

ZIMBABWE AQUATIC UNION

CONSTITUTION 2009

HISTORY OF AMENDMENTS AND CORRECTIONS

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GLOSSARY

AGM

Annual General Meeting.

Aquatic Disciplines

Swimming, Diving, Water polo, Open-water swimming, Synchronized swimming and Masters swimming.

Boards of Control

The Members of ZAU that control each individual Aquatic Discipline.

CANA (Confédération Africaine de Natation Amateur)

The continental governing body for Africa.

Federation

The Zimbabwe Aquatic Union.

FINA (Fédération International de Natation Amateur)

The world governing body for all Aquatic Disciplines.

Members

Boards of Control or Associate Members of ZAU.

Provincial Boards

Associate Members of ZAU administering an Aquatic Discipline within a designated province who report directly to a Board of Control.

Season

1st September to 31st August.

SRC

Sports and Recreation Commission – the legal body responsible for control of all Sports Federations in Zimbabwe.

Tribunal

Any three members of the Executive Committee set up to form a Tribunal for the purpose of hearing and determining disputes.

ZAU

Zimbabwe Aquatic Union - the National Sport Federation registered with FINA, CANA, SRC and ZOC governing all Aquatic Disciplines in Zimbabwe.

ZOC

Zimbabwe Olympic Committee.

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CONSTITUTION

Article I.	NAME
Section 1.01 <i>Federation</i>	The Federation shall be called the ZIMBABWE AQUATIC UNION, hereinafter referred to as ZAU, which shall be affiliated to FINA (Fédération International de Natation Amateur) and CANA (Confédération Africaine de Natation Amateur).
Section 1.02 <i>FINA</i>	FINA is the world governing body for swimming, diving, water polo, open water swimming, synchronized swimming and masters swimming, and adopts necessary uniform rules and regulations for International competition, in each Aquatic Discipline.
Section 1.03 <i>CANA</i>	CANA is the governing body for each Aquatic Discipline within Africa.
Article II.	HEADQUARTERS
Section 2.01	The headquarters of ZAU will normally be in Harare. However, if following the elections at an AGM the President and any two other Executive Officers come from another area, then the Headquarters of ZAU shall move to that area.
Article III.	JURISDICTION
Section 3.01	ZAU shall have jurisdiction in all matters pertaining to Aquatic Disciplines in the Republic of Zimbabwe.
Article IV.	OBJECTIVES
Section 4.01	The objectives of ZAU within its jurisdiction through its Boards of Control shall be:
Section 4.02 <i>Promote</i>	To foster, promote, encourage, protect and control the development of the sports of swimming, diving, water polo, open-water swimming, synchronized swimming and masters swimming, referred to as the Aquatic Disciplines.
Section 4.03	To promote aquatic sports championships.
Section 4.04 <i>FINA Rules</i>	To ensure that FINA rules are observed for the control and regulation of aquatic sports.
Section 4.05 <i>Anti-Doping</i>	To ensure that the ZOC Anti-Doping Policy, as accepted by WADA, is adopted and implemented.
Section 4.06 <i>Laws & Rules</i>	To enforce the observance of the laws, rules and bye-laws of ZAU and to deal with any infringement thereof.
Section 4.07 <i>Raise Funds</i>	To facilitate the raising of funds, by registration fees, affiliation fees, appeals, sponsorship or any other legal method, for the running expenses of ZAU and the enhancement and development of aquatic sports.
Section 4.08 <i>Communication</i>	ZAU shall at all times maintain contact with other sports groups and other bodies, whose aims and purposes are similar to ZAU or to the benefit of aquatic sports.

Article V.

