

# 2003 ANNUAL GENERAL MEETING MINUTES



## **Minutes of meeting of the 113<sup>th</sup> Swimming New Zealand Annual General Meeting held at the Kingsgate Hotel and Convention Centre, Willis St, Wellington on 7<sup>th</sup> September 2003**

The President of Swimming New Zealand, Mr Warwyck Dewe, declared the 113<sup>th</sup> Annual General Meeting open at 9.00am. The President welcomed Life Members, FINA Member Mr William Matson, delegates, observers and guests to the meeting.

### **Attendance:**

President:	Warwyck Dewe
Vice President:	John West
Council:	Jill Clarke, Jack Graham, Bert Cotterill, Jon Elliott, Warwick Jackson, Karen Venables, Michael Dodds
Swimming New Zealand	Catriona McBean (Executive Director), Clive Rushton (Director of Coaching), Mark Saunders (National Education Manager)
Life Members:	Norma Williams, Merle Jonson, Colin Kennedy
Fina Member:	William Matson (Bureau)
Delegates:	
Northland:	Andy Cotton
Auckland:	David Jack
Counties/Manukau:	Jeannie Sibun
Waikato:	Humphrey Pullon
Bay of Plenty:	Steve Delaney
Taranaki:	Alan Barnett
Hawkes Bay Poverty Bay:	Keith Bone
Wanganui:	Jane Lowe
Manawatu:	Charles Greenem
Wairarapa:	Stuart McGregor
Wellington:	Lynne Keatley
Nelson/Malborough:	Brett Currie
Canterbury West Coast:	Julie Stevenson
Eastern Districts:	Allister Johnstone
Otago:	Susan Sawtell
Southland:	Judi Devine
SCAT:	Susan Hargreaves

### **Observers:**

**Enid Wordsworth, Royce Dewe, Sandra Harnett, Margaret McGregor, Marg McMillan, Jan Bickley, Kate Thorn, Judith Armstrong, Sylvia Roberts, Heather Ferguson, Philippa Bouzaid, John Rhodes, Sandra Harnett, Graeme Foote, Geraldine Hale, Shona Hutt, Frank Tourelle.**

### **Apologies:**

Council - Murray Coulter. Life Members - Roly Webb, Maurice Duckmanton, Jack Donaldson, Jim Cole, Noel Smith, Ron Shakespeare, Artie Shaw, Doug Cain. John Mace, Ken Sandri, Kevin Armstrong, Graham Price, Ross Bragg.

President / Eastern Districts

**Carried**

The President asked the meeting to stand and observe a minute's silence in recognition of those of our membership who have passed away over the last year.

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## 2002 Minutes

Minutes of meeting of the 112<sup>th</sup> Annual General Meeting held in Wanganui, 7th September 2002 were read and confirmed as amended below. President/Auckland **Carried**

- A SNZ Service Award was presented to Suzanne Gaskell, Canterbury and omitted from the minutes.

Minutes of meeting of the Special General Meeting held in Wanganui, 6th September 2002 were read and confirmed as true and correct. President/BOP **Carried**

## Reports:

The President confirmed the following reports were tabled as read and invited comments or questions from the floor. None were received.

President's Report	President/Auckland	<b>Carried</b>
SwimSport Committee Report	President/Cotterill	<b>Carried</b>
Executive Director's Report	President/Southland	<b>Carried</b>

## Annual Report Financial Report:

Ms Catriona McBean summarised the financial statements and highlighted the deficit projected for the coming year.

The Annual Report and Financial Report as presented by received and adopted with the following amendments:

- Artie Shaw was a member of the Awards Committee, not Noel Smith as noted.
- A SNZ Service Award was presented to Suzanne Gaskell, Canterbury and omitted from the minutes
- Page 33 should read Statement of Financial Position, not Statement of Financial Performance.
- 2003 Squad should read 1 January to 30 April 2003.

President/Wairarapa **Carried**

## Swimming New Zealand Awards:

Mrs Enid Wordsworth on behalf of the Awards Committee, addressed the meeting and had the pleasure of presenting the following recommendations for awards, and invited those in attendance to come forward to receive their Awards.

