



# Constitution

## 1.1 Name

- a) The name the Association shall be the Irish Long Distance Swimming Association, in brief ILDSA.

## 1.2 Objectives

- a) The objectives of the Association are:
- i) To encourage long distance swimming.
  - ii) To promote sport for the enjoyment factor for all open water swimmers.
  - iii) To encourage swimmers to take ownership for their sport.
  - iv) To assist cross community friendship.
  - v) To foster and develop open water swimming and its participants.
  - vi) To promote the practice of open water swimming in line with current best practice.
  - vii) To promote the development of the physical, moral and social qualities associated with sport within the participants.
  - viii) To accept and enforce the rules and regulations set down by Swim Ireland regarding open water swimming in accordance with the affiliation status afforded to the Association.
  - ix) To provide a positive and safe environment for all its members and committee.
  - x) To provide equal opportunities whenever possible for successful participation, irrespective of ability or disability, so as individuals can be involved in sport activities in an integrated and inclusive way.
- b) ILDSA is fully committed to safeguarding the well-being of its members. Every individual in the ILDSA should, at all times, show respect and understanding for their rights, safety and welfare and those of others, and conduct themselves in a way that reflects the principles of ILDSA and Swim Ireland.

## 2.1 Affiliation

- a) By virtue of the affiliation of ILDSA to Swim Ireland, its members acknowledge that they are subject to the laws, rules, and constitutions of:
- i) Swim Ireland (SI), the governing body for the whole of the island of Ireland.

## 2.2 Membership

- a) All members are subject to the rules and constitution of ILDSA and rules and regulations of Swim Ireland.
- b) Membership categories
- The following constitute as Members of the club:
- i) Competitor - Members of ILDSA who decide to engage in competitive events.
  - ii) Non-competitive members of ILDSA who do not engage in competitive events. This category includes but is not limited to: participants who wish to train but not compete; coaches; administrators and aquatic leaders.
  - iii) Honorary Life Members



- c) ILDSA Committee reserves the right to accept or reject applications for membership of the Association. If they are refused, the applicant must be notified in writing by the ILDSA Committee giving reasons for refusal.
- d) Application procedures for members
  - i) All members and officials must complete the necessary application forms and attach the necessary fees as set down by Swim Ireland and ILDSA.
  - ii) Be familiar with and comply with the Swim Ireland and ILDSA Codes of Conduct and rules.
  - iii) Membership applications will be considered and given ILDSA Committee for approval.
  - iv) Upon acceptance the member will be provided with a copy of the Constitution and Rules of the ILDSA.
  - v) A member who wishes to resign as a member of ILDSA must inform the secretary in writing. No refund subscription monies will be paid upon resignation from ILDSA.
  - vi) Full membership status is only valid where a subscription has been paid in full or in a manner agreed by ILDSA
  - vii) Members will be required to renew their membership with the ILDSA and Swim Ireland annually.
- e) Annual Subscriptions
  - i) Association fees will be determined by ILDSA
  - ii) If a member is deceased, their Legal Personal Representative is not liable for any balance of subscriptions.
  - iii) A member may resign by communicating this in writing or verbally to the Club Secretary, and if this persons wishes to renew membership at a later date they must re-apply.

### **3. ILDSA Committee**

- i. ILDSA has two honorary positions, namely the position of President and Vice President.
- ii. ILDSA is the body elected by the members for the management of the business and affairs of the ILDSA. It consists of those who must be members of Swim Ireland in their own right.
- iii. Membership of the ILDSA Committee  
Membership of ILDSA Committee shall consist of the following: Chairperson, Vice Chairperson, Secretary, Treasurer, North Channel Secretary, Province Representatives and other elected members.

#### **3.1 Management Committee Officers of the ILDSA.**

##### **3.1.1 Duties of the President**

To provide the principal leadership and responsibility for the organisation.



To provide the committee with leadership and direction to ensure the committee fulfils its responsibilities for the governance and success of the club.

