



# **THE USF RULES & REGULATIONS 2016**

**FOR CONSULTATION PURPOSES ONLY**

**THE USF RULES & REGULATIONS, 2016**

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IN EXERCISE of the powers conferred under Article 30 of the Constitution of the Uganda Swimming Federation (USF) currently in force, the USF Executive Committee does make the following Rules and Regulations which shall be deemed to have come in force on \_\_\_\_\_.

### THE USF RULES & REGULATIONS 2016

#### PART I - PRELIMINARY

**1. Citation**

These Rules and Regulations may be cited as **the USF Rules and Regulations, 2016**.

**2. Interpretation**

In these Rules and Regulations, unless the context otherwise requires –

- a) **“Aquatics”** means Swimming, Open Water Swimming, Diving, Water Polo, Synchronized Swimming and Masters Program or Activity.
- b) **“CANA”** is an acronym for **Confédération Africaine de Natation**, the regional organization in charge of aquatics in Africa;
- c) **“Club”** means a club established whose objectives are consistent with those of USF, and to foster or promote Aquatics;
- d) **“FINA”** is an acronym for **Fédération Internationale de Natation** – the international swimming federation.
- e) **“Executive Committee”** means the executive committee of the Federation elected by the Annual General Assembly under Article C 16 of the USF Constitution;
- f) **“Federation”** means the Uganda Swimming Federation (USF), the national organization responsible for aquatics and related activities in Uganda;
- g) **“General Secretary”** means the USF General Secretary;
- h) **“Guidelines”** means the Guidelines established under Regulation 30, and which are stated in the *Fourth Schedule* to these Rules and Regulations;
- i) **“Member”** means a member of the USF with full rights and benefits as provided for under the USF Constitution and the Rules & Regulations.
- j) **“President”** means the USF President;
- k) **“Register”** means the Register of the Uganda Swimming Federation established under article C 8.1 of the Constitution and elaborated in Part II of these Rules and Regulations;

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- l) **“Rules and Regulations”** means these Rules and Regulations;
  - m) **“Secretariat”** means the Federation’s Secretariat.
3. **Application**  
These Rules and Regulations shall apply to any organization, association, club, athlete, coach, manager, teacher, instructor or any other person involved in aquatics or related activity which the Federation is mandated to regulate or administer as empowered under the Constitution.

### PART II – MEMBERS’ AFFAIRS

4. **Eligibility for USF Membership (C 8.1)**  
Swim clubs, schools, and tertiary institutions in Uganda shall be eligible for membership in the Federation.
5. **Register of Members**  
The USF shall maintain a Register of Members that will be kept, maintained and updated by the General Secretary. The Register will be available for inspection on request for Members in Good Standing.
6. **Application For Affiliation and Membership (C 10.1)**  
A written application for membership signed by authorized personnel shall be addressed to the General Secretary accompanied by –
- a) A resolution of the applicant duly signed by its President/Chairperson and the General Secretary/Secretary or such other individual duly authorized approving application for the membership/affiliation;
  - b) The constitution of the applicant which must mention that the applicant and its members commit to complying with the FINA/CANA Statutes, the USF Constitution and By-Laws, Rules and Regulations;
  - c) The composition and full addresses of the applicant’s executive committee members;
  - d) The list and addresses of the applicant’s members;
  - e) The applicant’s lists of athletes, lists of coaches and support staff;
  - f) The applicant’s physical, telephone, postal address, website etc;
  - g) A non-refundable application fee determined by the Executive;
  - h) The Calendar of Events/Activity Schedule for the applicant;
  - i) Policies and applicable manuals; and
  - j) Any other information or requirement that may be necessary.

