**CONSTITUTION OF THE NIGERIA AQUATICS FEDERATION**

**INDEX**

**Pages**

Article C1. Name ……………………………………………….…….. 3

Article C2 Address …………………………………………...……… 3

Article C3 Definitions …………………………………….…..……… 3-4

Article C4 Logo (emblem) ………………………………….…..…… 4

Article C5 Language…………………………………………...…….. 4

Article C6 Affiliation………………………………………….………. 4-5

Article C7 Compliance with FINA Rules……………………….…… 5-6

Article C8 Other Fundamental Principles…………………………… 6

Article C9 Aims and Objectives……………………………….…….. 6-8

Article C10 Membership……………………………………………….. 8

Article C11 Rights and Duties of State Associations……………… 8-9

Article C12 Affiliation / Membership and other Fees…………..….. 9

Article C13 Sanctions………………………………………………….. 10

Article C14 The Organization of the Federation………………………. 10

Article C15 The Congress……………………………………………… 11-12

Article C16 Powers and Duties of Congress…………………………. 12

Article C17 The Board………………………………………………….. 12-14

Article C18 The Executive Committee…………………………..…… 14

Article C19 Board Elections………………………….……………….. 14-17

Article C20 Powers and Duties of the Board…………………..…… 17-19

Article C21 The Committees of the Board………………………….. 19-21

Article C22 Powers and Duties of the Committees………..………. 21-24

Article C23 Finances………………………………………………….. 25

Article C24 Minutes…………………………………………………… 25

Article C25 Competitions, Championships & Tournaments……….. 25-26

Article C26 Patrons, Hon. Members & Hon. Life Presidents………. 26

Article C27 Conflicts of Interests…………………………………….. 26

Article C28 Amendment of Constitution……………………………… 27

Article C29 Interpretation……………………………………………. 27

Article C30 Arbitration………………………………………………….. 27

Article C31 Dissolution / Winding up…………………………………. 27-28

Article C32 Trustees…………………………………………………… 28

Article C33 Special Clause……………………………………………. 28-29

Article 34 Approval of Constitution……………………………………. 29

Appendix…………………………………………………………………. 30

**ARTICLE C1 – NAME**

C1.1. The name of the Federation shall be the NIGERIA AQUATICS

FEDERATION.

C1.2. The Federation reserves the right to the use of the words “NATIONAL”,

“NAqF” and “AQUATICS” in connection with any Championship, Competition or Tournament related to Swimming, Diving, Water polo, Open Water / Marathon Swimming, Artistic Swimming, High Diving and Masters Swimming.

**ARTICLE C2 – ADDRESS**

The Headquarters of the Federation shall be at the National Stadium, Abuja or at any other place as may be determined by the Board.

**ARTICLE C3 – DEFINITIONS**

In the Constitution, Rules and By Laws, unless a contrary intention appears:-

* “AQUATICS” means Swimming, Diving, Water Polo, Open Water / Marathon Swimming, Artistic Swimming, High Diving and Masters Swimming activities.
* “FINA” (Federation Internationale de Natation) is the world governing body for the sport of Aquatics.
* “CANA” (Confederation Africaine de Natation) is the organization formed by FINA member Federations in the African continent to control Aquatics.
* “NAqF” and “FEDERATION” mean the Nigeria Aquatics Federation.
* “NAqF BOARD” and “BOARD” mean the Board of the Nigeria Aquatics Federation.
* “FMYSD” means the Federal Ministry of Youth & Sports Development (of Nigeria)
* “NSC” means the National Sports Commission (of Nigeria).
* “NOC” means the Nigeria Olympic Committee
* “IOC” means the International Olympic Committee.
* “GENERAL CONGRESS” and “EXTRAORDINARY CONGRESS” means the meeting of the Federation Board members together with the Chairmen of the affiliated State Associations responsible for Aquatics in Nigeria and other affiliated juridical persons and bodies.
* “ELECTION CONGRESS” means the meeting held every four (4) years of affiliated State Associations responsible for Aquatics , other affiliated bodies and any member of the FINA or CANA Bureau convened for the purpose of electing a new Board to govern the Federation.
* “MEMBER” means the State Associations responsible for Aquatics and other bodies or individuals affiliated to the Federation.
* “COMPETITOR” means a person who is taking part in Competitions, Championships or Tournaments in any of the Aquatic disciplines.
* “CHAMPIONSHIP”, “COMPETITION” & “TOURNAMENT” shall include competitive activities in all the Aquatic disciplines.
* “SWIMSUITS” means the attire worn by competitors.
* “SWIMWEAR” means the swimsuit, caps and goggles.
* “WADA” means the World Anti Doping Agency.
* “NADA” means the National Anti Doping Agency (the Nigeria Anti Doping Committee)
* “CADRES” means the Council of Arbitration and Dispute Resolution for Sports based in Nigeria.
* “CAS” means the Court of Arbitration for Sports based in Lausanne, Switzerland

**ARTICLE C4 – LOGO (EMBLEM)**

The Federation shall have such logo (emblem) as may be selected by the Board and approved by Congress.

**ARTICLE C5 – LANGUAGE**

The official language of the Federation shall be English.

**ARTICLE C6 – AFFILIATION**

C6.1. The Federation is affiliated to FINA (Federation Internationale de Natation).

C6.2. The Federation is also affiliated to CANA (Confederation Africaine de Natation), the Continental body in charge of Aquatics in Africa.

C6.3. The Federation shall be the sole representative in Nigeria of both FINA and CANA, and all other bodies affiliated with and recognized by FINA.

C6.4. The Federation is affiliated to the NOC (Nigeria Olympic Committee) and maintains liaison with the IOC (International Olympic Committee), the NSC (National Sports Commission) and any other relevant National, Regional or International organization of mutual interest.

C6.5. The Federation is also affiliated to the relevant International organizations responsible for Water Safety, Lifesaving and Drowning Prevention.

