**A. Requirements for Statute:**

According to Article 7 d) of the World Aquatics Constitution, each World Aquatics Member(s), i.e. national federation(s), (“**Member(s)**” or “**National Federation(s)**”) shall seek approval of the World Aquatics Bureau for any change of the Member's Statute (“**Statute**”) before such change comes into effect.

The World Aquatics Constitution sets a number of Members’ obligations (see notably, but not limited to, Article 7 of the World Aquatics Constitution).

In particular, each Member is obliged to ensure that its own Statute and rules comply at all times with World Aquatics Constitution and Rules and to amend them as may be necessary for this purpose.

The present Compliance Form will assist each Member to assess if its current own Statute is compliant with World Aquatics Constitution and Rules. The points below shall be considered as the main World Aquatics Requirements, for the drafting, revision and approval of an acceptable and stable Statute. It shall be considered as an exemplary list which shall in no way prevent each Member from conducting a personalized assessment as required by its situation and federative structure.

Recommendation:

*When completing this document, please always add references to relevant clauses of your Statute that comply with the requirements set out in this document. There is no need to copy whole passages of text from your Statute. Please see the example in red set out in point 2 Organisation below.*

1. **MEMBER’S INFORMATION**

Country and Country Initials:

Name of the World Aquatics Member:

Address:

Email address:

1. **ORGANISATION**
	1. Entities/bodies of the Member

Requirement:

Please specify the entities/bodies which govern and administer the Member (in order of priority).

Clause(s) of your Statute related to this matter:

*Clause/Point/Article/Provision (description such as 1;2.3;4.2.3 etc.) of* [*Name of the National swimming federation*] *Constitution.*

* 1. Autonomy – Relationships with your government

Requirement:

According to Article 7 i) of the World Aquatics Constitution, Members are obliged to manage their affairs independently and without regard to undue influence by third parties or government(s).

Please describe the relationships between your National Federation and your government, by emphasizing notably of the autonomy of the National Federation regarding external interferences in its management. For instance, please indicate if your government is controlling the appropriate use of allowances granted to you, if your government is involved in the strategy or the operations of your National Federation.

Clause(s) of your Statute related to this matter:

1. **THE GENERAL ASSEMBLY**
	1. Composition and Voting members

Requirement:

Please indicate the composition of the General Assembly. Moreover, please list the members entitled to vote in the General Assembly of your National Federation and if there is a difference in voting between the members.

Moreover, please note that, according to Article 9.2 of the World Aquatics By-Laws, members of Members, in particular clubs, shall only be able to exercise their voting rights at the general meetings of the Member to which they are affiliated if they comply with the following conditions:

* they shall have a minimum of 10 affiliated athletes;
* they shall participate in national championships and other national Aquatics competitions recognised and/or organised by the Member to which they are affiliated;
* they shall pay their annual membership fee set by the Member to which they are affiliated and comply with all other financial obligations; and
* they shall fully comply with the rules enshrined in World Aquatics Constitution, notably complying with and implementing decisions taken by the Court of Arbitration for Sport, by World Aquatics (notably taken by the Congress, the Bureau, the Executive or/and judicial panels) and the Member to which they are affiliated, as well as supporting World Aquatics and the Member to which they are affiliated in their efforts to achieve their objectives.

Clause(s) of your Statute related to this matter:

* 1. Calling and Notification

Requirement:

Please detail the manner of calling Meetings and General Assembly (When to send the notification to members?; What has to be indicated in the call?; How a member can propose a subject to be added to the agenda?; etc.) Also, please note the obligation to notify World Aquatics about the dates and the location of the General Assembly at least sixty (60) days before the General Assembly as set out in Article 7 h) of the World Aquatics Constitution.

Clause(s) of your Statute related to this matter:

* 1. Quorum

Requirement:

Please specify quorum of calling the meetings and General Assembly (If the quorum is not reached, what are the next steps in order to hold a General Assembly).

Clause(s) of your Statute related to this matter:

* 1. Decisions

Requirement:

Describe the manner of taking a decision (vote; by show of hand; written or secret ballot; simple or absolute majority; different majority according to the subject; how to count any blank vote or absent; quorum in voting?; etc.)