MEMBERSHIP

- Section 5.01
Board of Control All properly constituted Boards of Control responsible for the different Aquatic Disciplines shall be Members of ZAU.
- Section 5.02
Provincial Boards All properly constituted Provincial Boards that are members of a Board of Control shall be Associate Members of ZAU.
- Section 5.03
Associate Members ZAU may admit other aquatic sport organisations as Associate Members.
- Section 5.04 All applications for Associate Membership of ZAU shall be made in writing and shall be accompanied by a copy of the constitution, bye-laws and rules of that organisation, and any other information that ZAU may request.
- Section 5.05 Such application may only be considered at a meeting of the Executive Committee and may be accepted only if passed by a two-thirds majority of those present and entitled to vote.
- Section 5.06
Provinces The SRC has designated the following Provinces:
- (a) Manicaland
 - (b) Mashonaland East
 - (c) Mashonaland Central
 - (d) Matabeleland North
 - (e) Matabeleland South
 - (f) Midlands
 - (g) Masvingo
- for administrative and competitive purposes in terms of this Constitution, Mashonaland East and Central may be combined, Matabeleland North and South may be combined and Masvingo and Midlands may be combined.
- Section 5.07
Discrimination Discrimination on the grounds of disability, gender, race, religion or political association is prohibited. Any Member found to be practicing such discrimination shall be suspended from ZAU.
- Section 5.08
Suspension Failure to pay, by due date, annual subscription or registration fees or any other monies legitimately demanded; will automatically result in the suspension of the defaulting party. Suspension will be lifted when all outstanding payments, including any penalty that ZAU may impose, are received in full.
- Section 5.09 Any party under suspension may not attend any ZAU meetings and all rights and privileges arising from its membership of ZAU shall be suspended.
- Section 5.10 Athletes, administrators or officials of a suspended Member may not take part in any competition until the suspension has been lifted.
- Section 5.11 Athletes, administrators or officials may not take part in any competition of a suspended Member until the suspension has been lifted.
- Section 5.12 Should a Member suspend or expel an athlete, administrator or official such Member shall immediately notify the Secretary General of ZAU in writing, stating the offenders name and enclosing a copy of the record of proceedings of the disciplinary committee.

Section 5.13
Rights Membership of ZAU shall not give to any Member any right, title or interest, claim or demand in or to any of the monies, property or assets of ZAU, except to the extent determined by ZAU from time to time.

Article VI. **MEMBERS CONSTITUTIONS**

Section 6.01 Each Member of ZAU shall register with ZAU a copy of its constitution.

Section 6.02
Amendments ZAU shall be notified of any proposed amendment to the constitution of a Member. Any amended constitution shall be lodged with ZAU within seven (7) days of such amendment being effected.

Section 6.03 ZAU may at any time call upon a Member to amend its constitution or bye-laws.

Article VII. **ANNUAL SUBSCRIPTIONS**

Section 7.01
Members fees Each Board of Control shall pay an annual subscription to ZAU by 31st October. The amount shall be determined by the Executive Committee during the first quarter of each year.

Section 7.02 No person shall be allowed to take part in any Aquatic Discipline held under the auspices of ZAU or its Members unless the Member's subscriptions, and if applicable personal registration fees, have been paid in full.

Section 7.03
Registration fees An annual registration fee for each competitor registered with a Member shall become due and payable to ZAU each season. For those registered by 30th October monies shall be remitted to ZAU on or before 30th November, for those registered after 30th October monies shall be remitted to ZAU by 31st March. The amount shall be determined by the Executive Committee during the first quarter of each year. Such fees shall include any fees payable to the SRC.

Section 7.04 Persons taking part in more than one Aquatic Discipline will only pay one registration fee to ZAU irrespective of the number of Aquatic Disciplines performed.

Article VIII. **OFFICERS OF THE ZIMBABWE AQUATIC UNION**

Honorary Officers ZAU, at a General Meeting, may appoint:

Section 8.01 a Patron who shall hold office until they resign or leave the country permanently.

Section 8.02 Life members and Honorary Vice Presidents, who should have served ZAU with distinction over a lengthy period of time.

Section 8.03
Executive Officers ZAU, at each AGM, shall elect by ballot the following Executive Officers:

- (a) President
- (b) Vice President
- (c) Secretary General
- (d) Treasurer; and
- (e) Executive Member
- (f) The Executive Committee shall comprise the above elected Executive Officers plus the Chairman (or appointed delegate) of each Board of Control.

Section 8.04
Gender Should the elected President, Vice-President, Secretary General and Treasurer be of the same gender then the Executive Member shall be of the opposite gender, except where there is no person of the required gender prepared to stand.