New Zealand Service Awards:

Michael Dodds	Otago
Margaret Pattison	Nelson Marlborough
Jos Pattison	Nelson Marlborough
Rita Bailey	Wanganui
Ronald Armstrong	Bay of Plenty
Wayne Johnstone	Bay of Plenty
Sue Norfolk	Canterbury West Coast
Julie Stevenson	Canterbury West Coast
Marlene Morrison	Canterbury West Coast
Pauline Crawford	Canterbury West Coast
George Cook	Canterbury West Coast

Honours Awards:

John West	Auckland
Shirley Murray	Waikato

**Carried by acclamation**

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## Scrutineers:

Norma Williams and Merle Jonson, Life Members were appointed as scrutineers.  
President/BOP

**Carried**

## Election of Officers:

Mr William Matson was invited by the President to act as the chair for the presidential election because of the candidacy of Warwyck Dewe (President) and John West (Vice President).

President/Auckland

**Carried**

President	John West
Vice President	Murray Coulter – this term is for 1 year only
Council	David Jack
Awards Committee	Daphne Loader

The President indicated the need to conduct a postal ballot for the vacant positions under the Swimming New Zealand 2002 Constitution. Information would be forwarded to Regions regarding this process shortly.

The President moved that the Ballot papers be destroyed in line with SNZ Constitution Clause 17.7.

President / Counties

**Carried**

Moved that Carey Smith & Co. of Wanganui be appointed as Auditors.

President / Auckland

**Carried**

## Notices of Motion

**The voting process for notices of motion was by show of cards, which were used to indicate the number of votes per region. Acceptance of notices of motion required a 60% majority vote.**

## Constitutional Remit 1

Clause 2.8 "FINA" means the Federation International de Natation the world governing body of swimming to which SNZ is affiliated.

Clause 3.1 The objects of SNZ are:

- a) To encourage swimming, water safety, water education, water recreation and swimming competition in New Zealand.
- b) To provide good governance for the sport of swimming in New Zealand.
- c) To affiliate with and recognise FINA as the international governing body of the sport of swimming.

Proposed Clause 2.8 "*FINA" means the Federation International de Natation the world governing body of swimming to which SNZ is affiliated as the member within the meaning of FINA Rule C5 with responsibility for diving, water polo, synchronised swimming and masters swimming.*

Clause 3.1 *The objects of SNZ are:*

- a) *To encourage swimming, water safety, water education, water recreation and swimming competition in New Zealand.*
- b) *To provide good governance for the sport of swimming in New Zealand.*
- c) *To affiliate with and recognise FINA as the international governing body of the sport of swimming, diving, water polo, synchronised swimming and masters swimming.*

**Accepted Clause 2.8**

**"FINA" means the Federation International de Natation the world governing body of swimming to which SNZ is affiliated as the member within the meaning of FINA Rule C7 with responsibility for swimming, open water swimming, diving, water polo, synchronised swimming and masters swimming.**

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## Clause 3.1

The objects of SNZ are:

- a) To encourage swimming, water safety, water education, water recreation and swimming competition in New Zealand.
- b) To provide good governance for the sport of swimming in New Zealand.
- c) To affiliate with and recognise FINA as the international governing body of the sport of swimming, open water swimming, diving, water polo, synchronised swimming and masters swimming.

Minor corrections were made, with the leave of the meeting, to the proposed remit to ensure the remit correctly referenced FINA Rules.

SNZ Council/Counties

Carried

## Constitutional Remit 2

### Clause 7.5

A Member of a Club, who does any act, or omits to do any act, which brings the sport of swimming into disrepute, or who violates any rule or bylaw of FINA, SNZ, his/her Club or his/her Club's Regional Association, shall render such violating club and/or member(s) liable to be fined, suspended or expelled by the Council or its Regional Association. If any Member or Club is fined, suspended or expelled by the council of SNZ or its Regional Association, the Member or Club shall have a right of appeal as set out in Rule 23.

### Proposed and Accepted Clause 7.5

**A Member of a Club, who does any act, or omits to do any act, which brings the sport of swimming into disrepute, or who violates any rule, bylaw or policy of FINA, SNZ, his/her Club or his/her Club's Regional Association, shall render such violating club and/or member(s) liable to be fined, intermily suspended, suspended or expelled by the Council or its Regional Association. If any Member or Club is fined, suspended or expelled by the council of SNZ or its Regional Association, the Member or Club shall have a right of appeal as set out in Rule 23.**

SNZ Council/Nelson

Carried

## Constitutional Remit 3

### Clause 10.1

The council shall comprise of:

- (a) Elected members:
  - President of SNZ
  - Vice President of SNZ
  - Eight ordinary, four of whom shall be elected from swimming nominees and four from education nominees. All nominees shall declare their committee of interest on their nomination forms.

### Proposed and Accepted Clause 10.1

**The council shall comprise of:**

- (a) **Elected members:**
  - President of SNZ**
  - Vice President of SNZ**
  - Eight ordinary members**

SNZ Council/Counties

Carried

## Constitutional Remit 4

### Clause 19.11

Two scrutineers appointed by Council – one of which to be a member of Council and the other appointed by the Regions - shall be responsible for counting votes cast in a postal ballot and determining the result.