### 3.1.2 Duties of the Vice President

To assist the President to fulfil his/her responsibility for the governance and success of the club. In the event of the President being unable to fulfil his/her duties to step into that role.

### 3.1.3 Duties of the Chairperson

To promote the interest of the ILDSA at all times and act as the official spokesperson.

To ensure the principles of due process and natural justice are applied in all decisions made by ILDSA

To maintain order and prevent unnecessary disruptions.

### 3.1.4 Duties of the Vice Chairperson

Stands in for the Chairperson if he/she is away.

Assists the chairperson with matters between meetings.

### 3.1.5 Duties of the Treasurer

To keep a record of all financial transactions concerning ILDSA business.

To keep appropriate books of record on ILDSA business.

To identify all income received and all expenditures.

To act as co-signatory on with the Chairperson/Secretary.

### 3.1.6 Duties of the Secretary

To record the minutes of all committee and club meetings.

To keep records of complaints, contracts and correspondence regarding the dealings of the Association. Records shall be kept for a minimum of 6 years.

To set out meetings including agenda details, notice period and any other necessary information.

To deal with all ILDSA correspondence.

### 3.1.7 Duties of the North Channel Secretary

To keep records of swims, observer reports, accident reports, complaints, contracts and correspondence regarding the dealings of the North Channel Swim.

To deal with all North Channel Swim correspondence.

To record the minutes of all North Channel Swim meetings.

To keep ILDSA committee up to date North Channel Swims.

### 3.1.8 Provenance Representative

All provenance representatives are responsible for promoting ILDSA and ILDSA events in their provenance.



### 3.1.9 Other Committee Members

All Committee members are responsible for the smooth day to day running of ILDSA.

## 4. Rights and Duties of ILDSA

- i) ILDSA Committee shall be empowered to introduce rules, as the need arises, for the general regulation of ILDSA. No rule shall be inconsistent with anything contained in this constitution. ILDSA Committee must ensure that the ILDSA Committee Rule Book is in place, up to date and is available to all members.
- ii) ILDSA Committee have the power to appoint such sub committees as they may consider necessary. These sub committees will act on behalf of ILDSA Committee and follow procedures and relay information as directed by the ILDSA Committee.
- iii) ILDSA Committee shall be responsible for all assets of ILDSA.
- iv) The members of ILDSA Committee shall be indemnified against all liabilities properly incurred by them in the management affairs of ILDSA.
- v) Committed members must declare any personal or business interest, which may conflict with their duties as a member of ILDSA Committee. Such a declaration may be discussed with the other ILDSA Committee members at a designated meeting, and they may be required to absent themselves content discussions and decisions.
- vi) ILDSA Committee will be expected to follow codes of conduct in relation to their obligations to ILDSA members. These include, but are not limited to, confidentiality, objectivity, loyalty, fairness and a constant awareness of their obligations to the ILDSA and its members.

## 5. Meetings of the Management Committee

- i) The Committee shall meet 4 times per year with a minimum quorum of 50% plus 1 of the members of the committee present.
- ii) The Chairperson and the Secretary shall have discretion to call further meetings of ILDSA Committee if they consider it to be in the interests of the ILDSA.
- iii) A minimum of 21 days' notice will be given to members save with exceptional circumstances. ILDSA Committee shall agree how notice shall be provided whether this is phone, email, and so forth.
- iv) ILDSA Committee should set out its agenda for a meeting no less than 7 days prior to the meetings.
- v) The Chairperson has the casting vote on any motion arising during the meetings.
- vi) The Chairperson's decision on a Point of Order is final.
- vii) The Chairperson shall preside at all meetings.
- viii) The Secretary, or in her/his absence a member of the Committee, shall take minutes.
- ix) The Treasurer shall relay the financial position of ILDSA at each meeting.
- x) Other Committee members must relay details on the areas of the ILDSA they are designated to.
- xi) Members can acquire the minutes of the meeting in a summary format at request



- xii) ILDSA Committee may also decide upon acceptable means of communication used, during periods between meetings, to ensure the day to day running of the ILDSA.

