



**WORLD
AQUATICS**

BY-LAWS

In force as from 1 January 2023

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DEFINITIONS

Terms used in these By-laws that are defined in the Definitions section of the World Aquatics Constitution shall have the same meaning as set out in the World Aquatics Constitution.

1 PURPOSE

- 1.1. The present By-laws have been adopted by the Bureau, based on Article 17 lit. c of the World Aquatics Constitution.
- 1.2. The purpose of these By-laws is to provide implementing rules and policies on the basis of the World Aquatics Constitution and to set out rules of order for an efficient and transparent functioning of World Aquatics and its bodies, in line with World Aquatics' objectives and the mission of World Aquatics.

2 CONGRESS

2.1 General Rules

The Congress is the highest authority of World Aquatics. It is held either as an Ordinary Congress or as an Extraordinary Congress. A Congress may be held in person, by teleconference, by videoconference or by another means of communication. Voting by correspondence (including email) and/or online is permitted.

2.2 Procedural Matters

- 2.2.1 Motions shall be dealt with according to the order of precedence prepared by the World Aquatics Office or determined by the Chair of the Congress. Motions and proposals of the Bureau shall take precedence.
- 2.2.2 In case the Bureau wishes to make a recommendation in connection with a certain motion, such recommendation shall be announced when the motion is dealt with by the Congress. The Bureau may decide to recommend "motion to be accepted", "motion to be rejected" or any other proposal that the Bureau may consider to be in the interest of World Aquatics.
- 2.2.3 Proposals, in order of precedence, shall be discussed and voted upon, provided that such proposals are not similar in meaning and intent to those already rejected.
- 2.2.4 The National Federation proposing a motion shall briefly explain the motion if the National Federation wishes to do so.
- 2.2.5 In principle, each National Federation shall have the right to speak in relation to a certain motion only once. The period of speeches may be limited by the Chair of the Congress.
- 2.2.6 The Chair of the Congress has the flexibility and power to make any necessary decisions in order to expedite the business of the Congress in an efficient, fair and practical manner.
- 2.2.7 Bureau Members shall be encouraged to participate in a Congress by video or other electronic means, where possible. The Executive shall

determine in advance which Bureau members shall attend in person, taking into due consideration any matter that may require the attendance in person by a certain Bureau Member as well as seniority, geographical and gender distribution, cost efficiencies and a reasonable rotation. Members of the Executive shall, if possible, attend a Congress in person.

- 2.2.8 National Federations shall be represented, in principle, by up to two (2) duly appointed delegates. The office of World Aquatics will determine from time to time the applicable formal accreditation requirements, taking into due consideration security, health and organizational issues.

2.3 Voting

- 2.3.1 Before submitting a motion to a vote, the Chair of the Congress shall present the question concerned in concise, clear, and unequivocal terms.
- 2.3.2 The Chair of the Congress will propose for the approval of the Congress at least three scrutineers to oversee the voting mechanism and vote calculation. Their report shall be given to the Chair of the Congress or the Executive Director orally or in written form.
- 2.3.3 The methods of voting which may be applied (for and against) are:
- a) by show of hands;
 - b) by a secret ballot, proposed and seconded;
 - c) by electronic equipment;
 - d) by correspondence (including email); or
 - e) online.
- 2.3.4 Unless otherwise stated in these By-laws, decisions by the Congress are made counting only the valid votes cast. Accordingly, abstentions and invalid votes shall not be counted.

If the correctness of a vote is questioned, the Chair of the Congress shall decide the validity of the complaint.

2.4 Elections

Elections shall be conducted by secret ballot. In case the number of candidates is not higher than the number of free positions, the Congress may decide to elect the candidates by acclamation.