*In the case when reference to specific procedural rules is made, please specify such rules that will apply in these cases and/or attach their current version.*

Clause(s) of your Statute related to this matter:

* 1. Extraordinary General Assembly

Requirement:

Please specify requirements to convene an extraordinary General Assembly (percentage of members needed to convene it, for instance)

Clause(s) of your Statute related to this matter:

* 1. Amendment of Statute

Requirement:

Describe the procedure for a possible amendment of rules or Statute (notification; vote; percentage; etc.) Also, note that all Members are obliged to seek approval of the Bureau for any change of Statute before such changes come into effect in accordance with Article 7 d) of the World Aquatics Constitution.

Clause(s) of your Statute related to this matter:

1. **THE GOVERNING AUTHORITY (BOARD OF DIRECTORS)**
	1. Composition

Requirement:

Please describe the composition of the Governing Authority (number of members in the governing authority; government representatives; voting rights of the members and voting rights of the government representatives)

Clause(s) of your Statute related to this matter:

* 1. Candidatures

Requirement:

Please list the requisites to submit a candidacy to a position in the Governing Authority (prerequisites that shall be met by candidates; shall candidates be licence-holders of the national federation (if yes, for how many years a licence is required); election only if candidature is supported by X% of members; different prerequisites to be candidate for the presidency; quotas; gender appropriate representation; etc.)

Clause(s) of your Statute related to this matter:

* 1. Election process

Requirement:

Please describe the election process of the Governing Authority (elections by which entity/body; manner to vote; majority needed to be elected; how to count any blank vote or absence; procedure in case of a draw between candidates?; guarantee of independence vis-à-vis third parties; democratic and free electoral process; transparency/publicity of the election process; etc.)

Clause(s) of your Statute related to this matter:

* 1. Term

Requirement:

Please specify the duration of the term for the members of the Governing Authority and for how many terms it is possible to be elected (terms limits; etc.). Due to the obligation of the Members to hold elections every 4 years, the term of office is limited to this period (see Article7 h) of the World Aquatics Constitution).

Clause(s) of your Statute related to this matter:

* 1. Decision

Requirement:

Please describe the manner of taking a decision (simple or absolute majority; different majority according to the subject; etc.) and list the power of sanction of the Governing Authority.

Clause(s) of your Statute related to this matter:

1. **THE NATIONAL FEDERATION**
	1. Revenues

Requirement:

Please describe the resources of the National Federation to perform its tasks (public funds; private donations; affiliation fees; World Aquatics contribution; etc.)

Clause(s) of your Statute related to this matter:

* 1. Bank Account

Requirement:

Please note that each National Federation shall have an official bank account in the name of the National Federation and the authorized persons shall have a joint signature.

Clause(s) of your Statute related to this matter:

* 1. Conflict of Interests

Requirement:

Please describe your rules related to conflict of interests. These rules should prevent conflict of interest or set up mechanisms to prevent it from occurring in the first place.

Clause(s) of your Statute related to this matter:

* 1. Members of your National Federation – Undertaking/commitment to comply with the National Federation Statutes and World Aquatics Constitution and Rules.

Requirement:

Please be sure that your National Federation has functioning guarantees to ensure that all required persons, including all individuals in an elected roles or candidates for an election and affiliated members of National Federation are bound by both your Statute and rules and World Aquatics Constitution and Rules.

Clause(s) of your Statute related to this matter:

1. **COMPLIANCE WITH WORLD AQUATICS RULES**
	1. Compliance with World Aquatics Rules

According to Articles 7 b) and 7 e) of the World Aquatics Constitution, Members shall comply with World Aquatics Rules (meaning the World Aquatics Constitution, the World Aquatics By-laws and any other rules and regulations adopted by World Aquatics, which may be amended and/or updated from time to time by World Aquatics) and WADA Code at all times and ensure that their own Statute and rules comply at all times with the World Aquatics Rules and to amend them as may be necessary for this purpose. According to Article 7 f) of the World Aquatics Constitution, in case of inconsistency between the Member’s Statute and/or rules and World Aquatics Rules, the latter shall prevail.

Requirement:

In accordance with Article 7 f) of the World Aquatics Constitution, please explicitly state in your Statute that in the event of a conflict between Statute and/or rules of a Member and the Rules of World Aquatics, the latter shall prevail.

Clause(s) of your Statute related to this matter:

* 1. Compliance with World Aquatics decisions

The National Federation is obliged to comply with and implement decisions and directives of World Aquatics Bodies, notably of the Congress, the Bureau, the Executive, Judicial Panels (including CAS decisions confirming the same) at all times (see Article 7 b) of the World Aquatics Constitution).