### Proposed and Accepted Clause 19.11

**Two scrutineers appointed – one of whom shall be a member of Council and the other nominated by the Regions - shall be responsible for counting votes cast in a postal ballot and determining the result.**

SNZ Council/Eastern Districts

Carried

## Constitutional Remit 5

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Clause 23.4                    Domestic Appeal Tribunal

The domestic appeal tribunal shall hear and determine appeals from any decision of the council affecting any member, club or regional association including any appellate decision of the Council in the Appeals capacity pursuant to Rule 22.

Clause 23.5                    The domestic appeal tribunal will not be entitled to hear any appeal against a decision relating to doping offences, doping infractions or penalties imposed for these offences.

Proposed and  
**Accepted**  
Clause 23.4                    **The domestic appeal tribunal shall hear and determine appeals from any decision of the council affecting any member, club or regional association including any appellate decision of the Council in the Appeals capacity pursuant to Rule 22 other than relating to the suspension or expulsion of a member from membership of SNZ.**

Proposed and  
**Accepted**  
Clause 23.5                    **The domestic appeal tribunal will not be entitled to hear any appeal against a decision relating to doping offences, doping infractions or penalties imposed for these offences or any appeal from a decision of the Council to suspend or expel a member from membership of SNZ.**

New Rule  
Proposed and  
**Accepted**                    **Appeals as to suspension and expulsion from membership of SNZ**

**Any member who is suspended or expelled from membership of SNZ by the Council shall have a right of appeal from that decision to the New Zealand Sports Disputes Tribunal such appeal to be conducted within the Rules prescribed by that body, whose decision shall be final and binding upon both the appellant member and SNZ.**

New Rule  
Proposed and  
**Accepted**                    **NZOC Nomination Disputes**

**Where any member wishes to dispute his or her nomination or non-nomination by SNZ to the New Zealand Olympic Committee, SNZ and that member agree to refer that dispute to the sole and exclusive jurisdiction of the New Zealand Sports Dispute Tribunal for a final and binding decision.**

SNZ Council/Auckland

**Carried**

## **Constitutional Remit 6**

Clause 24.2                    Doping  
The commission by a member of a doping offence is strictly forbidden and upon such notification to SNZ, SNZ shall:

- (a) Suspend the member pending a hearing before the Doping Disciplinary Tribunal.
- (b) Appoint a Doping Disciplinary Tribunal which will consist of a lawyer of at least seven years standing, and two retired swimmers who in the past have represented New Zealand in an international swimming competition.
- (c) Convene a hearing of the Doping Disciplinary Tribunal as soon as reasonably practicable after receipt of notification of the commission by a member of a doping offence.
- (d) Give the member at least 14 days notice of the hearing before the Doping Disciplinary Tribunal including details of the allegations made against the member.

Clause 24.3                    The Doping Disciplinary Tribunal:  
(a) May regulate its own procedures both before and at the hearing.

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- (b) Will conduct the hearing in accordance with the principles of natural justice.
- (c) Have the power to impose those sanctions as from time to time are prescribed by FINA for doping offences in its doping control rules.
- (d) Will promptly report the outcome of the hearing and any sanctions imposed to the council of SNZ and to the member.

Proposed and  
**Accepted**  
Clause 24.2

**Upon SNZ being notified of the commission by a member of a doping infraction or doping offence, SNZ shall refer the imposition of sanctions in respect of that doping infraction/doping offence for a decision at a hearing before the New Zealand Sports Disputes Tribunal.**

Proposed and  
**Accepted**  
Clause 24.3

**Any sanctions imposed by the New Zealand Sports Disputes Tribunal will be in accordance with those sanctions as from time to time are prescribed by FINA for doping offences in its doping control rules, and will be binding upon SNZ members as if those sanctions had been imposed by SNZ.**

SNZ Council/Bay of Plenty **Carried**

## **Constitutional Remit 7**

New Rule  
Proposed and  
**Accepted**

### **Jackie Clarke Award**

**Presented by the President of SNZ for a person who has served SNZ, a regional association or club, in the area of administration, with distinction during the past financial year.**

SNZ Council/Counties **Carried**

## **Constitutional Remit 8**

Clause 32.1

### New Zealand Records/Titles

To be eligible to hold a New Zealand title or New Zealand record a swimmer must be both a member of SNZ and a New Zealander. A member of SNZ who is not a New Zealander may not hold or set visitors records.