3 BUREAU

3.1 Continental Representatives

- 3.1.1 Twenty-two (22) Bureau Members are elected by the Congress as continental representatives. They shall be distributed geographically and per gender as determined in the World Aquatics Constitution.
- 3.1.2 The Bureau shall set a deadline to the Continental Organisations to nominate candidates, considering the requirements under the World Aquatics Constitution.
- 3.1.3 All Candidates are subject to an eligibility check by the AQIU.
- 3.1.4 The Bureau shall review the candidatures received from the Continental Organisations and make a proposal to the Congress, taking into due consideration all the criteria set out in the World Aquatics Constitution, including geographical representation, gender, background, knowledge, etc.

3.2 World-at-Large Bureau Members

- 3.2.1 Sixteen (16) additional Bureau Members are elected by the Congress as World-at-Large Bureau Members. They shall be distributed geographically and per gender as determined in the World Aquatics Constitution.
- 3.2.2 The Bureau shall set a deadline to the National Federations to nominate candidates for the position as a World-at-Large Bureau Member considering the requirements under the World Aquatics Constitution. The Bureau may, at its discretion, request the Continental Organisations to cooperate with the Bureau in the evaluation of the candidates proposed by their National Federations. In case there are not sufficient candidatures from a certain continent, the Bureau may grant a deadline to the respective Continental Organisation to nominate candidates.
- 3.2.3 All Candidates are subject to an eligibility check by the AQIU.
- 3.2.4 The Bureau shall review the candidatures received and make a proposal to the Congress, taking into due consideration all the criteria set out in the World Aquatics Constitution, including geographical representation, gender, background, knowledge, etc.

4 ATHLETES

4.1 Athletes Committee

4.1.1 Powers and duties of the Athletes Committee

The powers and duties of the Athletes Committee are:

- a) to bring input of the Athletes to World Aquatics, in particular in connection with the organization of competitions and events;
- b) to collaborate in the Technical Rule proposals and amendments for each discipline;
- c) to be in contact with Athletes participating in competitions and events and bring forward to World Aquatics any suggestions and remarks made by Athletes;
- d) to have a representative of the Athletes Committee participating in the meetings of each Technical Committees, with such Committee representative having personal experience in the discipline of the respective Technical Committee; and
- e) to have the Chair of the Athletes Committee being an ex officio member of the Bureau and the Executive, with his or her main duty being to ensure that the Athletes' perspective is represented in the debates.

4.1.2 Composition and Eligibility of the Athletes Committee

The Athletes Committee shall consist of the following members:

- a) Twenty (20) athletes from elections conducted at the World Aquatics World Championships;
- b) Six (6) athletes appointed by the World Aquatics President, subject to the approval of the World Aquatics Bureau;
- c) Six (6) Honorary Members appointed by the World Aquatics President, subject to the approval of the World Aquatics Bureau; and
- d) All athlete(s) from any of the Aquatics disciplines who are members of the International Olympic Committee (IOC) Athletes Commission.

- 4.1.3 The athletes elected to the Athletes Committee shall represent the Aquatics disciplines as follows:
- a) Ten (10) Swimming athletes, including one male athlete and one female athlete from each Continent;
 - b) Two (2) Open Water Swimming athletes, including one male athlete and one female athlete;
 - c) Two (2) Diving athletes, including one male athlete and one female athlete;
 - d) Two (2) High Diving athletes, including one male athlete and one female athlete;
 - e) Two (2) Artistic Swimming athletes, including one male athlete and one female athlete; and
 - f) Two (2) Water Polo athletes, including one male athlete and one female athlete.
- 4.1.4 The athletes appointed to the Athletes Committee (lit. 9.1.2 (b)) shall be selected taking into due consideration the following elements:
- a) One (1) athlete from each Aquatics discipline; and
 - b) Respect for geographic and gender diversity.
- 4.1.5 Eligibility for the Athletes Committee shall be determined as follows:
- a) All members of the Athletes Committee are subject to an eligibility check by the AQIU.
 - b) Elected athletes must have competed in at least one of the following International Competitions:
 - One of the previous two World Aquatics World Championships;
 - One of the previous two Olympic Games; or
 - World Aquatics World Championships at which elections are conducted.
 - c) Appointed Honorary Members must have participated in a previous World Aquatics World Championships or Olympic Games.
 - d) Elected athletes must be nominated by their National Federation, and each National Federation may nominate no more than one athlete.
 - e) Appointed athletes and Honorary Members must be endorsed by their National Federation.
- 4.1.6 Athletes Committee: Elections
- Where applicable, elections for the Athletes Committee shall be conducted as follows:

- a) The Athletes Committee is constituted on the occasion of the World Aquatics World Championships held in parallel to an Ordinary Congress at which Bureau elections are conducted, with a term of office of four years, unless extraordinary circumstances make it necessary to reduce or extend the terms.
- b) Each athlete competing at the World Aquatics World Championships in which elections are conducted is entitled to one (1) vote.
- c) Swimming athletes are elected by Continent, with the athletes from each respective Continent comprising the electorate in electing one (1) male and one (1) female athlete from each Continent (e.g. a male/female swimmer from Europe may vote for one (1) male and (1) female athlete from Europe).
- d) Open Water Swimming athletes, Diving athletes, High Diving athletes, Artistic Swimming athletes, and Water Polo athletes are elected by discipline, with the athletes from each respective discipline comprising the electorate in electing one (1) male and one (1) female athlete from each of these Aquatics disciplines (e.g. a male/female open water swimmer from Europe may vote for one (1) male and one (1) female open water swimmer from any continent they so choose).
- e) The election of the Athletes Committee may take place either on site or through online voting.
- f) World Aquatics shall inform all National Federations about the election procedure as appropriate in advance of any election.

4.1.7 Organization of the Athletes Committee

- a) Members of the Athletes Committee shall elect three officers: Chair, Vice-Chair, and Honorary Secretary for a term of four years, or until their successors are duly elected. Honorary Members are not eligible to serve as an officer.
- b) The Athletes Committee shall have an Executive Committee composed of nine (9) members: Chair, Vice-Chair, Honorary Secretary, and one member from each discipline, respecting gender and geographic diversity.
- c) The Athletes Committee will elect one (1) delegate per discipline to attend the World Aquatics Congress.
- d) Elected and appointed athletes within the Athletes Committee are entitled to one (1) vote on all committee matters, including elections. Honorary Members, however, do not have voting right.
- e) The World Aquatics Executive Director or his/her representative shall be invited to attend the meetings of the Athletes Committee. The World Aquatics Office shall provide appropriate and necessary

administrative support to the Athletes Committee. Meetings can take place in person, by phone, by videoconference or any other appropriate means.

- 4.1.8 In the event of a vacancy caused by a member's death, resignation, dismissal, incapacity, impediment, or any other cause of inability to perform his/her function as a member, the Bureau shall appoint a replacement Athletes Committee member, respecting gender and geographic diversity. Any person appointed to fill such a vacancy shall serve until the next election.

4.2 Athletes Rights and Obligations

- 4.2.1 Aquatics Athletes have the right to a culture of trust and respect, including protection of physical and mental health through a safe competition and training environment without abuse and harassment. For instance, Aquatics Athletes have the right to be protected from any form of harassment or abuse, of whatever sort, including notably physical, psychological or sexual, and they have the right to expect that any allegation of this type is appropriately and efficiently prosecuted by the competent instances and authorities.
- 4.2.2 Aquatics Athletes have the right to compete in a safe environment free of structural defaults, defects, and environmental hazards.
- 4.2.3 Aquatics Athletes have the right to participate in Aquatics events without any discrimination on the basis notably of race, ethnicity, age, gender, sexual orientation, disability, political affiliation, or religion – and subject only to sport qualification criteria.
- 4.2.4 Aquatics Athletes have the right to participate in competitions that are based entirely on the competing merits of the participants and consistent with the World Aquatics Rules, including the World Aquatics Integrity Code and any other rules and regulations issued by World Aquatics, including those rules issued to conduct the fight against the manipulation of competitions and doping.
- 4.2.5 Aquatics Athletes have the right to due process, including the right to a fair hearing within a reasonable time by the Disciplinary Chamber of the Aquatics Integrity Unit, the CAS Anti-Doping Division or any other applicable independent and impartial panel, with a right to appeal to the Court of Arbitration for Sport (CAS) in Lausanne, Switzerland.
- 4.2.6 Aquatics Athletes have the right to report unethical behaviour without fear of retaliation.
- 4.2.7 Aquatics Athletes have the right to access general information on competitions in a timely and clear manner. Accordingly, World Aquatics publishes a Calendar that lists all events approved or sanctioned by