**ARTICLE C7 – COMPLIANCE WITH FINA RULES**

C7.1 **Compliance With FINA Rules**

The Constitution and Rules of the Federation must not be in conflict with FINA Rules (including but not limited to FINA Constitution, FINA General Rules, FINA Code of Ethics, FINA By-laws, FINA Technical Rules, FINA Facilities Rules, FINA Medical Rules and FINA Doping Control Rules, which may be amended and/or updated from time to time by FINA). Where there is a conflict, FINA Rules shall prevail. (FINA Rule C7.3)

C7.2 **Compliance with FINA Decisions**

The Federation is obliged to act in accordance with the decisions of the FINA Congress and the FINA Bureau (FINA Rule C8.2.2)

C7.3 **Members of the Federation in Compliance with FINA Rules**

The Federation is obliged to ensure that their own members comply with the FINA Rules, regulations, directives and decisions of the FINA bodies. Where there is a conflict, FINA Rules shall prevail (FINA Rule C8.2.9).

C7.4 **FINA as the Governing Body**

The Federation acknowledges that FINA is the only recognized body in the world which governs Aquatics internationally. (FINA Rule C7.5)

C7.5 **Autonomy and no Government Interferences**

The Federation shall protect its autonomy from interferences by any third party, and shall resist all pressures that interfere in the independent management of Aquatics in Nigeria. These pressures could be legal, religious, economic or any other. (FINA Rule C8.2.6)

C7.6 **Approval of Constitution and Name**

The Federation must seek approval of the FINA Bureau for any change of name and / or Constitution before such changes are valid (FINA Rule C7.4)

C7.7 **Minutes of Elections**

The Federation is obliged to notify FINA of the dates and the location of the elections, and to provide the Minutes of its Congress to FINA no later than sixty (60) days after conclusion of the Congress. (FINA Rule C8.2.8)

C7.8 **FINA / CANA Bureau member as a member**

Any FINA or CANA Bureau member shall be a member of the Federation Board with a voting right in meetings of both the Federation Board and the Federation Congress.

C7.9 **Anti-Doping Rules and Out-of-Competition Doping Control**

The Federation shall comply with the Anti-Doping Rules and allow Out-of-Competition Doping Control by FINA. All FINA Anti-Doping Rules shall be deemed as incorporated into the regulations of the Federation and shall be directly applicable to and shall be agreed to and followed by competitors, competitor support personnel, coaches, physicians, trainers, managers, officials, medical or paramedical personnel, team leaders, and club and Federation representatives. (FINA Rules C8.2.4 and DC14.1)

**ARTICLE C8 – OTHER FUNDAMENTAL PRINCIPLES**

C8.1 The Federation is an independent sports organization in charge of Aquatics in Nigeria.

C8.2 The Federation may cooperate with governmental and non-governmental organizations and establish good relations with them in order to carry out it’s tasks successfully.

C8.3 The Federation shall not allow any form of discrimination, be it based on race, ethnicity, religion, gender, political affiliation or otherwise in Aquatics in Nigeria, and shall take all practicable measures to prevent such discrimination.

C8.4. The Federation and it’s members shall have no dealings with Countries which engage in racial discrimination in sports.

C8.5. The Federation shall, in all it’s activities, have respect for the environment

**ARTICLE C9 – AIMS AND OBJECTIVES**

The aims and objectives of the Federation shall be:-

1. To promote and encourage the development of the aquatic disciplines of Swimming, Diving, Water Polo, Artistic Swimming, Open Water / Marathon Swimming, High Diving and Masters Swimming in Nigeria.

1. To encourage mass participation in the various aquatic disciplines & lifesaving sports at all levels throughout Nigeria.
2. To strengthen brotherly sporting relations among member States in Nigeria.
3. To organize National Championships among member States in accordance with the approved rules and regulations.
4. To promote among it’s members the instruction of individuals in the different officials duties and in the way Aquatic Competitions should be conducted.
5. To adjudicate any dispute which may arise among member States involved in Aquatics.
6. To assist in those activities of the State Associations which can be operated on a nationwide scale.
7. To improve the skill, competence and technical knowledge of competitors, coaches, managers, trainers, lifesavers, officials and administrators in Nigeria through the organization, (where possible with the assistance of FINA & other International bodies) of technical courses, training programmes, seminars, workshops, clinics, etc.
8. To sponsor meetings, publications and activities as this will permit State Associations to benefit from the experience of other member States.
9. To ensure the representation of Nigeria by the best available competitors and coaches in the various Aquatic disciplines, and activities (e.g. lifesaving sports) both at Regional and International Competitions.
10. To assist our experienced and certified Technical Officials in the various Aquatic disciplines to get recognized and listed as Referees, Judges & Starters by FINA and CANA.
11. To ensure uniformity of rules for the control and regulation of the various aquatic disciplines throughout Nigeria.
12. To provide and maintain the highest standard of coaching, managing, training and officiating in Aquatics in Nigeria.
13. To organize various levels of lifesaving, water safety certification and drowning prevention training programmes for individuals and organizations in order to improve water safety throughout Nigeria.
14. To promote drug free sports. This will involve the enforcement of all doping control regulations of FINA, WADA and NADA, including out-of-Competition doping control testing by FINA, WADA and NADA.
15. To encourage the increase of facilities for various Aquatic disciplines throughout the Country with support of other interested parties.
16. To carry out such other activities as may be desirable to promote the sport.

**ARTICLE C10 – MEMBERSHIP**

C10.1 The membership of the Federation shall comprise of the Federation Board members and all the affiliated State Associations responsible for Aquatics in Nigeria, as well as the Federal Capital Territory (FCT) Abuja, as listed in the attached Appendix. In addition, other individuals and unincorporated bodies may be members of the Federation. Such bodies shall include Swimming Clubs of various Federal Agencies and Institutions. However, individual members, except where otherwise specified, do not have voting rights and are therefore not part of any Congress.

C10.2 All Members of the Federation shall comply with the Constitution and

Rules of the Federation.

C10.3 There shall only be one affiliated body representing each State.

C10.4 The State Associations shall have affiliated clubs, schools and other

institutions & individuals in the State as members.

**ARTICLE C11 – RIGHTS AND DUTIES OF STATE ASSOCIATIONS**

C11.1 All State Associations are entitled:-

1. To use the services of the Federation
2. To take part in Federation Championships & Competitions when

they are eligible

(iii) To be recognized as the only Aquatics governing body in any State

C11.2. Each State Association is obliged:-

(i) To support the Federation in it’s efforts to achieve it’s objectives

1. To act in accordance with the decisions of the Federation Congress, the Federation Board as well as the Federation rules.
2. To pay the prescribed annual Affiliation/Membership fees and meet all other financial obligations to the Federation.