- Section 8.05
Immediate Past President The Executive Committee may invite the Immediate Past President to serve on such Committee, in which case they shall have the same rights as the Executive Officers.
- Section 8.06
Co-opted Officers The Executive shall have the right to co-opt additional Officers for specific tasks, but they shall not have a vote.
- Section 8.07
Residence All of the Executive Officers shall reside in Zimbabwe.
- Section 8.08
Vacant posts Should an elected Officer of the Executive absent themselves from three consecutive meetings of the Executive Committee, having received the customary notice of such meetings, without special leave of absence, their position will be considered vacant.
- Section 8.09 Should any vacancy in the posts of President, Vice President, Secretary General, Treasurer or Executive Member occur, then notice shall forthwith be given to all Members calling for nominations from the Members for persons to fill such vacancy. The Executive Committee may at the next Executive Committee meeting appoint replacement Officers from such nominations to fill the vacant posts.
- Section 8.10 Any person filling a vacancy shall assume the full rights and responsibilities of an elected Officer of the Executive.
- Section 8.11
Disqualification The SRC shall have a right to disqualify any candidate from standing for election on the grounds of previous mismanagement of sport affairs in or outside Zimbabwe.
- Section 8.12 Any person who during their term of office:
- (a) is declared insolvent; or
 - (b) makes an assignment to or arrangements or composition with their creditors; or
 - (c) is declared by a court to be incapable of managing their own affairs; or
 - (d) is convicted of any offence for which they are sentenced to an effective term of imprisonment without the option of a fine; or
 - (e) is convicted of any offence where dishonesty is an element;
- shall forthwith vacate such office.
- Section 8.13 Any person facing criminal charges, which proceedings are pending, may stand for election.
- Section 8.14 No person who has been suspended shall, during the period of suspension, be eligible to stand for election.
- Section 8.15 Any person who has:
- (a) been declared insolvent and has not been rehabilitated; or
 - (b) made an arrangement, compromise or composition with their creditors, which has not been rescinded or set aside; or
 - (c) been declared by a court to be incapable of managing their own affairs, which order remains effective; or
 - (d) been convicted of an offence for which they have been sentenced to a term of imprisonment without the option of a fine for which they have not received a free pardon;
- shall not be eligible to stand for election.
- Section 8.16
Trustees At each AGM, should the meeting feel it necessary, ZAU may appoint three Trustees, one of whom shall be the President. The Trustees shall carry out the duties assigned to them in terms of the Bye-laws to this Constitution.

- Section 8.17 A Trustee shall automatically be deemed to have vacated their office should they:
- (a) be adjudged insolvent; or
 - (b) assign their estate or make a composition with their creditors; or
 - (c) be convicted and sentenced by judicial Officers of the State for any offence involving dishonesty.
- Section 8.18 Any vacancy in the office of Trustee shall be filled at the next AGM or, at the discretion of the Executive Committee, at a Special General Meeting called for that purpose.
- Section 8.19 In the event of the office of President becoming vacant, then the Executive Committee may appoint the Vice President to fill the vacant post of Trustee.
- Section 8.20 Until any such vacancy is filled in terms of Section 8.18 or Section 8.19, the remaining Trustees shall for all purposes continue to act.
- Section 8.21
Retirement of Officers All Officers, other than the Patron and Life Members, shall hold office until the election of office bearers at the next AGM and shall then retire from office.
- Section 8.22 All Officers retiring in terms of Section 8.21 shall be eligible for re-election.
- Section 8.23 A President may stand for re-election, provided they are mentally and physically capable of discharging the duties of this office, without prejudice to the SRC, ZAU and its Boards of Control.
- Article IX. **ANNUAL GENERAL MEETING**
- Section 9.01
Date The AGM of ZAU shall be held after the financial year end and not later than the 31st August each year. The date shall be set and circulated to Members at least forty five (45) days prior.
- Section 9.02
Notice Notice of the AGM shall be sent in writing to all Officers, the Immediate Past President, the Patron and the Secretaries of all Members at least twenty one (21) days prior to such meeting.
- Section 9.03
Nominations of Office Bearers Each Board of Control shall make one nomination for each of the posts of President, Vice President, Secretary General, Treasurer and Executive Member. Nominations shall be on an approved form, issued to the Members by the Secretary General at least twenty one (21) days before the date of the AGM. Such form shall make provision for the written acceptance of the nomination by the nominee. Such nominations shall be in the hands of the Secretary General at least fourteen (14) days prior to the date of the AGM. The Secretary General shall circulate the names of all nominees to the Members seven (7) days before such meeting.
- Section 9.04 If there is no valid nomination for any of the posts, nominations may be called for from the duly appointed delegates of those Members present at the AGM.
- Section 9.05 Representation at the AGM or a Special General Meeting shall be as follows:
- (a) each Board of Control 3 persons
 - (b) each Provincial Board 2 persons
 - (c) any other Associate Member 1 person.
- Section 9.06
Public Members of the public may be permitted to attend, but not to vote.
- Section 9.07
Quorum A quorum at all General Meetings shall consist of not less than 50% of the Executive and at least one delegate from a Board of Control.