Proposed  
Clause 32.1

### New Zealand Records

To be eligible to hold a *New Zealand record* a swimmer must be both a member of SNZ and a New Zealander. A member of SNZ who is not a New Zealander may not hold or set visitors records.

SNZ Council/Wairarapa

Amendment  
Clause 32.1

### New Zealand Records

*To be eligible to hold a New Zealand Title a swimmer must be a member of SNZ for 6 months. To hold a NZ Record a swimmer must be a member of SNZ and a New Zealander for 6 months.*

Auckland/Waikato **Lost**

**Approved**  
Clause 32.1

### **New Zealand Records**

**To be eligible to hold a New Zealand record a swimmer must be both a member of SNZ and a New Zealander. A member of SNZ who is not a New Zealander may not hold or set visitors records.**

SNZ Council/Wairarapa **Carried**

### **Procedure Motion**

**The members direct the Council to urgently review the issue of New Zealand titles with regards to changes in the SNZ Competition Regulations.**

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Wairarapa/Eastern Districts **Carried**

## **SNZ Competition Regulation Remit 1**

SRG 2.1 SNZ reserves full power over all New Zealand competitions. SNZ will retain all profits and carry any losses for New Zealand competitions in accordance with the SNZ Letter of Agreement for competition hosting.

Proposed SRG 2.1 *SNZ reserves full power over all New Zealand competitions. SNZ will retain a proportion of the profits and carry a proportion of the losses for New Zealand competitions in accordance with the SNZ Letter of Agreement for competition hosting.*

Auckland/Northland **Lost**

## **SNZ Competition Regulation Remit 2**

SRG 3.2 The qualifying period for NZ competitions to start on 1<sup>st</sup> July in the year preceding the competition to the close of entries as advised by SNZ, with the exception of NZ Winter which start on 1<sup>st</sup> January of the year of the competition to the close of entries as advised by SNZ.

Proposed SRG 3.2 *The qualifying period for NZ competitions to start on 1<sup>st</sup> July in the year preceding the competition to the close of entries as advised by SNZ.*

Auckland/Northland

Amendment SRG 3.2 *The qualifying period for NZ competitions to start on first day of the preceding year's equivalent competition.*

Nelson/Bay of Plenty **Carried**

**Approved SRG 3.2** **The qualifying period for NZ competitions to start on first day of the preceding year's equivalent competition.**

Auckland/Northland **Carried**

## **SNZ Competition Regulation Remit 3**

SRG 3.6.1 All relay entries must include the names of four (4) swimmers and up to four (4) alternatives.

SRG 7.2. Relay swimmers (as named under SRG 3.6.1) and their swimming order shall be advised to control no later than 30 minutes prior to the earliest session in which the relay is to be swam.

Proposed SRG 3.6.1 *All relay entries must include the names of the four (4) swimmers whose times were used to produce the entry time.*

SRG 7.2. *The members of the relay team and their order of competing shall be advised to control no later than 30 minutes prior to the commencement of the session in which the race shall be swum.*

New *The composition of a relay team may be altered between heats and finals of an event provided the entire team including four potential substitutes has been properly notified to the Chief Recorder prior to the commencement of the session in which the heats will be swum.*

Auckland/Northland

Amendment SRG 3.6.1 All relay *team* entries must include the names of the four (4) swimmers whose times were used to produce the entry time.

SRG 7.2. The members of the relay team and their order of competing shall be advised to

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control no later than *60 minutes* prior to the commencement of the session in which the race shall be swum.

New The composition of a relay team may be altered between heats and finals of an event provided the entire team including four potential substitutes has been properly notified to the Chief Recorder *no later than 60 minutes* prior to the commencement of the session in which the heats will be swum.  
Council/Counties **Carried**

**Approved SRG 3.6.1 All relay team entries must include the names of the four (4) swimmers whose times were used to produce the entry time.**

**SRG 7.2. The members of the relay team and their order of competing shall be advised to control no later than 60 minutes prior to the commencement of the session in which the race shall be swum.**

New **The composition of a relay team may be altered between heats and finals of an event provided the entire team including four potential substitutes has been properly notified to the Chief Recorder no later than 60 minutes prior to the commencement of the session in which the heats will be swum.**

Auckland/Northland **Carried**

## **SNZ Competition Regulation Remit 4**

SRJ5 Ribbons shall be presented to the first, second and third placegetters from each region. No visitor medals or ribbons shall be presented.