(iv) To include within it’s Constitution provisions which allow for Out-of-Competition doping control & testing

(v) To insert in it’s Constitution, Rules, Regulations and By Laws such provisions as may be required by the Federation and the Federation rules.

(vi) To manage it’s affairs independently and not be influenced by third parties.

(vii) To organize within their State various training programmes, Competitions & Championships in the Aquatic disciplines being promoted by the Federation.

(viii) To participate in National Aquatic Competitions & Championships

(ix) To ensure that their own members comply with all FINA and Federation Rules & Regulations, and other directives & decisions made by FINA and by the Federation.

**ARTICLE C12 – AFFILIATION / MEMBERSHIP AND OTHER FEES**

C12.1 All State Associations and other affiliated Group & Individual Members (athletes, coaches, officials & others) shall pay an annual Affiliation / membership fee to the Federation. The amount of the annual fee will be fixed by the Board and subject to review by the Board from time to time.

C12.2 All annual Affiliation/Membership fees shall be due for payment no later than the end of February each year.

C12.3 Any State Association or other member whose annual Affiliation/Membership fee remains unpaid shall be suspended as a member of the Federation, and shall not be allowed to participate in any Competition or other Federation activity until such a defaulting member shall have paid all it’s outstanding fees

C12.4.The respective State Associations shall fix the Affiliation/Membership fees payable by their individuals (competitors, coaches, officials & others), clubs, schools and other affiliated organizations.

C12.5.Individual Life members shall pay a lump sum Membership fee payable at once or in two installments. The amount of such Individual Life Membership fee shall be fixed by the Board and reviewed from time to time.

C12.6.All members (Group & Individual) shall be entitled to certain benefits which shall be reviewed periodically.

**ARTICLE C13 – SANCTIONS**

C13.1.Any Member, member of Member, or individual member of a Member may be sanctioned:-

1. If duties and financial obligations to the Federation are not fulfilled
2. In case of violations of Federation Rules and / or decisions of the

Board

(iii) For bringing the sport into disrepute

C13.2. Sanctions are:-

(i) Warning

1. Fine
2. Suspension

(iv) Expulsion

C13.3.Sanctions shall be imposed by the Board, based on recommendations of the relevant Committee, except in cases involving violations of Doping Control Rules.

C13.4. Before any Member or individual is sanctioned by the Board, the individual or a representative of the Member must be given the right to appear before the relevant Committee or Board either in person or in writing. The Federation’s Secretary General shall inform the respective Member or individual about this right in writing, in sufficient time to allow the Member or individual to exercise this right.

C13.5.Sanctions may be in force immediately the decision is made unless the deciding body rules otherwise.

C13.6.A Member, member of a Member or individual may appeal against the decisions of the Board to the Council of Arbitration and Dispute Resolution for Sports (CADRES), Nigeria.

**ARTICLE C14 – THE ORGANISATION OF THE FEDERATION**

The following entitles are established to govern and administer the Federation (in order of priority):

1. **The Congress (General, Election & Extraordinary)**
2. **The Board**
3. **The Executive Committee**
4. **The Board Committees**

**ARTICLE C15 – THE CONGRESS (GENERAL, ELECTION &**

**EXTRAORDINARY)**

C15.1.The General and Extraordinary Congresses are the meetings of all the Federation Board members, the Chairmen of the affiliated member State Associations responsible for Aquatics, as well as representatives of other affiliated unincorporated bodies.

C15.2.The Federation shall, on a regular basis, hold a **General Congress** and shall specify the meeting as such in the Notice calling it. Every four (4) years an **Election Congress** shall be convened for the purpose of election of a new Federation Board. An **Extraordinary Congress** can be convened at any time to deliberate on an urgent matter / matters. They can be convened by the Board or upon receipt of a written request by 66.6% of the affiliated State Associations responsible for Aquatics.

C15.3.There shall be at least 50% of the affiliated State Associations present at any Congress before a quorum can be formed. Each affiliated State Association shall have two delegates present at any Congress. Each such delegate shall have one vote provided, however, where a State is represented by only one delegate, such delegate shall be entitled to two votes. Other unincorporated bodies that are affiliated members of the Federation shall each be entitled to only one vote.

C15.4 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 be 33.3% of the affiliated State Associations. If after one hour the reduced quorum is still not present, the Congress shall be postponed for 24 hours to enable the reduced quorum to be formed.

C15.5 At least one month’s notice must be given for any Congress, and the Notice should indicate the date, time, venue and agenda. Any Member wishing to submit any resolution for inclusion in the agenda of the Congress should send such to the Secretary General latest by two weeks before the Congress.

C15.6 The President shall call for a Congress after consultation with the Board.

C15.7 The Chairman of the Board, who is also the Federation President, shall preside at all Congresses. In his absence one of the Vice-Presidents shall act, whilst in the absence of all three, any member of the Board shall preside at the said meeting.

C15.8 At any Congress, voting shall be by show of hands, except at an Election Congress when it shall be by secret ballot. Decisions shall be made on the vote of a majority of the members present and voting. Where there is a tie, the Chairman of the meeting shall have a second and casting vote except during an Election Congress where the procedure is spelt out in Articles C19.16, C19.17 and C19.18.

C15.9 The accidental omission to give notice to any member entitled to receive such, or the non-receipt by a member of such notice, shall not invalidate the proceedings at that meeting.

**ARTICLE C16 – POWERS & DUTIES OF THE GENERAL CONGRESS, ELECTION CONGRESS AND EXTRAORDINARY CONGRESS**

C16.1.The power and duties of the **General Congress** shall be as follows:-

1. To consider and approve the Board’s Annual Report
2. To consider and approve the Federation’s Annual Accounts
3. To approve the appointment of Auditors
4. To decide on all matters referred to it by the Federation Board
5. To consider any Resolutions before the Congress
6. To consider and approve any amendments to the Federation’s Constitution.

C16.2 The **Election Congress** held every four (4) years shall be convened for the purpose of conducting elections into a new Federation Board.

C16.3 **Extraordinary Congresses** have the power and duty to consider any matters that are brought before them, including proposed amendments to the Federation’s Constitution.