- Section 9.08
Presiding Officer AGMs shall be presided over by the President or, if absent, the Vice President or in the absence of both the President and Vice President, by such person present and entitled to vote that the meeting elects.
- Section 9.09 If within fifteen minutes, or within such extended period as the presiding officer may allow, from the time appointed for any General Meeting a quorum is not present, the Meeting shall stand adjourned for seven (7) days to the same place at the same time on the same day or to such other place, time and day as the presiding officer may determine. If a quorum is not present at such reconvened meeting, the Executive Officers present and authorised delegates of Members present shall constitute a quorum.
- Section 9.10
Notices of Motion Any Notices of Motion must be submitted to the Secretary General in writing at least twenty eight (28) days prior to the AGM. The Secretary General to circulate the same to each Member and the Executive at least twenty one (21) days before such meeting.
- Section 9.11
Delegates Each Member shall notify the Secretary General of ZAU in writing of the name of its delegate or delegates to the AGM not less than seven (7) days prior to the date of such meeting. In the event of any Member failing to give such notice, any delegate or delegates, purporting to represent such Member may, with the approval of the meeting, be permitted to represent such Member, provided proof of authorisation to represent it is tendered, whereupon the actions of such delegates shall be binding on the Member concerned.
- Section 9.12
Voting The President, the Vice President, the Immediate Past President, Secretary General, the Treasurer and such authorised delegates representing Members, shall be entitled to one vote each at an AGM or Special General Meeting.
- Section 9.13 In the event of an equality of votes, the person presiding over the meeting shall be entitled to a casting vote.
- Section 9.14 In the event of a Member not being represented by all such delegates as it is entitled to, the authorised delegate attending the meeting on behalf of such Member may present proxy votes provided they are signed by the Chairman and Secretary of the Member.
- Section 9.15 The business to be transacted at an AGM shall be:
- (a) to read and confirm the Notice of the Meeting
 - (b) to receive delegate's credentials and confirm those delegates present
 - (c) declaration of a quorum
 - (d) to read and confirm or otherwise deal with the Minutes of the previous AGM and of any Special General Meeting that may have been convened since the last AGM
 - (e) to consider, and deal with any matters arising from those minutes
 - (f) to receive from the President of ZAU a report on the activities of the Executive and the various Aquatic Disciplines
 - (g) to receive, consider, and adopt, if in order, the duly audited Balance Sheet and Income and Expenditure Accounts for the year under review
 - (h) to consider and, if thought fit, to grant any Honoraria
 - (i) to elect, if necessary, the following honorary Officers:
 - (i) Patron
 - (ii) Life members
 - (iii) Two trustees
 - (j) to deliberate and vote on any Notices of Motion and pass resolution

- (k) to table nominations from Boards of Control and elect the following Executive Officers:
 - (i) President
 - (ii) Vice President
 - (iii) Secretary General
 - (iv) Treasurer
 - (v) Executive member
- (l) to appoint honorary Auditors
- (m) to transact any other business of which at least seven (7) days written notice has been received.

Article X.

SPECIAL GENERAL MEETINGS

Section 10.01

A Special General Meeting may be called and held at any time in order to transact urgent business upon the instructions of the President, or if absent the Vice President, or upon the written request of:

- (a) the other Executive Officers; or
- (b) any Board of Control, provided the request is passed at a Board Meeting of that Member by a two-thirds majority of those present and entitled to vote

Notice

provided that not less than fourteen (14) days notice of such Special General Meeting shall be sent in writing to all Officers, the Immediate Past President and to the Secretaries of all Members, detailing the matters to be discussed at that meeting.

Section 10.02

All other procedures for conducting a Special General Meeting shall be as per an AGM.

Section 10.03
Quorum

At any Special General Meeting a quorum shall be eight persons present all of whom must be eligible to vote.

Article XI.