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### **7. Consideration of Application by the Executive (C 10.2)**

- 7.1 Upon receipt of the said application, the USF Executive Committee will make a decision regarding the same, and may reject the application or approve temporary membership subject to payment of the prescribed affiliation/membership fee and any other considerations that may require fulfillment.
- 7.2 In the event that all conditions are fulfilled, the Executive Committee shall seek a confirmation of the temporary membership by the USF General Assembly. Any federation receiving temporary affiliation shall be granted full rights and obligations in relation to the USF.

### **8. Members' Constitutions Not To Conflict with USF Constitution (C 8.2 and 10.3)**

- 8.1 The constitution and rules of a Member shall not be in conflict with the USF Constitution and Rules & Regulation. Where there is a conflict, the USF Constitution and Rules & Regulations shall prevail.
- 8.2 Members must seek prior written approval of the Executive for any change of name and their constitution before such changes are valid.
- 8.3 Any change in the leadership by a Member shall be notified to the General Secretary within 14 (fourteen) days from the date of such a change. The members will forward a copy of the necessary minute or resolution of the meeting where such change was authorized.

### **9. Membership Certificate**

- 9.1 A Member shall be entitled to issuance of a certificate of membership upon confirmation of membership, provided that the Member is in good standing and has been registered in the USF Members' Register.
- 9.2 A membership certificate may be withdrawn by the Executive where a Member ceases to be recognized or loses membership.
- 9.3 A membership certificate that is lost, damaged or destroyed may be replaced, upon payment of a prescribed fee determined by the Executive.

### **10. Registration of Athletes, Coaches and Officials**

- 10.1 Every Member shall forward the names of athletes, coaches, officials, staff and individual members to the Federation for registration in any case no later than 31 January of every year.
- 10.2 Registration with the Federation shall be mandatory for athletes, coaches and officials of Members. This obligation shall apply to athletes, coaches,

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officials and any other individuals that are not assigned to a Member, or those who domiciled outside Uganda.

- 10.3 Where an athlete or coach or staff or individual member moves from one Member to another as provided for under **Part IV** of these Regulations, the Member where the athlete, coach, staff or individual member is transferring to shall be required to re-register the said individual anew.
- 10.4 An athlete or coach shall not be registered with more that one Member.
- 10.5 An athlete or coach may be simultaneously registered with only one club and one educational institution that he or she attends or is employed by, provided that the athlete or coach shall not represent both the club and educational institution at an activity requiring participation of both the club and the school or other educational institution where he or she is registered.
- 10.6 An athlete or coach shall only be eligible to represent a Member in a USF sanctioned or recognized activity if that athlete or coach is not registered with the Federation.
- 10.7 The Federation may allow non – registered participants in its sanctioned events who will be treated as guests.
- 10.8 All registered athletes, coaches, staff and individual members shall be eligible for issuance of identity cards by the Federation.
- 10.9 A Member or individual who violates this Regulation shall be subject to disciplinary action under the Constitution and or these Rules & Regulations.

### **11. Payable Fees (C 12)**

- 11.1 The following Fees shall be payable –
  - (a) Membership application fee pursuant under **Regulation No. 4.**;
  - (b) Affiliation Fees payable by Clubs, Schools or Institutions;
  - (c) Annual Fees payable by members of the USF Executive, athletes, coaches, officials, and any other person;
  - (d) Any other fees for a necessary activity as determined by the Executive or the General Assembly.
- 11.2 The amounts payable in **Regulation 6** above shall be determined by the Executive and communicated to the General Assembly.

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### **12. Procedure and Regulations Covering Affiliation and Related Fees (FINA BL 1)**

