress, of the Bureau and Executive, and of the Committees;

C 18.9.5 issuing FINA's correspondence;

C 18.9.6 overseeing of the operations of the FINA Office and, where appropriate, taking such measures as may be deemed necessary for the proper administration of FINA. The Executive Director shall periodically report to the Bureau in this regard;

C 18.9.7 appointing and dismissing staff working in the FINA Office in consultation with the President; and

C 18.9.8 signing decisions on behalf of any FINA Committee, unless another solution is specifically provided;

C 18.9.9 establishing the agenda of the FINA Committees in co-ordination with the respective Chairs of the Committees.

C 18.10 The Vice-Presidents representing the Continental Organisations shall be responsible for:

C 18.10.1 ensuring the coordination between their Continental Organisation and the Executive and FINA Office with respect to all Aquatic activities within their continents,

C 18.10.2 assisting the Executive and the FINA Office to further the goals of FINA with the Continental Organisations and with the Members from the respective continents, and

C 18.10.3 assisting the President in his or her duties as may be requested from time to time by the President.

C 19 COMMITTEES

C 19.1 FINA shall have Technical Committees, Specialised Committees and Judicial Panels.

C 19.1.1 The Technical Committees are:

- a) the Swimming Committee consisting of fifteen (15) members,
- b) the Open Water Swimming Committee consisting of fifteen (15) members,
- c) the Diving Committee consisting of fifteen (15) members,
- d) the High Diving Committee consisting of fifteen (15) members,
- e) the Water Polo Committee consisting of fifteen (15) members,
- f) the Artistic Swimming Committee consisting of fifteen (15) members,
- g) the Masters Committee consisting of fifteen (15) members.

C 19.1.2 The Specialised Committees are:

- a) the Sports Medicine Committee consisting of eight (8) members,
- b) the Doping Control Review Board (DCRB) consisting of eight (8) members,
- c) the Athletes' Committee, *constituted in accordance with the FINA By Laws*,
- d) the Coaches Committee consisting of up to twenty-four (24) members, which shall have six sub-committees, one for each discipline of diving, high

diving, swimming, artistic swimming, open water swimming and water polo. Each sub-committee shall consist of at least three (3) coaches from the respective discipline for that sub-committee,

- e) the Finance Committee consisting of up to four (4) members,
- f) the National Federation Relations Committee consisting of up to five (5) members,
- g) the Development Committee consisting of up to five (5) members,
- h) the Legal Committee consisting of up to five (5) members,
- i) the Media Committee consisting of up to ten (10) members,
- j) the Awards Committee consisting of up to five (5) members,
- k) the Marketing Committee consisting of up to four (4) members,
- l) the Swimwear Approval Committee consisting of up to five (5) members,
- m) the Facilities Committee consisting of up to five (5) members,
- n) the Audit Committee consisting of up to three (3) members.

C 19.1.3 The Judicial Panels are:

- a) the Doping Panel consisting of six (6) members,
- b) the Disciplinary Panel consisting of six (6) members,
- c) the Ethics Panel consisting of six (6) members.

C 19.2 The Bureau shall be entitled to nominate any kind of ad hoc committee or working commission as deemed appropriate.

C 19.3 *Unless otherwise expressly provided for by the FINA Rules, the members of the Technical Committees and of the Specialised Committees shall be appointed and dismissed by the Bureau.*

C 19.4 At its first meeting following a full Bureau election, the Bureau shall review the composition of all Technical Committees and Specialised Committees and either reconfirm their existing members and/or appoint new members, subject to the approval of the Member Federation to which each appointee is affiliated. Members appointed for a committee shall be from different Member Federations. The Bureau, may appoint to the Specialised Committees additional members who are experts in the area for which this committee has been established irrespective of the foregoing rule.

C 19.5 FINA Committee members shall serve at the discretion of the Bureau. They can be dismissed at any time. They may be appointed for such number of successive terms as considered appropriate by the Bureau. The chair of each of the Technical and the Specialised Committees, except for the Sports Medicine Committee and DCRB, shall however be appointed for a maximum of three (3) terms.

C 19.6 Members may nominate persons for consideration for appointment to a FINA Committee by providing notice of such nomination in writing, signed by the president of such Member, prior to the commencement of the General Congress.