C16.4 All decisions of the General Congress and Extraordinary Congress shall be final, except for Constitutional amendments which still have to secure the approval of the FINA Bureau before such changes are valid.

C16.5 Any objections to matters decided at an Election Congress shall be handled by the Nigeria Olympic Committee.

**ARTICLE C17 – THE BOARD**

**C17.1.The Board of the Federation shall be elected every four (4) years at an Election Congress and the membership shall be as follows:**

* **The President**
* **Two (2) Vice Presidents**
* **Any Nigerian member of the FINA Bureau or CANA Bureau**
* **The Secretary General**
* **The Treasurer**
* **Six(6) members representing the six geographical (geopolitical) Zones**
* **Two(2) Women’s representatives**
* **One (1) Athletes representative**
* **Two(2) Ex-Officio members**
* **Co-opted members (maximum of 3 persons)**
* **There will also be an Assistant Secretary who shall either be a deployed staff of the NSC/FMYSD or an employee of the Federation**

C17.2 Members of the outgoing Board will be eligible for election into any position on an incoming Board except for the President, the two Vice Presidents, the Secretary General and the Treasurer, each of whom may be elected for no more than three (3) consecutive terms of four (4) years each in the same post.

C17.3.The maximum age of Board members shall be seventy-five (75) years in the year of the Board election.

C17.4. Membership of the Board shall not be transferable.

C17.5.Members of the Board are not personally liable for the debts and obligations of the Federation.

C17.6.The Federation President shall have the power to co-opt on to the Board persons that he/she considers will be useful to the Federation subject to a maximum of three (3) persons. Such co-opted members shall have the same rights and privileges as other Board members. The tenure on the Board of such co-opted persons shall expire at the next Election Congress.

C17.7 The Board shall meet from time to time as occasion demands. The place, date, time and agenda of the meetings shall be communicated to all Board Members by the Secretary General.

C17.8.The President and in his absence one of the Vice Presidents shall be the Chairman of all meetings of the Board. In the absence of the President and both Vice Presidents, the members present shall choose a Chairman from among themselves.

C17.9.Ten (10) members shall form a quorum at Board meetings

C17.10 Any business deliberated at Board meetings shall be decided by a majority of the votes of members present. In the event of a tie, the Chairman shall have a casting or second vote.

C17.11. Any member of the Board shall be deemed to have vacated office if:-

1. He or she dies;
2. He or she is declared bankrupt or convicted of a criminal offence;
3. He or she resigns;
4. A meeting of the Board at any time by resolution, due notice of which shall have been given, disapproves of the appointment of any such member or of his/her continued membership of the Board;
5. He or she fails, without a special leave of absence, to attend meetings of the Board for a period of two years.

C17.12. Upon the occurrence of a casual vacancy, the Secretary General shall notify members of the Board and such vacancy may be filled by the Board. The person so chosen shall remain a Board member until the next Election Congress.

**ARTICLE C18 – THE EXECUTIVE COMMITTEE**

**The Executive Committee (Exco) shall consist of the following elected Officers of the Board:**

* **The President**
* **The two (2) Vice Presidents**
* **The Secretary General**
* **The Treasurer**
* **One female Board member (if none is among elected Officers)**

The Executive Committee will be expected to handle issues that require decisions between Board meetings. Their decisions will, however, be reported at the next Board meeting.

**ARTICLE C19 – BOARD ELECTIONS**

C19.1.Elections into the Federation Board shall hold every four (4) years at the Election Congress. The electoral process shall be free and democratic, respecting the principles of integrity and neutrality.

C19.2 Candidates interested in being members of the Board shall be required to complete the relevant Federation Election Nomination Form. These Forms shall be collected from, and submitted when completed to, the Assistant Secretary of the Federation before the closing date prescribed in the approved election guidelines.

C19.3 To be eligible to contest for the position of President or Vice President, Candidates must have either been the Chairman of a State Association responsible for Aquatics or a Federation Board member for a minimum of eight (8) years.

C19.4 Immediately after the closing date for submission of nominations, the Assistant Secretary of the Federation will circulate the list of all candidates contesting for the various posts (President, Vice President, Secretary General, Treasurer, Ex-Officio members, Womens representatives and Zonal representatives) to all the affiliated State Associations responsible for Aquatics for their information.

C19.5 All candidates shall be nominated by a State Association responsible for Aquatics. Only affiliated State Associations and other affiliated bodies whose affiliation fees are paid up-to-date will be entitled to nominate.

C19.6 Candidates contesting to represent each geographical (geopolitical) Zone on the Board only require nomination by their respective State Association responsible for Aquatics.

C19.7 However, candidates interested in contesting for the positions of President, Vice President, Secretary General, Treasurer or Ex-Officio member shall also be seconded by at least one (1) State Association responsible for Aquatics in a different geographical (geopolitical) Zone.

C19.8 **Any Nigerian who is a member of the FINA Bureau or the CANA Bureau will automatically be a member of the Board.** He/she will, however, have to officially inform the Assistant Secretary in writing of his/her status in CANA / FINA. Such a member is eligible to vote and to contest for any of the Executive Committee posts if he / she so desires.

C19.9.The two (2) Women’s representatives on the Board will be voted for at the Election Congress based on nominations submitted earlier by each geographical (geopolitical) Zone. There shall be a maximum of two (2) Candidates per Zone. Their Federation Election Nomination Forms shall be signed by the representatives of the affiliated State Associations responsible for Aquatics in each Zone. If there are more than four candidates and no candidates have a clear majority of votes in the first round of the elections, a second round shall be held involving just the four leading candidates. The two winners will then be decided by simple majority of votes.

C19.10 The Athletes representative on the Board shall be elected either by a written vote of Team Captains of States and other affiliated member organizations or by secret ballot by the Team Captains at a major National Championship before or after the Election Congress. The winner shall, in either case, be determined by simple majority of votes.To contest to be a Board member, such a competitor must have represented Nigeria internationally at the senior level in at least two major International Competitions. Competitors who retired less than five (5) years prior to the election are also eligible to contest and vote.

C19.11 **Zonal elections will be held prior to the Election Congress to elect those to represent the six (6) geographical (geopolitical) Zones on the Board**. The date & venue(s) will be spelt out in the approved election guidelines. Delegates (Chairman & Secretary or their representatives) from each affiliated State Association responsible for Aquatics shall convene at each of the selected venue(s) to vote in these Zonal elections. There shall be two votes per State Association. Only one person shall be elected to represent each Zone on the Board.