World Aquatics, Aquatics Athletes to plan their training and competition schedules.

- 4.2.8 Aquatics Athletes who satisfy World Aquatics and/or IOC qualification criteria and rules for participation in World Aquatics World Championships, World Aquatics World Swimming Championships and Olympic Games will be invited to participate in those events through their National Federation or National Olympic Committee and subject to any criteria imposed by the National Federation or National Olympic Committee.
- 4.2.9 World Aquatics will not undertake disciplinary action for Aquatics Athletes who choose to participate in events that are not World Aquatics sanctioned events.

4.3 Athletes' Responsibilities

- 4.3.1 Aquatics Athletes shall act in accordance with the World Aquatics Code of Ethics and are encouraged to report unethical behaviour, including instances of doping, manipulation of competitions, prohibited discrimination, and abuse and harassment.
- 4.3.2 Aquatics Athletes shall respect the rights and well-being of, and refrain from discriminating against or harassing, other athletes, officials, volunteers and all others within the sporting environment.
- 4.3.3 Aquatics Athletes shall comply with applicable national laws, policies of National Federations, and rules of qualification for competitions and events.
- 4.3.4 Aquatics Athletes shall compete as clean athletes, in particular by refraining from doping and complying with the World Aquatics Doping Control Rules and the World Anti-Doping Code for required conduct in both in-competition and out-of-competition testing protocol.
- 4.3.5 Aquatics Athletes shall act in accordance with the World Aquatics Rules on the Prevention of the Manipulation of Competitions and refrain from any activities that are not consistent with fair and equitable competition.
- 4.3.6 Aquatics Athletes shall participate in the governance of the sport by voting in elections for athlete representatives to the World Aquatics Athletes Committee.
- 4.3.7 Aquatics Athletes shall inform themselves of the rules that are applicable for their respective discipline, competitions and events.

5 THE AUDIT COMMITTEE

- 5.1 The powers and duties of the Audit Committee are:
- a) to oversee the implementation by the Treasurer and World Aquatics Office of efficient financial controls and review the World Aquatics Financial Statements, and the External Auditors' report;
 - b) to assist the Bureau and Treasurer in monitoring World Aquatics' financial and compliance matters;
 - c) to ensure that an efficient control system is in place to monitor expenditures of World Aquatics, including funds granted to third parties for development projects;
 - d) to liaise with the external auditors of World Aquatics;
 - e) to conduct risk management;
 - f) to review the quality of the internal control system; and
 - g) to advise the Bureau in relation with the selection, appointment, re-appointment or termination of the term of office of the External Auditors; In particular, the Audit Committee is responsible for providing a recommendation to the Bureau for the appointment, approved by Congress, of external auditors.
- 5.2 The members of the Audit Committee shall be proposed by the Bureau and elected by the Congress.
- 5.3 The Audit Committee shall be comprised of three (3) persons and shall be experts in auditing and financial statement matters. The Audit Committee shall be fully independent to be able to carry out its functions effectively.
- 5.4 The Treasurer, the World Aquatics Executive Director, the World Aquatics Finance Director, and, when necessary, the External Auditors may attend the meetings of the Audit Committee.