C 19.7 Nominated persons shall be:

C 19.7.1 in the case of a Technical Committee, those who are recognised experts in the respective discipline, capable of, and interested in, actively and regularly attending the meetings of such Technical Committee;

C 19.7.2 in the case of the Sports Medicine Committee, those who are qualified sports medicine physicians in active practice or academic positions with experience with Aquatic athletes and are capable of, and interested in, actively and regularly attending the meetings of the Sports Medicine Committee; and

C 19.7.3 in the case of any other FINA Committees, those who are knowledgeable in and skilled in the area for which the committee has been established, capable of, and interested in, actively and regularly attending the meetings of such committee.

C 19.8 From the members appointed to the Technical Committees, the Coaches' Committee, the Media Committee and the Sports Medicine Committee, the Bureau shall appoint a Chair, a Vice-Chair and an Honorary Secretary for each such FINA Committee. Together with the Bureau Liaison, they shall form a sub-committee of the respective Committees.

C 19.9 The Committees shall meet whenever there is business to be transacted, all meetings being subject to the approval of the Bureau.

C 19.10 The absolute majority of members (50% plus one member) shall form a quorum at any meeting of a FINA Committee.

C 19.11 Where a member of any Committee has been absent from two consecutive meetings without reasons acceptable to the Bureau, the Bureau shall have the right to declare that such a member has forfeited his or her membership. The Bureau according to C 19.3, C 19.11 and BL 5 shall then fill the vacancy.

C 19.12 The Bureau shall have the authority to fill any vacancy which occurs through death, resignation or removal of any member of the Technical Committee, Specialised Committee or Judicial Panel.

C 19.13 For any FINA Committee, the Bureau may appoint a Bureau member who shall serve as ex officio to the FINA Committee and ensure necessary communication between the Bureau and the committee. This person shall be known as the Bureau Liaison. The Bureau Liaison shall have the obligation to participate in the committee's meetings and discussions and fairly and accurately reporting the activities and decisions of the committee to the Bureau. The Bureau Liaison shall be an advocate for the Committee's position regardless of his or her personal views.

C 19.14 All recommendations or decisions made by any FINA Committee, except decisions of the Judicial Panels, require the approval of the Bureau before becoming effective.

C 20 POWERS AND DUTIES OF THE TECHNICAL COMMITTEES

The powers and duties of the Technical Swimming, Open Water Swimming, Diving, High Diving, Water Polo, Artistic Swimming and Masters Committees are:

C 20.1 to analyse the requirement for improvements of the Technical Rules for Swimming, Open Water Swimming, Diving, High Diving, Water Polo, Artistic Swimming and Masters, as applicable, and to consider corresponding amendments of the Technical Rules as well as proposals for such amendments received from Members. A recommendation to amend of the Technical Rules shall be supported by a two third (2/3) majority to be submitted to the Bureau.

C 20.2 to consider and decide upon any matter affecting their particular responsibility, which may be referred to them by the Bureau or the General or Technical Congress,

C 20.3 to appoint sub committees, if required, to investigate, study, and recommend to the parent committee any matters referred to such subcommittee. The members of a subcommittee may be persons selected from outside the parent committee membership,

C 20.4 to investigate, study, and recommend on matters dealing with standard equipment and specifications of competitive pools for Olympic Games or international competitions,

C 20.5 to evaluate and make recommendations regarding candidates, nominated by Members, for the title of international referee, starter or judge to be selected by the Bureau,

C 20.6 to appoint one or more of its members to report on the qualifications of any person recommended as an international referee, judge, or starter and to report periodically on the continued qualifications of referees, judges, or starters on the existing list,

C 20.7 to receive and report to the Bureau any complaint made by referees regarding misconduct of individuals in international competitions and to make recommendation thereon,

C 20.8 to take part in the technical preparations and in the conduct of the competitions in their discipline at the Olympic Games, World Championships and other FINA competitions,

C 20.9 The Bureau shall ensure participation of the committees in the preparation of the meetings of the Bureau with regard to such tasks that fall within their areas of responsibility. For that purpose, they shall have the right to submit reports, suggestions, recommendations and comments. The Chair or authorised members of the Committee may be heard at the meeting of the Bureau on the respective issue.

C 20.10 to control all technical equipment and installations prior to and during the event,

C 20.11 to make rosters for officials, and

C 20.12 to investigate cases of protest as preparation for the Jury of Appeal.

C 21 POWERS AND DUTIES OF THE SPECIALISED COMMITTEES

C 21.1 The composition, specific duties and powers of the individual committees shall be stipulated *in the FINA By Laws* or in special organisation regulations.