EXECUTIVE COMMITTEE MEETING

Section 11.01

Executive Meetings

The Executive Committee shall meet as often as is required to effectively conduct the affairs of ZAU.

Section 11.02

Meetings of the Executive Committee shall be presided over by the President or, when absent, by the Vice President or, in the absence of both the President and the Vice President, by such Officer of the Executive Committee, as shall be chosen by those present .

Section 11.03

Voting

Each Officer of the Executive Committee shall be entitled to one vote. In the event of an equality of votes, the Officer presiding over the meeting shall be entitled to a casting vote.

Section 11.04

Quorum

Any three Officers of the Executive Committee shall form a quorum at an Executive Committee Meeting.

Article XII.

POWERS AND DUTIES OF ZAU

The Powers of ZAU may be exercised by the Executive Committee, subject to any limitation placed thereon at any AGM or Special General Meeting of ZAU, to:

Section 12.01

Rules

make, pass and repeal Laws, Bye-laws, Rules and Regulations.

Section 12.02

enforce compliance with such Laws, Bye-laws, Rules and Regulations by all Members.

Section 12.03

expel, suspend for such period as it may think fit, or impose a fine upon any Member, club,

<i>Disciplinary</i>	athlete or officer for any contravention of the Constitution, Laws, Bye-laws, Rules and Regulations of ZAU or for behaviour unacceptable to ZAU.
Section 12.04 <i>Competitions & Trophies</i>	specify the conditions under which competitions shall be conducted, including conditions regarding finance and including conditions for trophies offered to and accepted by ZAU in respect of competitions. To act as holders in trust of all trophies of ZAU and to arrange methods of ensuring the safety of all trophies whilst in the hands of the holders.
Section 12.05 <i>Funds</i>	administer, invest, make grants from, pay honoraria, or otherwise dispose of the funds of ZAU in such a manner as to promote the interests of and achieve the objectives of ZAU.
Section 12.06	borrow or otherwise raise monies in order to implement the objectives of ZAU.
Section 12.07	buy, or hire, or otherwise acquire any loan, or any other property, moveable or immovable, and sell, lease, pledge, mortgage, or otherwise alienate or encumber all or any part thereof.
Section 12.08 <i>Subcommittees</i>	appoint subcommittees for the purpose of arranging, controlling and regulating aquatics and aquatic competitions in Zimbabwe.
Section 12.09 <i>Delegate duties</i>	delegate such responsibilities as it deems fit to: <ul style="list-style-type: none"> (a) the Executive Committee; or (b) the Boards of Control of ZAU; or (c) a Provincial Board; or (d) a Registered club; or (e) the Manager of any Zimbabwean team.
Section 12.10 <i>Legal</i>	institute, conduct, defend, compound or abandon any legal proceedings by or against ZAU or its Officers, or otherwise concerning the affairs of ZAU.
Section 12.11 <i>Employ</i>	employ or dismiss such employees as it may from time to time decide.
Section 12.12 <i>Teams</i>	ratify the selection of individuals, teams and team management, nominated by Members to represent Zimbabwe at competitions or similar activities and to facilitate all necessary applications to the SRC.
Section 12.13	arrange, control, regulate and finance visits of aquatic sports teams to and from Zimbabwe, either solely or in conjunction with the governing body of the Sport in the country to be visited.
Section 12.14 <i>Colours</i>	ratify the recommendations made to ZAU by its Members for the award, re-award or withdrawal of senior or junior colours to individuals selected to represent Zimbabwe, and thereafter make recommendations to the SRC.
Section 12.15 <i>Meritorious Service</i>	grant 'meritorious service' awards to persons it considers to have served the interests of ZAU in such a manner as to justify such recognition, as specified from time to time in the Bye-laws.
Section 12.16 <i>Life Members</i>	recommend at the AGM 'Life membership' awards to persons it considers to have served the interests of ZAU in such a manner as to justify such recognition, as specified from time to time in the Bye-laws.
Section 12.17 <i>ZAU Delegates</i>	to receive nominations from Members and nominate delegates to CANA, FINA, SRC and ZOC, and to such other National or International bodies, congresses or meetings, that may be considered desirable.
Section 12.18 <i>Tribunal</i>	to establish a Tribunal to decide all cases of disciplinary dispute not otherwise provided for in this Constitution.