Proposed *Regional medals shall be presented to the first, second and third placegetters from each region. No visitor medals shall be presented.*

Auckland/Northland **Lost**

## **SNZ Competition Regulation Remit 5**

Proposed New *Brockett Award*  
(a) *A cash prize of \$500 presented to one male and one female swimmer, aged 15 years and under, who have the most outstanding performance between 1 January and 31 December.*  
Council/Wairarapa

Amendment Brockett Award  
(a) A cash prize of *\$500 each* presented to one male and one female swimmer, aged 15 years and under *as at 1 January*, who have the most outstanding performance between 1 January and 31 December.

Council/Wairarapa **Carried**

**Approved Brockett Award**  
(a) **A cash prize of \$500 each presented to one male and one female swimmer, aged 15 years and under as at 1 January, who have the most outstanding performance between 1 January and 31 December.**

Council/Wairarapa **Carried**

## **General Business**

### **2003/04 Budget**

Ms Catriona McBean tabled the budget as approved by Council on 22 June 2003. The process for external funding was outlined to the meeting. All proposed projects were included at their full cost in the budget in an effort to ensure SNZ funding agencies were aware of the full cost of undertaking our business. As some of



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this expenditure is conditional upon receipt of funding the budget is reviewed as funding is confirmed and programmes reprioritised in accordance with funding received.

SNZ Council/Northland **Carried**  
Canterbury West Coast against

## Annual Affiliation Fees

Existing	2003/04 Affiliation Fees \$20.00 + GST Competitor \$10.00 + GST Club swimmers \$10.00 + GST others		
Proposed	<i>To increase the current affiliation fees for the 2004/05 year</i> <i>\$50.00 + GST Competitor</i> <i>\$20.00 + GST Club swimmers</i> <i>\$10.00 + GST others</i>	SNZ Council/Northland	
Amendment	To increase the current affiliation fees for the 2004/05 year \$30.00 + GST Competitor \$15.00 + GST Club swimmers \$10.00 + GST others	Otago/Eastern Districts	<b>Lost</b>
Amendment	To increase the current affiliation fees for the 2004/05 year \$25.00 + GST Competitor \$10.00 + GST Club swimmers \$10.00 + GST others	Auckland/Northland	<b>Carried</b>
<b>Approved</b>	<b>To increase the current affiliation fees for the 2004/05 year</b> <b>\$25.00 + GST Competitor</b> <b>\$10.00 + GST Club swimmers</b> <b>\$10.00 + GST others</b>	SNZ Council/Northland	<b>Carried</b>

## Charitable Trust Status

To consider and if thought appropriate to authorise the Council of Swimming New Zealand to investigate the attainment of charitable trust status with the Inland Revenue Department and to prepare changes to the constitution of SNZ as required by IRD for the approval of members in general meeting.

SNZ Council/Counties **Carried**

## National Competitive Calendar

Withdrawn by Auckland

## Aquatics New Zealand

Mr John West was invited to update the meeting on the processes Swimming New Zealand has undertaken to work with the other FINA Aquatic Sports since the last AGM. The FINA travel and accommodation assistance was agreed to be shared across all competitors from Swimming, Synchronised Swimming and Diving.

The Council, at its meeting of 22 June 2003 agreed that

*"the position regarding any "federation" remained the same, namely no overarching body is acceptable. SNZ confirmed they were willing to meet and enter into multi-disciplinary discussions to address issues of wider significance. Where voting is necessary it should be based on membership numbers".*

## FINA

Mr William Matson updated the meeting on the FINA system of awards which recognise those who have officiated at Olympic Games and World Championships and advised and congratulated Mr John West of FINA's decision to award him certificate of merit.

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Mr Matson also advised the meeting Ms Jo Davidson has been appointed as an official for Athens 2004 Olympics.

## **Swim Trust**

Mrs Enid Wordsworth addressed the meeting on the Trust's purpose and named those swimmers who have received grants from the Trust in the last year. Mrs Wordsworth asked Regions to encourage their clubs to become members of the Trust and asked Regions to consider making contributions.

The Swim Trust AGM will be held at the NZ Winter Championships in Christchurch in September.

## **Postal Election**

Mr William Matson was appointed a scrutineer for the postal election required to fill the 2 vacant Council positions.

Counties/Bay of Plenty

**Carried**

Mr Warwyck Dewe thanked both Mr Jack Graham and Mr Bert Cotterill for their work while on Council and their contribution to SNZ, and wished them well for the future.

Mr Warwyck Dewe presented to Mr John West the Presidential chains. Mr John West thanked Mr Dewe for his role as President over the last 2 years.

The delegates were thanked for their attendance and wished a safe trip home.

Meeting closed 2.10pm