C 21.2 Each FINA Committee may propose amendments to its regulations to the Bureau.

C 21.3 Doping Control Review Board (DCRB)

C 21.3.1 The Doping Control Review Board (DCRB) shall consist of eight persons appointed by the Bureau. A majority of the members of the DCRB shall be either physicians licensed in internal medicine, endocrinology, clinical pharmacology or sports medicine, with experience in antidoping practices or analytical chemists with experience in WADA accredited laboratories or their equivalent.

C 21.3.2 A person may not serve on the DCRB if he or she has any other responsibilities for FINA.

C 21.3.3 The Bureau shall appoint a chair of the DCRB from among the members of the DCRB.

C 21.3.4 The DCRB may act by majority vote or through responsibilities delegated by majority vote to a particular member or members of the DCRB.

C 21.3.5 The DCRB may review and make recommendations to the Bureau regarding FINA's doping control programme and may make proposals for additions or amendments to the Doping Control Rules for consideration by the Congress. The DCRB should also approve the Therapeutic Use Exemptions on behalf of FINA in accordance with the FINA Doping Control Rules and WADA Code.

C 21.4 Sport Medicine Committee

C 21.4.1 The Sport Medicine Committee shall deal with all medical aspects of all Aquatic disciplines.

C 21.4.2 The powers and duties of the Sports Medicine Committee are:

- a) to provide medical and sport science expertise to the Bureau and to give recommendations on any matter regarding sport science,
- b) to consider the development of the medical, sanitary, and medical control rules and to submit proposals for legislation to the Bureau,
- c) to give recommendations on any matter regarding conditions of health in the practice of swimming, open water swimming, diving, high diving, water polo, artistic swimming and Masters, and
- d) to assess the availability of appropriate medical care for FINA athletes and Officials at FINA Competitions.

C 21.5 Athletes' Committee

C 21.5.1 The powers and duties of the Athletes' Committee are:

- a) to bring input of athletes' experience to the organization of FINA World Championships,
- b) to collaborate in the Technical Rules proposals and amendments for each discipline, and
- c) with the occasion of FINA World Championships, to be in contact with participating athletes and bring forward their suggestions and remarks.

C 21.5.2 The representative of the Athletes Committee shall participate in the Technical Committee meeting in disciplines where he/she is specialized.

C 21.5.3 The Chair of the Athletes' Committee as an ex officio member of the Bureau shall provide perspective on the athlete experience as required.

C 21.6 Coaches Committee

C 21.6.1 The powers and duties of the Coaches Committee are:

- a) in coordination with the Development Committee, to fulfil FINA development programme requirements,
- b) to participate in the Coaches Certification programme for each discipline,
- c) to bring the coaches experience and requirements with occasion of FINA Competitions to the respective Management Committee of the event,
- d) to be in contact with and bring forward recommendations and proposals from the coaches around the world, and
- e) to advise on any proposal or amendments to Technical Rules for each discipline.

C 21.7 Finance Committee

C 21.7.1 The Finance Committee shall be proposed by the President and approved by the Bureau. The Finance Committee shall be chaired by the Treasurer and may include such other members as the Bureau may deem particularly suited to contribute to oversight of the financial affairs of FINA by virtue of their relevant financial expertise and experience.

C 21.7.2 The Finance Committee shall:

- a) set a global compensation and benefits policy within FINA;
- b) review the total compensation of the functions of President, Treasurer, members of the Bureau and the Executive, Chair of the Committees (Technical Committees, Specialized Committees and Judicial Panels);
- c) evaluate the performance of the top management of FINA compared with agreed goals and objectives and review the total compensation of the top management of FINA.

C 21.8 National Federations Relations Committee

C 21.8.1 The powers and duties of the National Federations Relations Committee are:

- a) to deal with any issue concerning the autonomy of FINA Members,
- b) to send delegates if requested by the Executive when there is a violation of FINA Rules, especially when interference of other parties in the autonomy of FINA Members occurs, and
- c) to make proposals on rules and regulations related to the FINA Members' autonomy and independence.