Section 12.19 generally do all such things as are incidental to or conducive to the furtherance of the objectives of ZAU.

Section 12.20 any and all decisions of the Executive made in terms of this, or any other, clause hereof shall be acted upon timely after such decisions have been made.

Article XIII. **FINANCE**

Section 13.01 ZAU may operate banking or other financial institution accounts, in the name of ZAU.
Bank Accounts

Section 13.02 All monies of ZAU shall be deposited into such accounts.

Section 13.03 Any Officers of the Executive may be signatories to the ZAU accounts, with any two signatories being required to transact.
Signatories

Section 13.04 All accounts to be paid shall be authorised by the Executive Committee.
Payments

Section 13.05 The Treasurer shall keep proper books of account, which shall be audited annually and presented at the Annual General Meeting.
Books of Account

Section 13.06 The financial year end of ZAU shall be the 30th June.
Financial Year

Article XIV. **AMENDMENT OF THE CONSTITUTION, BYE-LAWS, RULES OR REGULATIONS**

Section 14.01 No provision of this Constitution, Bye-laws, Rules or Regulations shall be amended other than at an AGM or a Special General Meeting called for such purpose.

Section 14.02 Any proposed amendment shall be circulated to all Officers and Members at least twenty eight (28) days before such meeting.

Section 14.03 A vote shall be taken on any proposed amendment and such proposal shall be carried if:
Voting

- (a) in the case of an amendment to the constitution, by the affirmative votes of two thirds of the ballot; or
- (b) in the case of an amendment to the Bye-laws, Rules and Regulations, by a simple majority of votes.

Article XV. **GENERAL**

Section 15.01 The Secretary General shall record the proceedings of all meetings. Copies of the minutes of all Executive Committee meetings, AGMs and Special General Meetings shall be circulated within ten (10) days after such meeting to each Executive Officer and the secretaries of all Members.
Record of Meetings

Section 15.02 Any Bye-laws, Rules or Regulations of ZAU shall have the same effect as if they were incorporated in the Constitution and shall be binding on all concerned.
Bye-laws

Section 15.03 Whilst ZAU recognizes that each Board of Control and Provincial Board has the sole right to control its assets and to dispose of its funds, in such a manner as it may deem fit, within the terms of its Constitution, no such funds shall be devoted or contributed to any purpose other than aquatic sports.
Members Assets

Section 15.04 Every Board of Control shall, no later than 30th June, submit to ZAU its duly audited balance sheet and income and expenditure accounts.
Members Financial Reports

- Section 15.05
Indemnification of Officers
- The Members of ZAU and all Officers of ZAU shall be, and are hereby indemnified out of and from the funds and property of ZAU from and against all losses, charges, costs, damages and all and every other expense and liability they may incur or be put to concerning or about the execution of their respective duties as Members and Officers of ZAU. None of them shall be held responsible for any act or default of the one or the other of them, or for any deficiency or insufficiency of any title or security whatsoever taken by ZAU; nor shall the Officers of ZAU as aforesaid be liable for any loss occasioned by any banker or other person with whom monies or securities of ZAU may be deposited or to whom they have been entrusted for safe custody, invested or otherwise placed; nor for any voluntary loss, misfortune or damage which may happen or take place in the execution of their respective duties or as a result thereof. Provided that any such loss, misfortune or damage is not occasioned by the negligence or *mala fide* act of any such Officer or through their wilful default.
- Section 15.06
Right to Assets of ZAU
- Membership of ZAU shall not give to any Member any right, title or interest, claim or demand in or to any of the monies, property or assets of ZAU, except to the extent determined by ZAU from time to time.
- Section 15.07
Dissolution
- Should it ever become necessary to dissolve or wind up ZAU, then in such event any property remaining and belonging to ZAU shall be given or transferred to some other institution or institutions, organisation or organisations having objects similar to those of ZAU as agreed by a simple majority of Members at a Special General Meeting called and duly constituted for that purpose. The Commissioner of Taxes shall be advised and approve of the manner of distribution of the assets and/or residual income of ZAU.
- Section 15.08
Law
- The Zimbabwe Aquatic Union shall operate under the Laws of the Republic of Zimbabwe and this Constitution shall be interpreted according to those Laws.
- Article XVI. **DISPUTES**
- Section 16.01
Right of Appeal
- Any Provincial Board or individual shall have the right of appeal to ZAU against any decision taken by a Board of Control.
- Section 16.02
Adjudication
- The Executive Committee of ZAU shall be the competent authority to adjudicate upon any dispute arising from any decision made by a Member and shall determine such dispute. Should the dispute be of a disciplinary nature then the matter will be handled by a Tribunal established in terms of Section 12.18.
- Section 16.03
Arbitration
- Any appeal against the decision of ZAU shall be submitted to and resolved by arbitration in Harare in accordance with the Procedural Rules of the Centre of Arbitration for Sport. The decision of the arbitral tribunal shall be final and binding on the parties to the dispute and may be made an order of court at the instance of any of the parties to the dispute.