6 TECHNICAL COMMITTEES

- 6.1 The Technical Committees are:
- a) the Swimming Committee;
 - b) the Open Water Swimming Committee;
 - c) the Diving Committee;
 - d) the High Diving Committee;
 - e) the Water Polo Committee;
 - f) the Artistic Swimming Committee; and
 - g) the Masters Committee.

- 6.2 The powers and duties of the Technical Swimming, Open Water Swimming, Diving, High Diving, Water Polo, Artistic Swimming and Masters Committees are:
- a) to analyse the requirement for improvements of the Technical Rules for Swimming, Open Water Swimming, Diving, High Diving, Water Polo, Artistic Swimming and Masters, as applicable, and to consider corresponding amendments of the Technical Rules as well as proposals for such amendments received from Members. A recommendation to amend of the Technical Rules shall be submitted to the Bureau, provided it is supported by a two third (2/3) majority of a Committee;
 - b) to investigate, study, and recommend on matters dealing with standard equipment and specifications of competitive pools for Olympic Games or any World Aquatics competitions and events;
 - c) to evaluate and make recommendations to the Bureau in relation with candidates, proposed by National Federations, for the title of international referee, starter or judge;
 - d) to appoint one or more of their members to report to the Bureau in relation with the qualifications of any person recommended as an international referee, judge, or starter and to report periodically on the continued qualifications of referees, judges, or starters on the existing list;
 - e) to receive and report to the Bureau any complaint made by referees regarding misconduct of individuals in World Aquatics competitions and events or other international competitions and to make recommendation thereon;
 - f) to take part in the technical preparations and in the conduct of the competitions in their discipline at the Olympic Games, World Championships and other World Aquatics competitions and events;
 - g) to oversee the installations of all technical equipment prior to and during a World Aquatics competition or event in consultation with the office of World Aquatics;
 - h) to propose rosters for officials, subject to the approval of the Bureau; and
 - i) to investigate cases of protest as preparation for the Jury of Appeal or as otherwise needed.
- 6.3 A representative of a Technical Committee may be invited to the meetings of the Bureau where such tasks that fall within their areas of responsibility are discussed. For that purpose, they shall have the right to submit reports, suggestions, recommendations and comments to the Bureau and a representative of the Committee may be heard at the meeting of the Bureau on the respective issue.

- 6.4 Each Technical Committee shall have a Chair and a Vice Chair, both appointed and dismissed by the Bureau. The number of Vice Chairs and of members of each Committee is determined by the Bureau.

7 SPECIALISED COMMITTEES

7.1 The Specialised Committees

The Specialised Committees are:

- a) the Business and Investment Committee;
- b) the Coaches Committee;
- c) the Remuneration Committee; and
- d) the Sports Medicine Committee.

7.2 The Business and Investment Committee

- 7.2.1 The powers and duties of the Business and Investment Committee are:
- a) to supervise, monitor and evaluate the investment portfolios of World Aquatics;
 - b) to comment on the investment strategy to be followed, taking in consideration the nature and role of World Aquatics; and
 - c) to oversee the business and marketing strategy of World Aquatics in conjunction with the World Aquatics President and the World Aquatics Executive Director.
- 7.2.2 The members of the Business and Investment Committee shall be proposed by the World Aquatics President and approved by the Bureau.
- 7.2.3 The Business and Investment Committee shall be chaired by the Treasurer and shall include up to three external experts able to provide specialist support.
- 7.2.4 The World Aquatics Executive Director and the World Aquatics Finance Director shall support the work of the Business and Investment Committee and shall attend the meetings of the Committee when appropriate.

7.3 The Coaches Committee

- 7.3.1 The powers and duties of the Coaches Committee are:
- a) to fulfil World Aquatics development programme requirements, in coordination with the Development Committee;
 - b) to participate in Coaches certification programmes for each discipline;

- c) to be in contact with and bring forward recommendations and proposals from the coaches around the world; and
- d) to advise on any proposal or amendments to technical rules for each discipline.