C 21.9 Media Committee

C 21.9.1 The powers and duties of the Media Committee are:

- a) to offer guidance and advice to the FINA Communications Department, particularly in relation to the organisation of major competitions,
- b) to assist the FINA Communications Department in reaching and staying in contact with a network of journalists around the world who cover aquatic sports,
- c) to assist the Organising Committees of FINA competitions in order to ensure the best possible facilities for journalists, photographers and other media personnel as per FINA regulations,
- d) to advise the FINA Communications Department in what services and information are required by the media worldwide and in what formats and platforms the media are most likely to wish to receive information,
- e) to assist in updating and implementing the FINA Media Guide for FINA competitions, and
- f) to offer advice to the FINA Communications Department on the best way to promote FINA and the image of its Aquatic sports throughout the world.

C 21.10 Legal Committee

C 21.10.1 The powers and duties of the Legal Committee are:

- a) to provide legal expertise to the Bureau and to give recommendations regarding legal matters whenever needed,
- b) to assist the Bureau, FINA Committees and the commissions in drafting amendments to the Constitution, FINA Rules and regulations,
- c) to conduct administrative reviews regarding whereabouts violations referred to the Legal Committee,
- d) to advise, if necessary, on matters referred to CAS by FINA, and
- e) to advise, if necessary, on agreements between FINA and third parties.

C 21.11 Swimwear Approval Committee (SAC)

C 21.11.1 The FINA SAC executes the process of swimwear approval according to the FINA Rules in force; it follows and studies the development of the swimwear.

C 21.11.2 The FINA SAC shall consist of five (5) persons representing the five continents appointed by the Bureau. The members shall have knowledge about the sport equipment, of sport in general and the aquatics sport in particular. At least one (1) of them shall also have knowledge in material science specifically in fabrics and/or polymers. At least one of the members of the committee shall have legal training and experience. Alternatively, the committee may receive support from an ad hoc designated legally trained person.

C 21.11.3 The Bureau shall appoint one (1) of the members to be Chair.

C 21.11.4 In principle the committee shall have a meeting at least once per year (upon submission of the swimwear for approval).

C 21.12 Facilities Committee

C 21.12.1 The powers and duties of the Facilities Committee are:

- a) to advise on aquatic venues (swimming pools) design in accordance with the FINA Facilities Rules.

C 21.13 Audit Committee

C 21.13.1 The FINA Audit Committee shall consist of three (3) persons elected by the Congress based on the recommendation of the Bureau. The members shall be experts in auditing and financial statement matters. The Audit Committee shall be fully independent to be able to carry out its assurance role effectively.

C 21.13.2 The powers and duties of the Audit Committee are:

- a) to execute efficient financial controls and review the *FINA Financial Statements*, budget and the *External Auditors' report* ;
- b) to assist the governing bodies in monitoring FINA's financial and compliance matters;
- c) to liaise with *the External Auditor*;
- d) to conduct risk management;
- e) to review the quality of the internal control system.
- f) *to advise the Bureau for the approval at the Congress of the appointment, re-appointment or termination of the term of office of the External Auditors.*

C 21.14 FINA Electoral Commission

C 21.14.1 The FINA Electoral Commission is established to oversee the electoral process and have the final decision for the office of FINA president, FINA Vice-presidents and FINA Bureau members. It supervises the manner in which the candidates carry out their campaigns, i.e. that they are conducted in a fair and reputable manner, in full compliance with FINA Constitution and regulations. The FINA Bureau will nominate the independent members of the Electoral Commission.

C 22 DOPING PANEL

C 22.1 The Doping Panel shall consist of six (6) persons. No two members of the Doping Panel shall be from the same country or Sport Country. Members of the Doping Panel shall serve for a period of four (4) years, or until their successors are appointed.

C 22.2 Members shall nominate persons for consideration for appointment to the Doping Panel by providing notice of such nomination in writing, signed by the President of the Member, to the Executive Director at least two (2) months prior to the commencement of the General Congress.

C 22.3 Members shall nominate persons for consideration for appointment to the Doping Panel *by taking into consideration their requisite anti-doping experience including their legal, sports, medical and/or scientific expertise. Members must also speak fluent English or French.*

C 22.4 Members of the Doping Panel shall be appointed by the Bureau at its first meeting following its election. The appointment of the members of the Doping Panel shall be made in accordance with applications received from individuals nominated by a Member.

C 22.5 Members of the Doping Panel may be appointed for such number of successive terms as considered appropriate by the Bureau.

C 22.6 On the proposal by the President, the Bureau shall appoint one of the members of the Doping Panel to be Chair.