#### **6. Voting rights at General Meetings.**

- i) Members who are fully paid up and over 18 years of age are eligible to vote.
- ii) No voting by proxy is allowed.
- iii) Voting shall be conducted via a show of hands, which will be counted by the ILDSA Secretary. ILDSA Committee may, however, recommend that a vote should be held in a secret ballot format owing to the context of the vote.
- iv) No business shall be transacted at a general meeting unless a quorum is present. A quorum of 50% of the eligible voting members is the number required. If this quorum is not fulfilled the General Meeting can be suspended for exactly one week.
- v) Nominations will be passed at AGM's by simple resolution of 50% plus one.
- vi) Motions for a change to ILDSA Constitution must be passed by a special resolution of 75% of persons present at the meeting entitled to vote.
- vii) The Chairperson will have a casting vote if there is an equality of votes.

#### **7. Election of the Committee Members**

- i) Election of the ILDSA Committee members takes place at ILDSA AGM every 3rd year. At this time, Vice President, Chairperson, Vice Chairperson, Treasurer, Secretary and North Channel Secretary along with a minimum of 5 other committee members (including representatives for each of the 4 Provinces) shall be elected.
- ii) Nominations for office and notice of motions must be received by the ILDSA Secretary no less than 28 days prior to the General Meeting.
- iii) A proposer and seconder are required for all nominations and Notice of Motions.
- iv) Notice of Motions and nominations for the ILDSA Committee shall be available to all members and on request from the Secretary. Notices and Motions without due notice will not be discussed.
- v) In the event that no nominations are received by the Secretary, only then may a nomination from the floor at the AGM can take place.

#### **8. Annual General Meeting (AGM)**

- i) Members shall be informed of the date, time, place and order of business of the AGM at least 21 days prior to the meeting. This information shall be posted on the ILDSA web page and social media pages.
- ii) ILDSA Committee must decide when the AGM is held each year.
- iii) ILDSA Committee shall distribute to Members its report and statement of accounts for the relevant financial year, not less than 14 days before the date fixed for holding the AGM.
- iv) At this meeting, the Annual Report shall be presented, which shall consist of a: Chairperson's Report; Secretary's Report; Treasurer's Report, President's Report.



- v) Any changes or updates to ILDSA Constitution which is successful at the General Meeting will come into immediate effect upon conclusion of the General Meeting.

### **9. Extraordinary General Meeting (EGM)**

An extraordinary General Meeting may be called at any time once two thirds of the Committee resolve to convene such a meeting. It can also be called within 28 days of the secretary receiving a requisition in writing signed by members of the Association.

### **10. Government of the ILDSA**

- i) The running of ILDSA affairs shall be vested in the ILDSA Committee (as detailed in Section 3).
- ii) The General Committee shall meet as often as necessary, or on request of five members of the committee. The Secretary will notify each member of the Committee as to the date, time, place and reason for meeting – giving seven (7) days notice.
- iii) The quorum for a General Committee meeting shall be five (5).
- iv) The General Committee shall make decision as necessary for the beneficial management of the ILDSA, provided the decision do not contravene the Rules of Swim Ireland.
- v) A simple majority of those present shall be sufficient to carry any proposal. In the event of an equal number of votes being recorded for and against a proposal the Chairperson, President and Vice President shall make the final decision.
- vi) Delegates to Swim Ireland AGM will be elected at the ILDSA AGM
- vii) Amendments to ILDSA Constitution and the Rules of the ILDSA can only be made as a Notice of Motion to the AGM or Special General Meeting. All amendments must be notified to Swim Ireland.