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NOTES

Explanations to some of the changes

<i>Section 4.05</i>	Doping - ZOC requirement made by resolution at ZOC General Congress April 2009.
<i>Section 5.06</i>	Provinces – ‘will be combined’ changed to ‘may be combined’. Allows for Mashonaland Country Districts, should they not be called Mashonaland East?
<i>Section 5.07</i>	Discrimination - Added gender. Now reads per SBC constitution.
<i>Section 6.02</i>	Members’ constitutions - Added need to advise ZAU <u>in advance</u> of any proposed constitutional amendment.
<i>Section 7.03</i>	Registration fees – Payment dates adjusted.
<i>Section 8.03(f)</i>	Boards of Control Chairmen to be on the Executive as per 1993 Constitution. This now obviates the need for General Council meetings.
<i>Section 8.04</i>	ZOC requirement made by resolution at ZOC General Congress April 2009.
<i>Section 8.09</i>	Changed to make appointments of replacement Exec Officers more formal – based on 1993 Constitution. The Executive cannot be increased to get additional voting power.
<i>Section 9.01</i>	Earliest AGM can now be held is set by financial year. Notification of date of AGM to allow for timely submission of any Notices of Motion.
<i>Section 9.03</i> <i>Section 9.04</i>	Nomination of Exec posts – procedure. Taken from 1993 Constitution.
<i>Section 9.05(a)</i>	Boards of Control now have 3 votes (previously 2) this is to give more power to the Aquatic Disciplines.
<i>Section 9.10</i>	The AGM date is now known in advance (Section 9.01); this gives just over 3 weeks for AGM submissions to be received and at least another 7 days for these to be circulated back to Members.
<i>Section 14.03</i>	Voting amendments to Bye-laws is less onerous than for amendments to the Constitution. This is per previous constitutions.

ZIMBABWE AQUATIC UNION

Honorary Officers Nomination Form

		Acceptance		
Post		Nominee	Signature	Date
1.	Patron			
2.	Meritorious Service			
3.	Meritorious Service			
4.	Life Member			
5.				
6.				
Current Holders				
Award		Holder		
	Meritorious Service			Since
	Meritorious Service			
	Meritorious Service			
	Meritorious Service			
	Life Member			
	Life Member			
	Life Member			
	Life Member			

ZIMBABWE AQUATIC UNION				
Executive Committee				
Nomination Form				
			Acceptance	
	Post	Nominee	Signature	Date
1.	President			
2.	Vice-President			
3.	Treasurer			
4.	Secretary General			
5.	Executive Member			

We the undersigned declare that these are the nominations from the Board of Control selected at a meeting of the Board on

	Name	Signature	Date
Chairman			
Secretary			

This form fully completed and signed to be returned to the Secretary General of ZAU no later than 14 days prior to the date of the AGM. The form may be faxed or scanned and emailed.

ZIMBABWE AQUATIC UNION

General Meeting

Authorised Delegates Form

	Name
1.	
2.	
3.	

We the undersigned declare that these are the authorised delegates representing the Board of Control / Provincial Board.

	Name	Signature	Date
Chairman			
Secretary			

Note:

Boards of Control have 3 delegates

Provincial Boards have 2 delegates

Other Associate Members have 1 delegate.

This form fully completed and signed to be handed to the Secretary General of ZAU prior the General Meeting.

The form may be returned by fax or scanned and emailed.

ZIMBABWE AQUATIC UNION

Form of Proxy

Article XII Section 14

Name

We the undersigned declare that the above named holds the proxy votes for the Board of Control / Provincial Board.

	Name	Signature	Date
Chairman			
Secretary			