Requirement:

It is therefore necessary that no provision of the Statute contradicts Article 7 b) above.

Clause(s) of your Statute related to this matter:

* 1. Members of the National Federation in compliance with World Aquatics Rules

The National Federation is obliged to ensure that their own members comply with and implement World Aquatics Constitution and Rules, as well as directives and decisions of the World Aquatics Bodies and CAS. Where there is a conflict, World Aquatics Rules shall prevail (see Article 7 f) and 7 g) of the World Aquatics Constitution).

Clause(s) of your Statute related to this matter:

* 1. World Aquatics as the Governing Body

The National Federation shall acknowledge in its Statute that World Aquatics is the only recognised body in the world which governs Aquatics sport on a worldwide basis (Article 7 f) of the World Aquatics Constitution).

Requirement:

In accordance with Article 7 f) of the World Aquatics Constitution, please explicitly state in your Statute that World Aquatics is the only recognised body in the world which governs Aquatics sport on a worldwide basis.

Clause(s) of your Statute related to this matter:

* 1. Approval of Statute

The National Federation must seek approval of the World Aquatics Bureau for any change of Statute before such change is valid. (Article 7 d) of the World Aquatics Statute). The name of the National Federation being mentioned in the Statute, any change of the National Federation’s name must be implicitly approved by World Aquatics Bureau.

Clause(s) of your Statute related to this matter:

* 1. Minutes of Elections

The National Federation is obliged 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 at least every four (4) years. World Aquatics 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 World Aquatics within sixty (60) days of the general assembly. (see Article 7 h) of the World Aquatics Constitution).

Clause(s) of your Statute related to this matter:

* 1. World Aquatics Bureau as an ex-officio member

World Aquatics Bureau Members shall be ex-officio members with a voting right in the governing authority and the general assembly of the respective Member to which they are affiliated, or by default the member of which is citizen (see Article 17.2 of the World Aquatics Constitution)

Clause(s) of your Statute related to this matter:

* 1. Membership fee and Compliance with World Aquatics financial obligations

Members shall pay the annual membership fee set pursuant to Article 9 of the World Aquatics Constitution and comply with all other World Aquatics financial obligations to World Aquatics (see Article 7 k) of the World Aquatics Constitution).

Clause(s) of your Statute related to this matter:

* 1. Anti-Doping

Additional roles and responsibilities of National Federation pertaining to anti-doping matters are described under Article 18 of the World Aquatics Doping Control Rules (<https://resources.fina.org/fina/document/2023/02/08/6c191e57-c657-4960-b9e2-9ef9b224f818/World-Aquatics-Doping-Control-Rules.pdf> ).

In particular, but not limited to, all Members, and their members, shall comply with the Code, International Standards, and the Anti-Doping Rules. They shall include in their policies, rules and programs the provisions necessary to ensure that World Aquatics may enforce the Anti-Doping Rules (including carrying out Testing) directly in respect of Athletes (including National-Level Athletes) and other Persons under their anti-doping authority as specified in the Introduction to the Anti-Doping Rules (Article 18.1 of the World Aquatics Anti-Doping Rules).

All Members shall incorporate the Anti-Doping Rules either directly or by reference into their governing documents, Statute and/or rules as part of the rules of sport that bind their members so that they may enforce them directly in respect of Athletes (including National-Level Athletes) and other persons under their anti-doping authority (Article 18.2 of the World Aquatics Anti-Doping Rules).

By adopting the Anti-Doping Rules, and incorporating them into their governing documents and rules of sport, Members shall cooperate with and support World Aquatics in that function. They shall also recognize, abide by and implement the decisions made pursuant to the Anti-Doping Rules, including the decisions imposing sanctions on persons under their authority (Article 18.3 of the World Aquatics Anti-Doping Rules).

All Members shall take appropriate action to enforce compliance with the Code, International Standards, and the Anti-Doping Rules (Article 18.4 of the World Aquatics Anti-Doping Rules).

All Members shall establish rules requiring all athletes preparing for or participating in a competition or activity authorized or organized by them, and all athlete support personnel associated with such athletes, to agree to be bound by the Anti-Doping Rules and to submit to the results management authority of anti-doping organisations in conformity with the Code as a condition of such participation (Article 18.5 of the World Aquatics Anti-Doping Rules).