C19.12 The Election Congress shall be convened at a date previously announced for the purpose of conducting the elections into the Board. Two delegates (Chairman & Secretary or their representatives) from all affiliated State Associations responsible for Aquatics shall be those to vote, with two votes per State. In addition, any member of the FINA Bureau or CANA Bureau shall have a vote. Members of the outgoing Board may be present but shall have no vote unless they are delegates. Other affiliated bodies shall have only one vote. Only those whose affiliation fees are paid up-to-date shall be entitled to vote. The Election Congress shall be supervised by an Electoral Panel consisting of three members selected by the Nigeria Olympic Committee. Representative(s) of the Nigeria Olympic Committee (NOC) shall be present as Observers.

C19.13 **The following positions shall be contested for at the Election**

**Congress:-**

* **President**
* **Two (2) Vice Presidents**
* **Secretary General**
* **Treasurer**
* **Women’s representatives (2)**
* **Ex-Officio members (2)**

C19.14 **The Election Congress will also ratify the election of the six (6) Zonal representatives on the Board chosen during the Zonal elections held prior to the Election Congress.**

C19.15 All voting during Zonal Elections and the National Election Congress shall be by secret ballot. The winners will be decided on simple majority of votes of members present.

C19.16 In cases of a draw (tie) between candidates, voting should be repeated until one candidate is victorious.

C19.17 If the draw is at a Zonal Representative Election and cannot be resolved after three rounds of voting, the election will be finalized later at the National Election Congress involving all the delegates present In order to resolve the deadlock.

C19.18 Where the draw is at the National Election Congress, if the deadlock is not resolved after three rounds of voting, the Nigerian representative on the FINA Bureau or CANA Bureau shall have a casting or second vote. In the absence of such a representative, the immediate past Federation President shall have a casting or second vote. If the immediate past Federation President is one of the candidates or is not available, the immediate past Vice President shall have the casting or second vote. If that Vice President is also a candidate for that position, then the immediate past Secretary General or Treasurer (in that order) shall cast the deciding vote.

C19.19 Results of the various elections held during the Election Congress shall be announced upon the conclusion of voting and the newly elected Board will be inaugurated immediately thereafter.

C19.20 Any protests concerning Board elections (Zonal or National) shall be forwarded within seven (7) working days of the election to the Nigeria Olympic Committee (NOC) which will set up a panel to examine such protest(s) and give their verdict. Appeals against the NOC verdict shall be made to CADRES, Nigeria.

**ARTICLE C20 – POWERS AND DUTIES OF THE BOARD**

C20.1 The Board shall oversee the smooth administration of the Federation and shall take steps as it deems expedient in order to fulfill the vision and objectives of the Federation.

C20.2 The Board shall manage and control the finances of the Federation, and shall hire and pay such members of staff as they, in their discretion, shall deem necessary for the smooth administration of the Federation.

C20.3 The Board shall have the power to constitute any Committee for such purposes as it may deem expedient with such powers as it may delegate to it. The Board also reserves the right at any time to terminate the appointment of such Committees or any member thereof. A member of a Committee need not be a member of the Board of the Federation.

C20.4 The Board shall have the power to recognize any affiliated Member.

C20.5 The Board has the power to consider and take action on any matter pertaining to the affairs of the Federation.

C20.6 The Board has the power to consider and take action on any matter referred to it by Congress.

C20.7 The Board has the power to submit proposals for consideration by Congress.

C20.8 The Board has the power to legislate, interpret and enforce the rules and other regulations of the Federation provided that they do not conflict with the Federation Constitution.

C20.9 The Board has the power to maintain a register of National Records for all the aquatic disciplines, and powers to approve or reject applications submitted by affiliated members through the Federation Technical Committee to the Board for recognition as National Records.

C20.10 The Board has the power to arbitrate any dispute that may arise between affiliated Members of the Federation which may be referred to it by either of the involved members. Any decision made shall be final and binding on the parties concerned. Appeals against the decisions of the Board may, however, be made to CADRES.

C20.11 The Board has the powers to appoint Referees, Judges and other Officials to be assigned to handle Competitions in the various Aquatic disciplines. These Officials shall be selected based on recommendations by the Federation Technical Committee.

C20.12 The Board shall have the power to establish rules or order of meetings for the General Congress, Election Congress, Extraordinary Congress, Board and all Committees, provided that they do not conflict with the Federation’s Constitution.

C20.13. The Board shall have the power, on behalf of the Federation, to organize and control all Swimming, Diving, Water Polo, Open Water / Marathon Swimming, Artistic Swimming, High Diving and Masters Swimming activities at all Zonal, Regional, National and International Competitions.

C20.14. The Board shall also have power, on behalf of the Federation, to organize and control lifesaving, water certification and drowning prevention training programmes for individuals & organizations.

C20.15. The Board is empowered to suspend membership, fine or expel from the Federation any affiliated Association, Club, Competitor, Coach, Official or other bodies or persons found guilty of breaches of the rules of Competition of the Federation or of any misconduct, unfair practices or matters directly or indirectly calculated to injure the interests of the sport or the Federation.

C20.16. The Board has power to make appointments into positions required to ensure the smooth and effective running of the Federation. Such positions shall include, but not be limited to, Legal Adviser, Media Coordinator, & Website Coordinator.

C20.17. The Board shall have the power to make, alter and repeal from time to time all rules, regulations and by-laws of the Federation as it may deem necessary or expedient for the proper conduct of the sport and the management of the Federation, with the exception of those included in the Federation Constitution.

C20.18. The Board shall do all things that are compatible with the provisions of this Constitution to ensure that the interest of the Federation and its State Associations is protected at all times.

**ARTICLE C21 – THE COMMITTEES OF THE BOARD**

C21.1.The following Committees are the approved mandatory Committees expected to assist the Board in carrying out it’s functions and duties:-

1. **Finance Committee**
2. **Technical Committee**
3. **Marketing / Sponsorship Committee**
4. **School Sports / Higher Institutions Development Committee**
5. **Medical / Doping Control Committee**
6. **Disciplinary / Ethics Committee**
7. **Facilities Committee**
8. **Water Safety, Lifesaving & Drowning Prevention Committee**

C21.2.In addition to the above mandatory Committees, the Board has the power to constitute any other Committee for such purposes as it may deem expedient.