- 12.1 The USF Treasurer shall send to all the affiliated Members of USF, during the first week of October each year, a notice accompanied by an invoice requesting payment of the affiliation fee and all other fees (i.e. for athletes, coaches and officials) in January for the subsequent year.
- 12.2 Any Member whose affiliation fee and all other fees (i.e. for athletes, coaches and officials) are not paid by the end of January each year must be notified immediately by the Treasurer, requesting payment and advising the delinquent Member that if payment is not received by 31 March, they will be under suspension from 1 April, until the fee is paid or until the USF Executive has decided otherwise.
- 12.3 The Treasurer shall in the month of April, notify any Member whose affiliation fee and all other fees (i.e. for athletes, coaches and officials) has not been paid by 31 March that they are suspended and that any Member whose fee is not paid by the 1 July may be declared unaffiliated by the Executive.
- 12.4 The Treasurer, in the months of April and July, shall forward to the President and General Secretary of USF, the list of the Members who have not paid the affiliation fee and all other fees for athletes, coaches and officials.
- 12.5 The General Secretary shall notify all Members of all suspensions and loss of affiliation and when membership status has been reinstated.
- 12.6 All notices related to Rule 12(1) and 12(3), forwarded to Members by the Treasurer or General Secretary, shall be sent by registered mail or Email where the Member does not have a clear identifiable mailing address.

### **13. Entitlements of Members (C 9.1)**

All Members are entitled –

- a) To use the services of the Federation; and
- b) To take part in the Federation's Championships and competitions when they are eligible.

### **14. Obligations of Members (C 9.2)**

All Members are obliged –

- a) To support the Federation in its efforts to achieve its objectives;
- b) To act in accordance with the decisions of the Federation's General Assembly and Executive;



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- c) To pay the annual affiliation or membership fees and meet any other financial obligations;
  - d) To act in accordance with the decisions of the FINA Congress and the FINA Bureau;
  - e) To include within its constitution a provision, which allows out-of-competition doping control by FINA; and
  - f) To comply with the laws of the Republic of Uganda in so far as they do not conflict with the Olympic Charter and the FINA Statutes, By-Laws, Regulations and Policies.
- 15. 'Good Standing' (C 8.4)**  
A Member, Official, Athlete, Coach affiliated to the Federation shall be said to be in 'good standing' where the said Member, Official, Athlete or Coach is –
- a) Fully paid up with respect to all fees payable to USF; and
  - b) Has not been cited for a breach of the USF Constitution, USF By-Laws, Policies or Regulations, and is not undergoing disciplinary actions or serving a disciplinary sentence.
- 16. Members to Submit Annual Activities Calendar and Work Plan**
- 16.1 Every Member shall by 30 October of every year, submit to the Federation's General Secretary a copy of its planned annual activities calendar and work plan.
  - 16.2 The planned annual activities calendar shall indicate the specific dates of the sporting events, meetings, conferences and any other activities planned for each quarter.
  - 16.3 The Federation will ensure that Clubs and School Events are as much as practically possible held separately to prevent conflicting interests for athletes and coaches that may be registered simultaneously.
  - 16.4 In the event of a potential clash, the Executive will determine in advance how the potential clash is to be avoided or resolved.
- 17. Activity Reports**
- 17.1 Each Member shall submit to the Secretary General a quarterly activity report indicating the activities carried out by the Member in the quarter.
  - 17.2 Quarters shall be the months of January – March (Quarter 1), April – June (Quarter II), July to September (Quarter III) and October – December (Quarter IV).

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17.3 The quarterly activity reports shall be addressed to the General Secretary, and will be submitted not later than 21 (twenty – one) days after the end of the quarter.

### **18. Federation's Annual Activities Calendar and Work Plan**

- (1) The Executive will prepare a draft Annual Calendar of Events to be carried out for the year which will be presented to the General Assembly for consideration and approval.
- (2) The draft Calendar will indicate the dates for the local, regional and international sporting events together with the meetings, conferences and any other activities to be participated in by the Federation during the year.
- (3) The draft Calendar will be released not later than **30 November** of every year.

### **19. Non – Participation in USF Calendar Activities**

- (1) Each Member is obligated to participate in activities of the Annual Calendar of Events applicable to the Member.
- (2) **A Member who misses or fails to participate in a scheduled activity** on the USF calendar shall be liable to sanction from the Federation, which may include the imposition of a reprimand, fine, suspension, other appropriate sanction or a combination thereof.
- (3) A Member who ceases to take part in USF activities for 2 (two) consecutive years may be de-affiliated from the USF.