C 22.7 *Members of the Bureau, a Technical Committee, Specialised Committee or other Judicial Panel, Board members, staff members, commission members, consultants and officials of FINA or its affiliates (e.g. Member Federations or Continental Organisation), as well as any Person involved in the investigation and pre-adjudication of the matter, cannot be appointed as members and/or clerks (to the extent that such clerk is involved in the deliberation process and/or drafting of any decision) of the Doping Panel.*

C 22.8 *The responsibilities and procedures of the Doping Panel shall be as described in the FINA Doping Control Rules and the FINA Doping Panel Procedural Rules.*

C 23 DISCIPLINARY PANEL

C 23.1 The Disciplinary Panel shall consist of six (6) persons. No two members of Disciplinary Panel shall be from the same country or Sport Country. Members of the Disciplinary Panel shall serve for a period of four (4) years or until their successors are appointed.

C 23.2 At least three (3) members of the Disciplinary Panel shall also have legal training and experience. Members of the Disciplinary Panel shall be appointed by the Bureau at its first meeting following its election. On the proposal by the President, the Bureau shall appoint one (1) of the members of the Disciplinary Panel to be Chair.

C 23.3 The Chair of the Disciplinary Panel shall appoint three (3) persons from the Disciplinary Panel of whom at least one (1) shall have legal training to adjudicate all matters before it. In cases where the Chair of the Disciplinary Panel and the other party respectively the other parties agree, a sole member of the Disciplinary Panel may hear and decide the matter, such member must have legal training. No member of the Disciplinary Panel shall be appointed to a specific case when he or she is a citizen of the country of the competition suspected of violating FINA Rules.

C 23.4 The Disciplinary Panel shall conduct hearings and impose sanctions in all disciplinary cases originating from violations of any FINA Rules (except matters regarding doping control FINA Rule C 12.6) referred to it by the Executive. The sanctions determined by the Disciplinary Panel are limited to those described in C 12.2 of the FINA Constitution.

C 23.5 The hearings of the Disciplinary Panel 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, with no expense to FINA;
- 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 FINA; and
- h) The right to a timely, written, reasoned decision; specifically, including an explanation of the reason(s) for any period of suspension.

C 24 ETHICS PANEL

C 24.1 The Ethics Panel shall consist of six members elected by the General Congress for a term of four (4) years on a proposal of the Bureau. The President shall appoint the Chairperson of the Ethics Panel from amongst its members.

C 24.2 A person may not serve on the Ethics Panel if he or she:

- a) is a member of the Bureau, a FINA Technical Committee, a FINA Specialized Committee or other Judicial Panel,
- b) cannot speak English or French,
- c) has no knowledge of Aquatics as well as FINA,

d) is a member of the Bureau of the Continental or Regional Organisations.

C 24.3 Members of the Ethics Panel may be elected for a maximum three (3) terms.

C 24.4 If a member of the Ethics Panel should die or resign, a replacement shall be decided by the Bureau in compliance with C 24.2 until the next elections of the Ethics Panel.

C 24.5 The Ethics Panel addresses matters which are referred by the Executive.

C 24.6 At least three (3) members of the Ethics Panel (as determined by the Chairperson), shall be appointed as required on a case by case basis, to investigate, hear and determine any matter.

C 24.7 The Ethics Panel shall investigate, hear and determine any alleged violation of the FINA Code of Ethics or the FINA Rules on the Prevention of the Manipulation of Competitions (PMC), and to impose sanction(s) as set out in C 24.9 and C 24.10, referred to it by the Executive.

C 24.8 The Ethics Panel shall act in accordance with the principles of natural justice and shall determine its own procedure.

C 24.9 For any violation of the FINA Code of Ethics, the Ethics Panel may impose any or more of the following sanctions:

- a) a warning or reprimand;
- b) a suspension for a fixed period of up to four (4) years from holding office or other position held by an Official and/or until a specified set of conditions have been met to the satisfaction of the Ethics Panel;
- c) a return of any FINA award;
- d) a ban for a fixed period of up to a lifetime from taking part in any Aquatics related activity;
- e) a recommendation to the Executive of the notification of the matter to the appropriate law enforcement authorities.

C 24.10 For any violation of the PMC, the Ethics Panel may impose, in addition to the sanctions provided for in C 24.9, the sanctions provided for in the PMC.

C 24.11 The Ethics Panel may propose amendments to any FINA Rule relevant to its functions.