C21.3.Each Committee shall consist of a minimum of four (4) and a maximum of ten (10) members, except for the Technical Committee which may exceed that maximum. The members shall remain in office for the same period as the Board.

C21.4.The Board shall fill any vacancy and may remove and replace any member.

C21.5.The quorum for each Committee shall be 50% of it’s membership.

C21.6.All recommendations made or decisions taken by Committees require the approval of the Board before becoming effective.

C21.7.If there is no Board member in any Committee, the Board shall appoint a Board member as Ex-officio member, who shall ensure necessary communication between the Board and the said Committee.

C21.8.Each Committee shall have a Chairman, Vice Chairman and a Secretary appointed by the Board. The Chairman shall preside over all Committee meetings. Where the Chairman and Vice Chairman are both absent, the members present shall elect a Chairman for the meeting. The Secretary will be responsible for keeping records, taking minutes at all meetings and circulating Reports to all Committee members and to the Federation Secretary-General and President.

C21.9.The Committees shall meet from time to time as occasion demands. The place, date, time and agenda of the meeting shall be communicated to the members by the Committee Secretary.

C21.10 The Finance Committee, because of its importance to the overall successful operation of the Federation, shall statutorily have the following as members:-

* A Vice President - Chairman
* The Treasurer - Vice Chairman
* Chairman, Marketing/Sponsorship - Member

Committee

* Chairman, Technical Committee - Member
* Any other person(s) that the Board

considers suitable to contribute to

oversight of the financial affairs of - Member

the Federation by virtue of their

relevant expertise and experience

* The Secretary General - Secretary

C.21.11 The Technical Committee shall have Sub-Committees for the

Aquatic disciplines which the Federation wishes to develop and promote. The Chairman, Vice Chairman and Secretary of each of

those Sub-Committees shall be Technical Committee members.

**ARTICLE C22 – POWERS AND DUTIES OF THE COMMITTEES**

C22.1. **The powers and duties of the FINANCE COMMITTEE are as**

**follows:**

1. To analyze the Annual Budget of the Federation based upon the Federation’s Annual Program of Activities and submit same to the Board for approval
2. To analyze the Federation’s Annual Accounts and submit same to the Board for approval prior to presentation at the General Congress.
3. To regularly check on the Financial records of the Federation and submit Quarterly Reports to the Board.
4. To monitor the various revenue streams contributing to the Federation’s annual Income and recommend ways of improving upon them.

C22.2.**The powers and duties of the TECHNICAL COMMITTEE are as follows:-**

1. To consider and revise the rules for the various Aquatic disciplines taking into account rule changes approved by FINA. All proposals for changes in local rules shall be referred first to the Technical Committee by the Board or any affiliated number.
2. To interpret any existing rules and give a ruling thereon.
3. To recommend on all matters relating to training equipment requirements for the various aquatic disciplines.
4. To prepare a yearly list of registered & certified Referees, Judges and other Technical Officials in the various aquatic disciplines being promoted by the Federation from which those to officiate in National, Regional and International Competitions shall be selected.
5. To prepare a yearly list of graded & certified Coaches in the various aquatic disciplines being promoted by the Federation from which Coaches shall be selected to handle National teams.
6. To prepare mid-year and year-end rankings of competitors in the various aquatic disciplines based on Competitions held during the period under consideration.
7. To organize and supervise all Federation training programmes for the various aquatic disciplines.
8. To organize, either using local resource persons or in conjunction with FINA or through the collaboration with other Organizations & Federations, Courses and Clinics for the regular updating and upgrading of Coaches and Officials in all Aquatic disciplines being promoted by the Federation.

C22.3.**The powers and duties of the MARKETING / SPONSORSHIP COMMITTEE are as follows:-**

1. To develop sponsorship / partnership arrangements or agreements with Corporate organizations and other bodies, and develop long-term strategies to attract and retain the sponsors and partners.
2. To identify potential sponsors & partners and create an authentic connection between the Federation, our sponsors / partners and the sponsors / partners target audience. Also, to highlight ways that the Federation and it’s events will appeal to their demographics and strengthen their consumers loyalty.
3. To add value to Federation sponsors / partners by creating new events, manage the working relationship with the sponsors / partners and be proactive in communicating with them in a way that adds value.

C22.4.**The powers and duties of the SCHOOL SPORTS / HIGHER INSTITUTIONS DEVELOPMENT COMMITTEE are as follows:-**

1. To ensure that the Federation has a well formulated Age Group development programme based on school sports in the various Aquatic disciplines within its overall annual programme of activities, to provide for fair and open competition amongst younger competitors. Such a programme should be designed in such a way as to encourage maximum participation, enhance physical and mental conditioning, and develop a rich base of young Aquatic sports talent.
2. To ensure that an adequate development programme is also formulated by the Federation for those competitors who are over sixteen (16) years of age who are in school or other higher educational institutions. By so doing, there will be a continuous programme which will ensure that the younger competitors continue to develop until they mature into senior and elite competitors.
3. While drawing up all these programmes, special efforts should be made to minimize the disruption to the educational progress of these swimmers by taking into account the Annual Academic Calendar when fixing dates of Federation training camps and National Competitions / Championships so as to avoid clashes with school examinations.

C22.5.**The powers and duties of the MEDICAL / DOPING CONTROL COMMITTEE are as follows:-**

1. To provide medical and sports science expertise to the Board including recommendations on any matter relating to Sports Science.
2. To assess the availability of appropriate medical care for the competitors and officials at all Federation Competitions and Championships.
3. To provide for doping control testing activities during and out of competition in conjunction with WADA, NADA and other relevant organizations.