### **20. Honorary Members of USF (C 10.4)**

Honorary membership of the USF may be conferred by the General Assembly upon any person who has rendered outstanding service to the Federation, Aquatics or sports in general. An Honorary Member will be a permanent member of the USF without voting power, if he or she does not hold an elective position in USF with voting powers.

### **21. Cessation of Membership (C 11.1)**

Any membership or affiliation with the Federation ends –

- a) If the Member ceases to exist or dies (in the case of Officials, Athletes, Coaches and any other natural person);
- b) If the Member, Official, Athlete, Coach or other affected person withdraws their membership or affiliation; or
- c) If the Member, Official, Athlete, Coach or other affected person is expelled.

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### 22. **Withdrawal of Affiliation by a Member (C 11.2)**

Any Member who wants to withdraw its affiliation to the Federation shall give written notice thereof of at least 6 (six) months to the General Secretary. The membership shall end immediately unless withdrawn and no refunds of fees will be made.

### 23. **Expulsion of Member, Official, Athlete, Coach, etc**

The Executive shall have the power to expel a Member, Official or Athlete for significant violation of the Constitution and By-Laws and or Rules of the Federation. The respective Member, Official or Athlete shall be entitled to appeal this decision. In this case, the next General Assembly shall make the final decision.

## PART IV – TRANSFERS OF ATHLETES AND COACHES

### 24. **Transfer Rules for Athletes and Coaches**

The following rules shall apply with respect to transfers by athletes and coaches –

#### (1) **Transfer of Athletes and Coaches**

Athletes or coaches are at liberty to transfer from one Member to another in accordance with the provisions of these Rules, whose key objective is to ensure order and fairness in the movement of athletes or coaches from Member to Member.

#### (2) **Transfer Period**

Scheduled transfers by athletes and coaches from one Member to another may take place during the months of January and July of every year, upon issuance of a 30 – day transfer notice to the Federation and filling the appropriate transfer application.

#### (3) **Transfer Procedure**

##### (a) **Notice of Transfer**

Where an athlete or coach intends to transfer from one Member to another, the Athlete or Coach intending to transfer shall inform USF giving not less than 30 days' notice of the proposed transfer.

##### (b) **Submission of Transfer Notice (Form A)**

The Transfer Notice shall be in accordance with **Form A** under these Rules, which will be accompanied with –

- i) The passport data page of the athlete or coach
- ii) The USF identity card (if issued)
- iii) The sample contract, if any
- iv) Transfer Fee per athlete or coach (to be determined by USF) payable upon submission of the Form.

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### **(c) Finalization of Transfers**

A transfer will be finalized on the 30<sup>th</sup> day from the receipt by the USF of the Notice of Transfer provided all requirements stipulated under the Form have been met.

### **(4) Transfers Outside the Transfer Period**

An athlete who transfers over outside the Transfer Period will not represent his or her new Member at the immediate USF event on the calendar following the transfer or crossover.

### **(5) Athlete Passport**

The Federation shall prepare an Athlete Passport containing the relevant details of the athlete. The passport shall indicate the Member(s) with which the athlete has been registered since the season of his or her 8<sup>th</sup> birthday. The Athlete Passport will be given to a Member after finalization of registration under **Regulation 6**, and will be endorsed by USF whenever there are transfers from on a Member to another as provided for under this Regulation.

### **(6) Disputes Arising Under Transfer Regulations**

All disputes between Members arising out of transfers will be submitted to the Federation for resolution. The Member disputing a related matter will submit a written memorandum and supporting evidence to the Federation, with a copy to the Member or athlete or coach, who will be required to respond to the matter raised within 7 days from delivery of the memorandum. The Federation will determine the dispute within 7 days following a hearing between the Members, provided that the Members shall as a first option be given an opportunity to resolve the dispute amicably. The ruling of the Federation on a transfer dispute shall be final and binding on the disputing parties.