C 24.12 The Ethics Panel shall *determine the eligibility criteria of the candidates* from both National Federations and Continental Organisations for all positions on the Bureau, Committees, Judicial Panels, and Honorary positions. *Based on the eligibility criteria it determined, the Ethics Panel shall review all the candidatures for the all these positions and decide on the eligibility of each candidates.* The Ethics Panel shall *have completed these checks at least two (2) months prior to the date of the election(s) in question.*

C 24.13 Nominations Procedure:

- a) For all positions, the Executive Director will inform all National Federations and Continental Organisations of the final date for submission of nominations;
- b) Nominations received by the Executive Director should be circulated to the members of the Ethics Panel;
- c) For all applications, the Ethics Panel then screens each candidate to ensure his or her compliance with the objective eligibility criteria for each position as provided in C 24.12;
- d) The Ethics Panel will then make a decision in terms of those candidates who meet the criteria and comment with regard to any candidate who does not meet the criteria. The decisions of the Ethics Panel will be then circulated as provided in C 24.12.

C 25 FINANCIAL MONITORING AND CONTROL

C 25.1 The fiscal year of FINA is the calendar year. For each calendar year the FINA Office shall establish, under the *supervision of the Treasurer, the FINA Financial Statements. The annual FINA Financial Statements* shall be audited by *the External Auditors, reviewed by the Audit Committee*, approved by the Bureau and published on the FINA website.

C 25.2 The *Congress shall approve, in accordance with C15.10.6 and C 15.10.9, the audited FINA Financial Statements* presenting two (2) fiscal years.

C 25.3 The annual budget of FINA shall be prepared by the FINA Office under the supervision of the Treasurer and reviewed by the Audit Committee. The Bureau shall approve this budget every year. *The Congress shall approve the budget presenting two (2) fiscal years in accordance with C 15.10.7.*

C 25.4 The Chief Internal Audit Officer shall be appointed by the Bureau for a period of four (4) years. The Chief Internal Audit Officer shall not be from the same Member as the Treasurer and shall report directly to the Audit Committee.

C 25.5 The Chief Internal Audit Officer shall have the following functions:

- a) study the effectiveness and adequacy of the internal control systems of FINA;
- b) review the implementation and compliance with the FINA Rules and other applicable regulations and laws by the FINA bodies and the FINA Office and prepare reports in this respect for the attention of the Audit Committee;
- c) understand the scope of review by *the External Auditor* of controls over financial reporting, and obtain reports on significant findings and recommendations and measures taken accordingly by the Executive and/ or the Executive Director;
- d) recommend and oversee the establishment and functioning of an internal audit procedure.

C 25.6 Resources for the performance of the tasks of FINA will come from:

- a) Contributions;
- b) Revenues from the granting or exploitation of rights including but without limitation to, television rights, sponsorship rights of Championships, licensing, merchandising; sanction fees;
- c) Of properties and real estate of the Association;
- d) Of rights regulations, fines and applications of the respective regulations;
- e) Of donations, bequests; and
- f) Any other sources of revenue.

C 25.7 *External Auditors*

On a proposal from the Bureau, the Congress shall appoint for a period of four years independent qualified auditors to audit, as required by Swiss law, the FINA Financial Statements and draw up a report to be submitted to the FINA Congress in accordance with C 15.10.6. The mandate of the External Auditors may be renewed.

C 26 ARBITRATION

Disputes other than appeals, which are exhaustively regulated in FINA Rule C 12.123 above, between FINA and any of its Members or members of Members, individual members of Members or between Members of FINA may be referred for arbitration by either of the involved parties to the Court of Arbitration for Sports (CAS), Lausanne. Any decision made by the Arbitration Court shall be final and binding on the parties concerned.

C 27 PRINTING OF RULES

All Rules of FINA are solely for the benefit of Members and Continental Organisations may be published by them in the original English version in any media (notably print or electronic media). They may also establish translations, always subject to the understanding that the English version is the only valid official version and that translations are always for convenience only and have no official validity whatsoever.

Any other publication of these Rules is subject to an express authorization of FINA.

C 28 DISSOLUTION

C 28.1 FINA may be dissolved only by a 2/3 majority vote at a special Congress convened for this purpose.

C 28.2 In the event of dissolution, the Congress shall appoint a liquidator who shall discharge all debts and liabilities incurred on behalf of FINA. The remaining assets, if any,

shall be donated as directed by the Congress to a suitable body for the ongoing promotion and development of Aquatics.

C 28.3 At the conclusion of the liquidation, the liquidators shall submit a final report to the Congress, which shall declare the liquidation closed.