C22.6. **The powers and duties of the DISCIPLINARY / ETHICS COMMITTEE are as follows:-**

1. The Committee shall have full power to investigate the conduct of any swimmer or official who has violated any of the Federation rules or regulations (except matters regarding to Doping Control), or who aids, abets or encourages another person to violate any of its rules and regulations, or who has acted in a manner which brings disrepute to the Federation or to Aquatics.
2. All competitors, coaches and other officials are expected to accept the rules and regulations governing any Competition or Championship for which they have entered. Where there is a failure to do so, the Committee is empowered to take appropriate action including making recommendations to the Board, except where it involves infringement of technical rules. The decision of the Board on such a swimmer or official is final.
3. Where such violation involves infringement of technical rules, however, it shall be the responsibility of the Referee and the Technical Committee to take action. Appeals against their decisions may be made to the Competition/Championship /Tournament Jury of Appeal whose decision is final.
4. The Committee shall ensure that the following Ethical Principles in Aquatics are followed by all members of the Federation as well as other individuals engaged in Federation activities or who are consultants or contractually – connected persons / firms representing or serving the Federation:

* Equality
* Dignity
* Fair Play
* Integrity
* Neutrality
* Conflicts of Interest
* Resources
* Confidentiality

Details of all these Ethical Principles in Aquatics are spelt out in the FINA Code of Ethics.

C22.7.**The powers and duties of the FACILITIES COMMITTEE are as follows:-**

1. To advise on the design of Aquatic venues (swimming pools and others) in accordance with the FINA Facilities rules.
2. To inspect venues to be used for proposed National Competitions, Championships and Tournaments in advance and take all required measures to ensure that such venues meet up with minimum acceptable Federation standards.

C22.8.**The powers and duties of the WATER SAFETY, LIFESAVING & DROWNING PREVENTION COMMITTEE are as follows:-**

1. To organize various levels of Federation Lifesaving / Lifeguarding, Water Safety Certification and Drowning Prevention training programmes for individuals, corporate bodies and other organizations in order to improve water safety throughout the country.
2. To liaise and affiliate with relevant International bodies to ensure the regular updating of the knowledge and technical competence of our water safety trainers through professional training.
3. To coordinate all Federation’s Water Safety, Lifesaving & Drowning Prevention training programmes throughout the Country working in conjunction, where necessary, with State Associations and other relevant organizations / agencies / government departments.

**ARTICLE C23 – FINANCES**

C23.1.The Board shall ensure that proper books of Accounts are kept in respect of all financial transactions of the Federation.

C23.2.The financial Year of the Federation shall be 1st January to 31st December.

C23.3.The books of the Accounts shall be kept by the Treasurer of the Federation or by such other person as the Board deems fit.

C23.4.Any annual Grant received from the Nigeria Olympic Committee or the Government as well as other fees generated such as Annual Affiliation / Membership fees, Competition Registration fees, etc shall be lodged into the Federation’s Main Bank Account. This Bank Account shall have joint signatories as approved by the Board.

C23.5.All Sponsorship funds, donations from Corporate bodies or individuals and other revenue generated from Federation’s programmes shall however be lodged into the Federation’s Sponsorship Bank Account. This Bank Account shall also have joint signatories as approved by the Board.

C23.6.The Federation’s Accounts shall be audited annually by Auditors appointed by the Board. These Auditors shall check the books and certify that both the Balance Sheet and the Income & Expenditure Account of the Federation give a true and fair view of the state of affairs of the Federation each financial year.

C23.7. During the General Congress the Board shall present the Federation’s Annual Audited Accounts for each Financial Year for consideration by members.

**ARTICLE C24 – MINUTES**

The Board shall ensure that copies of Minutes of all proceedings at each General Congress, Election Congress, Extraordinary Congress, Board Meeting and Committee Meeting are kept in the Federation Secretariat.

**ARTICLE C25 – COMPETITIONS, CHAMPIONSHIPS & TOURNAMENTS**

C25.1.Affiliated State Associations responsible for Aquatic disciplines shall hold Competitions / Championships / Tournaments within their State, keep records of their results and forward copies of such results to the Federation’s Secretariat and Technical Committee.

C25.2.No State, Club or other organization may organize National, Inter State, Zonal or International Competitions without clearance and written approval from the Federation.

C25.3.The Board is empowered to prohibit unauthorized Competitions, Championships & Tournaments and to sanction its members and competitors who participate in them.

C25.4.All affiliated State Associations and other affiliated members shall be invited to all National Competitions, Championships & Tournaments except where such invitation is limited and / or based on achieving specified performance levels or entry times.

C25.5.No competitor, coach or team official shall participate in any Competition, Championship or Tournament in which a competitor under suspension is participating.

C25.6.Competitors, Coaches and Team Officials shall accept the rules and regulations governing any Aquatics Competition for which he/she has entered.

**ARTICLE C26 – PATRONS, HONORARY MEMBERS AND HONORARY LIFE PRESIDENTS**

C26.1. The Board shall have the powers to appoint Patrons, Honorary Members and Honorary Life Presidents of the Federation. All of these are members of the Federation without vote.

C26.2. The Head of Government of the Federal Republic of Nigeria shall be the traditional Grand Patron of the Federation.

**ARTICLE C27 – CONFLICTS OF INTERESTS**

C27.1 All Members, staff, persons elected or appointed, individuals engaged in the Federation’s activities and/or consultants or contractually connected persons / firms representing or serving the Federation shall act for the benefit of the Federation when making decisions that affect, or may affect the Federation and to do so without reference to their own personal interests, either financial or otherwise.

C27.2 All such officials shall not perform their duties in matters with an existing or potential conflict of interest. Should a conflict of interest, or the appearance of a conflict of interest arise, or if there is a danger of such conflict arising, the individual concerned must refrain from taking any further part in the handling of the matter. If it is unclear whether such a conflict of interest exist in any given situation, the matter may be referred to the Federation’s Ethics Committee for their interpretation.

**ARTICLE C28 – AMENDMENT OF CONSTITUTION**

C28.1.This Constitution can only be amended at a General Congress or Extraordinary Congress. The Resolution(s) for such amendment(s) must be approved by a 66.6% majority of those members present and entitled to vote.

C28.2.Thereafter, such amendments / alterations to the name or Constitution must be forwarded to FINA for the FINA Bureau’s approval before such changes are valid.

**ARTICLE C29 INTERPRETATION**

The Board, subject to the authority of Congress, shall have the powers to decide on any questions arising as to the correct interpretation of any Articles of the Federation Constitution or any other question not herein provided for.