### **(7) Violation of Transfer Regulation**

A Member or individual who violates this Regulation shall be subject to disciplinary action as stipulated under Article C 13 of the Constitution.

## PART V – DISCIPLINE

### **25. Requirement to Observe Highest Levels of Discipline**

- (1) USF Member Clubs, Schools, Institutions, athletes, coaches, teachers, parents, officials and any other affected person shall be required to observe the highest levels of discipline and conduct during USF activities.
- (2) Without limitation to the number of acts of misconduct, the following acts shall be deemed to constitute misconduct –
  - (a) Fighting or assault;
  - (b) Smoking at the venue of an activity;

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- (c) Use of profanity or abusive language;
- (d) Disrespect or disregard to officials of the Federation;
- (e) Bullying;
- (f) Insubordination or disobedience of lawful instructions from an officer of the Federation;
- (g) Racist, segregative or discriminatory utterances/and or conduct;
- (h) Disregard, bullying or mistreatment of athletes;
- (i) Sexual harassment;
- (j) Defrauding or misappropriating the finances of the Federation;
- (k) Failure or refusal to turn up for national duty without justifiable reason;
- (l) Use of prohibited energy enhancing substances, or aiding, abetting or procuring use of prohibited energy enhancing substances;
- (m) Any conduct considered indecent and contrary to public policy and morality;
- (n) Flouting or contravening the Constitution, these By-Laws, Rules and Regulations or other lawful directive of the Federation; and
- (o) Any other acts that may amount to misconduct.

### PART VI – NATIONAL REPRESENTATION AND HOSTING OF EVENTS

#### **26. Call for National Duty and Representation**

- (1) An athlete, coach, teacher or other person shall whenever called upon by the Federation avail himself or herself to represent Uganda or perform such national or international duty as such be required, subject to medical fitness and availability of financing.
- (2) It shall be the duty of a Member to release the athlete, coach, teacher or other person who is called upon for national or international duty.
- (4) The USF Executive shall determine representation on the national team, in accordance with the procedure spelling out the parameters for choosing the team stipulated under **Regulation \_\_\_\_\_**.
- (5) An athlete, club or association that contravenes this rule shall be liable to disciplinary action.

**27. Selection Criteria for National Representation**

**27.1 Executive to Conduct Selection of National Team**

The Executive will be responsible for selecting the national team for selected events as and when opportunities present themselves.

**27.2 Selection Criteria**

The following will be the basic selection criteria –

- 1) Only athletes, coaches and officials registered with and in good standing with USF will be considered for selection and representation on the national team. Individuals with poor discipline and a past record of non – compliance may only be considered with very strict conditions.
- 2) Selected athletes, coaches and officials must be in possession of a valid Uganda passport and have chosen Uganda as their Sport Nationality.
- 3) Members selected to the team must abide by and agree to sign the USF Code of Conduct for the event for which they have been nominated.
- 4) Athletes, coaches and officials selected must be available to travel to and attend the event for which they are selected.
- 5) Selection will be based on pre – qualification events that eligible athletes, coaches or officials will have participated in.
- 6) Selection will be done in accordance with a individuals' work ethic, physical readiness and suitability in regard to team dynamics and compatibility.
- 7) All athletes must be available for relay selection, with respect to swimming events.
- 8) Team selection will take into consideration the demographics and gender equity where applicable.

**27.3 Amendment of Selection Criteria**

The Executive may amend the selection criteria or part thereof as the circumstances may warrant and will responsible for determining the final national team selected.

**28. Events Hosted in Foreign Countries (FINA GR 3.1)**

An athlete, coach, trainer, judge or official intending to participate in any activity outside Uganda, shall notify the Federation and seek its authorization before participation in the said activity. If the activity is approved, the Federation will notify the hosting Federation about the planned participation by the athlete, coach, trainer, judge or other official.

