



FÉDÉRATION
INTERNATIONALE
DE NATATION

FINA RULES ON THE ELECTION PROCEDURE

OF THE FINA ATHLETES' COMMITTEE

implementing provision FINA Rule BL 5.2.6, let. e), approved by the FINA Bureau on 16 February 2022

Preamble

The FINA Athletes' Committee is established in accordance with FINA Rules. The FINA Athletes' Committee serves as the voice of athletes within Aquatics' disciplines and as a link between athletes and FINA.

Article 1 – General provisions

The election of the members of the FINA Athletes' Committee shall be conducted in accordance with the provisions contained in the FINA Rules on the Election Procedure of the FINA Athletes' Commission (the "Election Procedure").

The Election Procedure shall be applicable to all participants in any phase of the election. Participants, within the meaning of these regulations, include not only the candidates for the election, but also all FINA Members directly or indirectly involved in the election, as well as any other individuals or legal entities supporting or opposing any candidate, including, but not limited to, FINA Members' staff, coaches, trainers, agents, relatives or friends of any candidate.

Article 2 – Additional eligibility criteria

In addition to FINA Rule BL 5.2.5, each member of the FINA Athletes' Committee shall:

- a) have reached the age 18 no later than by the date of the opening of the voting as per Article 7;
- b) be able to work effectively in English or French, which are the two official working languages of FINA and of the FINA Athletes' Committee;
- c) not have incurred any measure or sanction in relation to any violation of the FINA Rules or of any rules of his/her national federation.
- d) belong to a FINA Member that is eligible to submit a candidate;
- e) be able to fulfil his/her duties;
- f) be accredited either as an athlete participating in the FINA World Championships or as a candidate to whom a specific accreditation will be granted for the purpose of the election.
- g) disclose conflict of interests with FINA and/or FINA partners and acknowledge his/her ongoing duty to avoid and report to FINA any such conflicts.

Article 3 – Submission of candidature

Each FINA Member may submit one (1) candidature pertaining to an athlete to be elected as per FINA Rule BL 5.2.2 (“Elected Athletes”). Such candidature shall be received by FINA, in a format and with the content communicated by the FINA Office, at least three (3) months prior to the opening of the FINA World Championships during which the elections are conducted. For the initial election in 2022, any candidatures shall be received by FINA at least three (3) months prior to the opening of the extraordinary FINA World Championships.

Article 4 – Examination of all candidatures and announcement

All candidatures provided in the format and with the content communicated by the FINA Office will be handed over to the FINA Ethics Panel/ for review.

The FINA Ethics Panel will assess the candidatures and determine if they comply with FINA Rules no later than two (2) months before the opening of the FINA World Championships. The FINA Ethics Panel will provide to FINA the list of all eligible candidates. For the initial election in 2022, the FINA Ethics Panel will assess the candidatures and determine if they comply with FINA Rules no later than two (2) months prior to the opening of the extraordinary FINA World Championships.

FINA will issue a media release publishing the list of all eligible candidates, upon which each proposing FINA Member with an eligible candidate shall be entitled to issue one short official media release announcing its candidate.

Article 5 – Promotion of all candidatures

Promotion means any act or action that may enhance the level of awareness of a particular candidature. Promotion may take the form of a campaign, or any organized or planned action for the election of a candidate.

Any act of promotion of any candidature shall comply with the principles of integrity, dignity and moderation. The use of any form of incentive or inducement, whether financial or otherwise, to vote for a candidate and/or to potentially influence the outcome of the elections, is prohibited in all circumstances.

Candidates shall promote their candidatures personally and may use social media. Once FINA has approved the list of candidates for the election, candidates may accept interviews from the media. Third party entities and FINA Members are prohibited to promote a candidate who seeks to be elected as an Elected Athlete.

Candidates, their proposing FINA Members, and any other persons or entities acting in their favour or for their benefit shall be considered as individually and jointly responsible for any infringement of the Election procedure or other applicable rules.

During both the candidature and voting periods, the candidates to be elected as Elected Athletes shall in principle only perform the functions of athlete and/or candidate. Upon written request to be received by FINA at least one (1) month prior to the opening of the voting period, FINA at its sole discretion may approve that such a candidate perform other functions.

Article 6 – Publication on FINA website

Eligible candidates will have the opportunity to display on FINA website their biography and/or a short written personal statement of maximum one A4 page. Such documents will be reviewed by FINA before their publication FINA website. FINA reserves its right to refuse the publication of a statement, presentation or any other document in the event it would not respect rules on campaign's promotion.

Article 7 – Voting

In addition to FINA Rule BL 5.2.6, let b.), it is specified that the electorate is comprised of each duly accredited athlete competing at the FINA World Championships during which the elections are conducted. Each duly accredited athlete will have the right to one (1) vote. For the initial election in 2022, each athlete, who either competes to the extraordinary FINA World Championships or, for the discipline of high diving only, has competed to the 2019 FINA World Championships, is entitled to one (1) vote.

Voting may be exercised via the electronic platform set up by FINA for this purpose, or, on site. The voting period shall be determined by the FINA Office and be communicated in due time within Milestones.

Article 8 – Election Committee

The FINA Ethics Panel will act as the Election Committee. The mission and role of the Election Committee are notably to ensure compliance with the Election Procedure, a fundamental goal of which is to help ensure that all candidates are provided with fair and equal opportunities to be elected. Another fundamental goal is to ensure that any form of promotion or campaign by or for any candidate is carried out with dignity, moderation and fair play, in compliance with the Election Procedure and FINA Rules.

In the event of any alleged infringement of these Election Procedure, the Chair of the Election Committee shall convene a meeting or a conference call of a panel of three members of the Election Committee.

In the event that the Election Committee considers, at its sole discretion, that there is an infringement of the Election Procedure, the Election Committee may take whatever action it considers appropriate. If it considers the infringement to be minor, it may decide to refrain from any action or issue an oral or written warning to the candidate, regardless of whether the infringing party is a candidate. If, at its sole discretion, it considers the infringement to be serious, the Election Committee may, after a reasonable opportunity for the candidate to exercise his/her right to be heard, withdraw a candidate from the electoral process. Withdrawal of a candidate may be decided regardless of whether the infringing party is a candidate.

The withdrawal decision, which may be appealed in front of the Court of Arbitration for Sport, will be notified by email or otherwise to the candidate and to the proposing FINA Member.

In addition, FINA reserves the possibility to initiate in parallel disciplinary proceedings in front of the competent FINA body.

Article 9 – Final provisions

The present Election Procedure has been adopted by the FINA Bureau on 16 February 2022.
It enters into force immediately.