### **11. Finance**

- i) A bank account shall be opened in the name of the Irish Long Distance Swimming Association. All cheques will be signed by the Treasurer and approved by the Committee.
- ii) The financial year for the Association shall end on the 31st December.
- iii) Membership fees will be reviewed at the AGM.
- iv) Committee membership fees must be renewed prior to the 31st December.
- v) Competitors must renew their membership prior to their first ILDSA competitive swim.
- vi) The financial affairs of ILDSA shall be the responsibility of the Management Committee in general and in particular, the Treasurer. Correct accounts and book keeping shall be done by the Treasurer or under his/her supervision.
- vii) Annual accounts of ILDSA should be prepared for the Annual General Meeting by the Treasurer.
- viii) The ILDSA Committee shall be empowered to open Bank Accounts in the name of ILDSA and all transactions in these accounts shall be authorized by ILDSA Committee. All cheques, drafts and so forth shall be signed by the Treasurer and either the Chairperson or Secretary.
- ix) The Treasurer will receive all money paid to the ILDSA and ensure all such sums are lodged to the ILDSA bank account as soon as possible.



- x) Any assets invested in by ILDSA Committee will be used for ILDSA purposes only. The ILDSA Committee will delegate the use of these assets.
- xi) The Committee will have the power to negotiate sponsorships on ILDSA behalf and engage in fundraising activities. Any financial returns from these activities will be used for ILDSA development purposes only.

## **12. Complaints and Disciplinary Procedures**

- i) The Complaints and Disciplinary Committee will comprise of the President, Chairperson, and Secretary. If any of the nominated officials are absent (e.g. holidays, sick, work), the other two members may nominate another member of the ILDSA Committee to assist them, providing the matter is of such gravity and urgency that an answer is required within fourteen (14) days.
- ii) If the complaint cannot be resolved within the ILDSA, the complaint must be forwarded to Swim Ireland, with all details. (Written evidence, statements, etc.)
- iii) ILDSA Committee, after consultation with the Disciplinary and Complaints Committee, has the right to suspend or terminate membership.

## **13. Cessation/Suspension/Expulsion of Membership**

- i) ILDSA have the power to terminate and suspend membership owing, but not limited to, violation of the constitution and/or rules, criminal behaviour or any activity deemed unseemly by ILDSA Committee. All ILDSA terminations and suspensions will be reported to Swim Ireland, and can be also appealed to Swim Ireland.
- ii) Suspension or termination of an individual's membership to Swim Ireland can only be done by Swim Ireland's board. These procedures are laid out in the 'Articles of Association of Swim Ireland'.

## **14. Dissolution**

- i) The ILDSA may be dissolved:
  - a. By a resolution passed owing to the inactivity of its members. This Resolution would be passed at an EGM, specifically called for that purpose and carried by three quarters of the members present.
  - b. A Court Order where a dispute exists within its membership.
- ii) Notice must be given to members and Swim Ireland for any Dissolution to come into effect, owing to a Resolution at General Meeting.
- iii) All assets of ILDSA, having discharged debts and liabilities, shall be distributed to a charity, charities or other non-profit making organization having an agenda similar to those of the ILDSA or Swim Ireland.
- iv) ILDSA Committee shall be responsible for the winding up of assets and liabilities of ILDSA.

## **15. Equality**



In accordance with the Equal Status Act 2000-2004 and the Equality Act 1996 in Northern Ireland, ILDSA will not discriminate against any persons or visitors within ILDSA. No discrimination of any kind against employed and voluntary staff, membership, applications, members and individuals within the general public, will be tolerated.

### **16. Criminal Allegations**

ILDSA shall treat allegations of criminal activity very seriously. Any allegation of a criminal offence will be reported to Swim Ireland and the appropriate policing body.

### **17. Data Protection**

ILDSA shall aim to follow the necessary data protection guidelines set down by the relevant bodies.

### **18. Public Relations (PR)**

All committee members are responsible for ensuring the positive and effective communication of issues and events relating to the ILDSA. Suitable methods of communication include (but are not limited to): newspapers, e-mail, website, social media and radio.

### **18. Annual Awards Ceremony**

- i) On a yearly basis an awards ceremony will be held to recognise the swimming accomplishments of the members of ILDSA.
- ii) Nominations will be requested from members of ILDSA, from which a short list will be compiled for specific categories.
- iii) Votes will be accepted from the public, and in combination with a final review by ILDSA Committee, the swimmer will be recognised for the accomplishment(s) and presented with an award at the annual awards ceremony.

END

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JMcC