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- 29. Participation in Events Outside Uganda**  
Any Athlete that is domiciled outside Uganda shall be at liberty to participate in events hosted outside Uganda provided they notify the Federation of their domicilium and the club or institution they will be representing for a specified period.
- 30. Hosting of Events in Uganda (FINA GR 3.2 and GR 4.6)**  
Any Member, athlete, coach, trainer, judge or official intending to host any activity in Uganda involving local and or foreign participants shall seek the sanction and permission of the Federation before such activity is hosted, and shall ensure enforce the FINA Rules, where such activity is a competition.
- 31. Non-FINA Affiliated or Suspended Federations (FINA GR 4.1, 4.2, 4.3 and 4.4)**  
A Member, athlete, coach, trainer, judge or official shall not have any kind of relationship with any national Federation that is not affiliated to FINA or under FINA suspension, and will not hold any activities or exchange any athletes and or officials with such a Federation, except where specific authorization is obtained by the USF from the FINA Bureau. The violation of this Rule will attract the sanctions as prescribed under the FINA General Rule (GR 4.5), and may be suspended for a minimum period of 1 (one) year and a maximum of 2 (two) years.

### PART VII – USF TECHNICAL OFFICIALS

- 32. USF Technical Officials List**  
The Federation will have in place a USF Technical Officials List from which referees, starters, judges, timers, marshals and others, that shall comprise only those qualified and recognized individuals able officiate USF sanctioned competitions. This is aimed at ensuring highest standards of officiation and professionalism, and also to groom officials capable of getting selected on the FINA and CANA Officials Lists.
- 33. Maximum Age for USF Technical Officials (FINA BL 6)**  
The maximum age of USF Technical Officials (Judges, Starters and Referees) WHEN officiating at USF Competitions except Masters and Water Polo, shall be 65 (sixty-five) years during the year of the competition. The maximum age for Water Polo shall be 55 (fifty-five) years during the year of the competition. Technical Officials on the FINAL Lists of International Referees, Starters or Judges above that age shall be entitled to officiate until the end of their appointment.
- 34. Two Year Renewable Period**  
Only two (2) national swimming officials' categories will be recognized and certified, i.e. Referees and Starters, for a 2-year renewable period.
- 35. Identity Card for USF Officials**  
All Technical Officials on the USF Officials List will be issued with an official identity card subject to obtaining appropriate officiation experience, specialized training any other conditions that the Federation may set.

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- 36. FINA and CANA Bureau TSC Members**  
Present and former FINA Bureau and TSC Members shall be certified by the Federation if they are recognized Referees or Starters. They shall also file an application for certification or renewal of certification.
- 37. Listing To Be in Particular Category**  
A Technical Official can only be on one list in a particular category: he/she cannot be a Referee on two lists at the same time, but may be a Referee on one list and a Starter on the other List.
- 38. Only Officials on List to Officiate USF Events**  
At all competitions organized by USF, only certified officials on the USF List may officiate as referees, starters, stroke judges, inspectors of turns etc.
- 39. English Proficiency for Officials**  
The USF working language is English. All Officials must therefore be able to communicate fluently and proficient in English.
- 40. Application Form**  
All applications (new applications and applications for renewal) must be filed on the official USF Form which attached hereto as **Form \_\_\_\_\_**.
- 41. Code of Conduct Governing USF Technical Officials**  
Technical Officials shall be bound by the FINA Statutes, the FINA Officiation Rules, the FINA Code of Conduct, the USF Constitution and these Rules & Regulations.