**ARTICLE C30 – ARBITRATION**

C30.1. Any decision made by the final dispute resolution body within the Nigeria Aquatics Federation against a Member, member of a Member, or individual shall be submitted exclusively, by way of appeal, to the Council of Arbitration and Dispute Resolution for Sports (CADRES) in Nigeria, which will resolve the dispute definitively, in accordance with it’s rules of sports–related arbitration. The CADRES shall have exclusive jurisdiction over interlocutory orders and no other Court or Tribunal shall have authority to issue interlocutory orders relating to matters before the CADRES. The time limit for appeals is 14 days after the reception of the decision concerning the appeal. The decisions of CADRES shall not be subject to contest in any Court of Law. Appeals against CADRES decisions may, however, be made to the Court of Arbitration for Sports (CAS) based in Lausanne, Switzerland.

C30.2.Disputes between the Federation and FINA, CANA or any other Member Federation of FINA which are not resolved by a FINA Bureau decision shall be referred by either of the involved parties to the Court of Arbitration for Sports (CAS) in Lausanne, Switzerland.

**ARTICLE C31 – DISSOLUTION / WINDING UP**

C31.1 If ever such a need arises, the Federation may be dissolved by a 66.6% majority vote at a Congress specially convened for this purpose.

C31.2 In the event of dissolution, that Congress shall appoint a liquidator who shall discharge all debts and liabilities incurred on behalf of the Federation. 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.

C31.3 At the conclusion of the liquidation, the liquidators shall submit a final report to a Congress, which shall declare the liquidation closed.

**ARTICLE C32 – TRUSTEES**

C32.1 The Trustees of the **Nigeria Aquatics Federation** for the purpose of the Companies and Allied Matters Act No. 1 of 1990, Part C shall be appointed at a Congress (General Meeting) by two-thirds majority votes of members present.

C32.2 Such Trustees (hereinafter referred to as **“The Trustees”**) shall be five (5) in number and shall be known as **THE REGISTERED TRUSTEES OF THE NIGERIA AQUATICS FEDERATION**

C.32.3 The Trustees may hold office for life but a Trustee shall cease to hold office if he or she:

1. Resigns his/her office
2. Ceases to be a member of the Nigeria Aquatics Federation
3. Becomes insane
4. Is officially declared bankrupt
5. Is convicted of a criminal offence involving dishonesty by a Court of competent jurisdiction
6. Is recommended for removal from office by two-thirds majority votes of the members present at any Congress (General Meeting) of the Nigeria Aquatics Federation
7. Ceases to reside in Nigeria
8. Dies

C32.4 Upon a vacancy occurring in the number of Trustees, a Congress (General Meeting) will be held to appoint another eligible member of the Nigeria Aquatics Federation.

C32.5 The Trustees shall have a common seal. Such a seal shall be kept in the custody of the Secretary General (or whoever is desired) who shall produce it when required for use by the Trustees. All documents to be executed by the Trustees shall be signed by at least three (3) of them and sealed with the common seal.

C32.6 The quorum for any meeting of the Trustees shall be three (3) members.

**ARTICLE C33 – SPECIAL CLAUSE**

C33.1 **The Income and Property** of the **Nigeria Aquatics Federation** whensoever derived shall be applied solely towards the promotion of the objects of the Federation as set forth in this Constitution; and no portion thereof shall be paid or transferred directly or indirectly, by way of dividend, bonus or otherwise, however, by way of profit, to the members of the Federation.

C33.2 **Provided** that nothing herein shall prevent the payment in good faith, of reasonable and proper remuneration to an officer or servant of the **Nigeria Aquatics Federation** in return for any services actually rendered to the Federation but so that no member of the Executive Committee or the Board shall be appointed to any salaried office of the Federation paid by fees; and that no remuneration or other benefit in money or monies shall be given by the Federation to any member of such Executive Committee or Board except repayment of out-of-pocket expenses or reasonable and proper rent for premises demised, or let to the Federation, provided that the provision last aforesaid shall not apply to any payment to any Company of a member of the Federation in which such member shall not hold more than one-hundredth part of the capital, and such member shall not be bound to account for any share of profits he may receive in respect of any such payment.

C33.3 **No addition**, **alteration, or amendment** shall be made to or in the **Constitution** for the time being in force, unless the same have been previously submitted to and approved by the Registrar-General, Corporate Affairs Commission.

C33.4 In the event of the **winding-up or dissolution** of the **Nigeria Aquatics Federation** there remains, after the satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid to or distributed among the members of the Federation but shall be given or transferred to some other Institution or Institutions, having objects similar to the objects of the Federation and the body or bodies are prohibited from distributing its or their Income and Property, among its or their members to an extent at least as great as is imposed on the Federation under and by virtue of the **Special Clause** hereof, such Institution or Institutions to be determined by the members of the Federation at or before the time of dissolution, and in so far as effect cannot be given to the aforesaid provision then to some charitable object.

**ARTICLE C34 – APPROVAL OF CONSTITUTION**

This Constitution was approved by the General Congress of the **Nigeria Aquatics Federation** held in Lagos, Nigeria.

**APPENDIX**

States of the Federal Republic of Nigeria & the FCT whose Associations responsible for Aquatics are eligible to be affiliate members of the Nigeria Aquatics Federation:-

**Name of State. Capital**

1. Abia. Umuahia
2. Adamawa. Yola
3. Akwa Ibom. Uyo
4. Anambra. Awka
5. Bauchi. Bauchi
6. Bayelsa. Yenagoa
7. Benue. Makurdi
8. Borno. Maiduguri
9. Cross River. Calabar
10. Delta. Asaba
11. Ebonyi. Abakaliki
12. Edo. Benin City
13. Ekiti. Ado Ekiti
14. Enugu. Enugu
15. Gombe. Gombe
16. Imo. Owerri
17. Jigawa. Dutse
18. Kaduna. Kaduna
19. Kano. Kano
20. Katsina. Katsina
21. Kebbi. Birnin Kebbi
22. Kogi . Lokoja
23. Kwara. Ilorin
24. Lagos. Ikeja
25. Nassarawa. Lafia
26. Niger. Minna
27. Ogun. Abeokuta
28. Ondo. Akure
29. Osun. Osogbo
30. Oyo. Ibadan
31. Plateau. Jos
32. Rivers. Port Harcourt
33. Sokoto. Sokoto
34. Taraba. Jalingo
35. Yobe. Damaturu
36. Zamfara. Gusau
37. Federal Capital Territory(FCT) Abuja