

Swimming NZ Constitution – Explanation Document

NB. the purpose of this document is to explain significant changes to the SNZ constitution proposed by the Constitution Review Committee and subsequently approved by the SNZ Board. It doesn't list changes of a minor nature e.g. grammatical changes or removal of duplications.

“Current constitutions” = the constitutions now in force

“Proposed constitutions” = the proposed constitutions which accompany this document

Change	Explanation	Rules Changed
Definition of Elite HP Swimmer	This change allows Elite swimmers to participate in an HP programme which is not run by SNZ but is approved by SNZ e.g. an overseas programme	Rule 2.1 Rule 6.1 b.
Definition of Learn to Swim	It was felt a definition was required to provide clarity over what was meant by a learn to swim swimmer. The need for clarity is important because Learn to Swim swimmers do not count towards the votes of a Regional Association at an AGM.	Rule 2.1 Rule 6.1 a.
Definition of Life Member	The proposed SNZ constitution now recognises that Regional Associations also appoint Life Members of their own organisations and the definition seeks to distinguish between a SNZ Life Member and a Regional Association Life Member. All Life Members are members of SNZ.	Rule 2.1 Rule 6.1 d Rule 6.4 Rule 8.3 c.
Removal of Whole of Sport plan	The term ‘Whole of Sport Plan’ is not used by Swimming NZ. Rather the Board approves a strategic plan.	Rule 2.1 Rule 4.2 h. Rule 8.4 f. Rule 8.5 Rule 9.1 f. Rule 13.2
Competitive swimmers	In the current constitution the term ‘competitive swimmers’ was restricted to swimmers who had competed in a sanctioned event. This has been extended in the proposed constitution to swimmers eligible to compete in a sanctioned event to remove the requirement for actual competition before a swimmer is eligible to be a member of SNZ.	Rule 6.1 a. Rule 6.3 b. Rule 6.6 (deleted)
Interested Persons	In the current constitution the term “interested persons” was vague and imprecise and has been replaced by members of Member Clubs otherwise not catered for in Rule 6.1	Rule 6.1 e.
Membership of a Regional Association	Under the current constitution swimmers, officials to “aligned” themselves to a Regional Association.	Rule 6.1 c. Rule 6.5

	<p>“Align” has no legal meaning and created confusion as to whether swimmers etc were members of Regional Associations. The amendments in the proposed constitution provide that all swimmers etc who are members of SNZ are also members of a Regional Association</p>	Rule 6.6 (new)
<p>Eligibility of a Regional Association to be a Member</p>	<p>In the proposed constitution, Regional Associations are required to have a constitution approved by SNZ rather than prescribed by SNZ. This means there is some flexibility to depart from the Model Regional Constitution.</p> <p>Th eligibility requirements also now recognise that Regional Associations may have members other than Member Clubs e.g. Life Members</p>	Rule 8.3
<p>Regional Association KPIs</p>	<p>The proposed constitution no longer requires SNZ and Regions to agree KPIs since this didn’t reflect current practice.</p>	Rule 8.5
<p>Involvement in Learn to Swim</p>	<p>The current constitution anticipated that SNZ, the Regions and Member Clubs would not play a large part in Learn to Swim. This is not the case anymore.</p>	<p>Rule 8.5 n. (deleted)</p> <p>Rule 9.1 a.</p>
<p>Voting for Appointments Panel</p>	<p>The restriction which meant that Regional Associations could not vote for persons they nominated onto the Appointments Panel has been removed since it seemed to make no sense.</p>	Rule 11.4 c.
<p>Eligibility to be on Board of SNZ</p>	<p>The term “key role” in rule 12.2 was not defined and created some uncertainty. This has now been clarified as a role which creates a conflict of interest.</p>	Rule 12.2