All Members shall report any information suggesting or relating to an anti-doping rule violation to World Aquatics and/or their National Anti-Doping Organisations and shall cooperate with investigations conducted by any Anti-Doping Organisation with authority to conduct the investigation (Article 18.6 of the World Aquatics Anti-Doping Rules).

All Members shall have disciplinary rules in place to prevent athlete support personnel who are Using Prohibited Substances or Prohibited Methods without valid justification from providing support to athletes under the authority of World Aquatics or their authority (Article 18.7 of the World Aquatics Anti-Doping Rules).

Members shall a) actively monitor all athlete support personnel who fall under either of Articles 2.10.1.1, 2.10.1.2 or 2.10.1.3, within their jurisdiction; b) advise its affiliated athletes and World Aquatics of the identity of all such athlete support personnel that they are or become aware of; and c) ultimately, ensure that none of their affiliated athletes associate with athlete support personnel in violation of Article 2.10. In the event of such prohibited association, they shall immediately notify World Aquatics and the relevant National Anti-Doping Organization (Article 18.8 of the World Aquatics Anti-Doping Rules).

All Members shall conduct anti-doping education in coordination with their National Anti-Doping Organisations (Article 18.9 of the World Aquatics Anti-Doping Rules).

Clause(s) of your Statute (or rules) related to this matter:

* 1. Integrity

As per Article 3 of the World Aquatics Integrity Code (<https://resources.fina.org/fina/document/2022/12/22/d8c2aa5b-9fa9-4371-a954-7997a997defa/World-Aquatics-Integrity-Code-Approved-12-12-2022-Formatted.pdf> ), each National Federation must adopt the terms and conditions of the World Aquatics Integrity Code to govern the conduct of persons involved in Aquatics under its jurisdiction, and those persons participating in activities organised, convened, authorised or recognised by it or any of its clubs, member organisations or licensees, such code to take effect within the limits of its jurisdiction. Thereafter, each National Federation must apply and enforce its code effectively. Furthermore, each National Federation must include provisions giving World Aquatics the right to be notified and kept informed of any provisional measures and enforcement proceedings (including observer rights at any hearings) as well as of any decision.

Clause(s) of your Statute (or rules) related to this matter:

1. **DISSOLUTION**
	1. Termination

Requirement:

Please describe the requisites to dissolve the National Federation and how (which entity/body is competent to take the decision; majority required; consequences of the termination)

Clause(s) of your Statute related to this matter:

1. **MAINTAINING THE GOOD REPUTATION OF WORLD AQUATICS IN THE WORLD**

Requirement:

The Statute of the National Federation should state that the Member is committed to ensure that World Aquatics is not brought into disrepute in any way whatsoever as a result of actions or omissions of the Member or of any of its members, representatives, athletes, officials or any other person subject to the Member (see Article 7 l) of the World Aquatics Constitution)

Clause(s) of your Statute related to this matter:

**B. General recommendations:**

1. In creating the Statute, it is advisable to keep it as clear and simple as possible while including all the substantive elements above.
2. It is also advisable to ensure that the Statute does not contain internal contradictions.
3. In addition to the aforementioned requirements, it is also recommended that the principles of good governance, for example the “*Basic Universal Principles of Good Governance of the Olympic and Sports Movement*”, be followed in the development of the Statute.
4. Vague terms such as unethical behaviour, malicious behaviour, harassment, etc. should be avoided. If they are used, it is advisable to specify/define the behaviour in more detail, e.g. unethical behaviour means the commission of an intentional crime.
5. It is not recommended to make references within the Statute to specific provisions of the World Aquatics Rules (e.g. the Swimming Federation of XX declares that it will always act in accordance with Article 7 i) of the World Aquatics Constitution). World Aquatics may amend some of the provisions of the World Aquatics Constitution as part of an amendment to the Constitution, which may invalidate or change the meaning of the referencing.
6. When setting deadlines for convening a General Assembly or Extraordinary General Assembly, it is recommended that these be set rather longer to avoid unnecessarily excluding some persons who are not so flexible. It is recommended that time limits in this regard be set in the order of days.
7. It is also recommended that the most important terms such as General Assembly, President of the National Federation, Treasurer, etc. be defined for clarity in the drafting of the Statute and that this established terminology be followed in the subsequent text of the Statute.

I certify that the above information is true, complete and accurate.

**Submitted by the following duly authorized representatives:**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[POSITION]

[NAME]

Date: [DATE]