7.3.2 The Coaches Committee shall have six sub-committees, one for each discipline of Swimming, Open Water Swimming, Diving, High Diving, Water Polo, Artistic Swimming.

7.3.3 The Coaches Committee shall have a Chair and a Vice Chair, both appointed and dismissed by the Bureau. The Bureau may appoint a Chair and a Vice Chair also for each sub-committee. The number of members of the Committee is determined by the Bureau.

7.4 The Remuneration Committee

7.4.1 The powers and duties of the Remuneration Committee are:

- a) to review the global compensation of the World Aquatics staff and the benefits policy within World Aquatics, proposed by the Executive Director, to ensure best practice, appropriate disclosures and suitable benchmarking; and
- b) on the request of the Executive, to establish a policy to remunerate the President, Vice Presidents, Bureau Members, and members of Committees for their services to World Aquatics.

7.4.2 The members of the Remuneration Committee shall be proposed by the President and approved by the Bureau.

7.4.3 The Remuneration Committee shall be chaired by the Treasurer and shall include up to two (2) other members of the Bureau.

7.4.4 The World Aquatics Executive Director and the World Aquatics Finance Director shall support the work of the Remuneration Committee and shall attend the meetings of the Committee when appropriate.

7.5 The Sports Medicine Committee

7.5.1 The powers and duties of the Sports Medicine Committee are:

- a) to provide medical and sport science expertise to the Bureau and to give recommendations on any matter regarding sport science;
- b) to consider the development of the medical, sanitary, and medical control rules and to submit proposals for legislation to the Bureau;
- c) to give recommendations on any matter regarding conditions of health in Aquatics; and
- d) to assess the availability of appropriate medical care for Athletes and Officials at competitions and events.

- 7.5.2 The Sports Medicine Committee shall have a Chair and a Vice Chair, both appointed and dismissed by the Bureau. The number of members of the Committee is determined by the Bureau.

8 COMPETITIONS AND EVENTS

- 8.1 The Bureau shall issue appropriate rules for the authorisation and sanction of international Aquatics competitions and events.
- 8.2 The Bureau shall issue appropriate competitions rules for Aquatics competitions and events, taking into due consideration the specificities and the needs of all disciplines.

9 AUTONOMY AND MANDATORY REQUIREMENTS OF WORLD AQUATICS MEMBERS

- 9.1 When the autonomy of a National Federation is being, or is, compromised, the World Aquatics Executive is entitled to take any appropriate decisions in order to protect the benefits of Aquatic Sports in the Country of such National Federation. These measures include the suspension or the expulsion from the World Aquatics membership if the constitution, law or other regulations in force in the Country of the National Federation concerned, or any act by any governmental or other body provokes the activity of the National Federation or the making or expression of its will to be hampered.
- 9.2 Members of the World Aquatics Members, in particular clubs, shall only be able to exercise their voting rights at the general meetings of the World Aquatics member to which they are affiliated if they comply with the following conditions:
- they shall have a minimum of 10 affiliated athletes;
 - they shall participate in national championships and other national Aquatics competitions recognised and/or organised by the World Aquatics member to which they are affiliated;
 - they shall pay their annual membership fee set by the World Aquatics member to which they are affiliated and comply with all other financial obligations; and
 - they shall fully comply with the rules enshrined in World Aquatics Constitution, notably complying with and implementing decisions taken by the Court of Arbitration for Sport, by World Aquatics (notably taken by the Congress, the Bureau, the Executive or/and judicial panels) and the World Aquatics member to which they are affiliated, as well as supporting World Aquatics and the World Aquatics member to which they are affiliated in their efforts to achieve their objectives.



Melbourne, 12 December 2022

For the Bureau:

The President

The Executive Director

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