### PART VIII – USF COACHES

- 42. USF Coaches List**  
The Federation will have in place a List of USF Coaches that shall comprise only those certified individuals that can coach USF Members. The USF Coaches List shall be published annually at an appropriate time, in order for the General Public to be duly notified. This is aimed at ensuring highest standards of coaching and professionalism in Uganda.
- 43. Certification of Coaches**  
The Federation will put in place a mechanism and standards providing for the certification of coaches affiliated to USF, and will be subject to renewal after a given period.
- 44. Identity Cards for USF Coaches**  
All Coaches on the USF Coaching List will be issued with an official identity card.
- 45. Only Coaches on USF Coaches List to Coach at USF Events**  
It will not be permissible for Members or Athletes to use coaches that are not certified and on the USF Coaches' List. At all competitions and or other events organized by or sanction by USF, only certified coaches on the USF Coaches List will be authorized to appear at such competitions or other certified events. This



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Rule will apply to non-Ugandan coaches that a Member or Athlete intends to use in Uganda or at an event hosted outside Uganda.

**46. English Proficiency for Coaches**

The USF working language is English. All coaches must therefore be able to communicate fluently and proficient in English.

**47. Application Form**

Applications (new applications and applications for renewal) must be filed on the official USF Form which attached hereto as **Form \_\_\_\_\_**.

**48. Code of Conduct Governing Coaches**

All Coaches shall be bound by the FINA Statutes, the FINA Code of Conduct, the USF Constitution and these Rules & Regulations.

### PART IX – COMMITTEES AND THEIR ROLES

**49. Committees**

The USF will have in place the following Committees –

- a) The Athletes' Committee;
- b) The Coaches' Committee;
- c) The Competitions' Committee;
- d) The Disciplinary Committee;
- e) The Finance Committee;
- f) The Marketing & Publicity Committee;
- g) The National Records Committee;
- h) The Planning & Development Committee;
- i) The Team Selections Committee;
- j) The Technical Officials' Committee;
- k) The Rules & Regulations;
- l) The Awards and Merits Committee; and
- m) Any Other Committees which the USF may from time to time appoint.

**50. The Athletes' Committee**

The USF Athletes' Committee established under Article C 20.2 of the Constitution, will operate with a governing charter that will spell out the membership of the Committee, eligibility to serve on the Committee, elections procedures, the terms for Committee members, and other aspects of the Committee.

**51. The Coaches' Committee**

The duties of the Coaches' Committee are –

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- a) In coordination with the Development Committee, to fulfill USF development programme requirements;
- b) To participate in the Coaches Certification programme for each discipline;
- c) To bring the coaches experience and requirements with occasion of USF Competitions to the respective Management Committee of the event;
- d) To be in contact with and bring forward recommendations and proposals from the coaches in Uganda; and
- e) To advise on any proposal or amendments to Technical Rules for each discipline.

### **52. The Competitions' Committee**

### **53. The Disciplinary Committee**

- 52.1 The Disciplinary Committee shall consist of 5 (five) persons, and shall be appointed by the Executive whenever a matter for disciplinary action arises.
- 52.2 On the proposal by the President, the Executive shall appoint one of the members of the Disciplinary Committee to be Chair.
- 52.3 At least three (3) members of the Disciplinary Committee shall also have legal training and experience.
- 52.4 In cases where the USF Executive and the other party agree, a sole member of the Disciplinary Committee may hear and decide the matter.
- 52.5 The USF Disciplinary Committee shall conduct hearings and apply sanctions in all disciplinary cases of originating from violations from any FINA Rules, the Constitution and these Rules and Regulations (except matters regarding doping control) referred to it by the USF Executive.
- 52.6 The hearings of the Disciplinary Committee shall respect the following principles:
  - a) A timely hearing;
  - b) A fair and impartial hearing body;
  - c) The right to be represented by counsel at the hearing, with no expense to USF;
  - d) The right to be fairly and timely informed of the rule violation;
  - e) The right to respond to the rule violation and resulting consequences;

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- f) The right of each party to present evidence, including the right to call and question witnesses (subject to the hearing body's discretion to accept testimony by telephone or written submission);
- g) The right to an interpreter at the hearing, at no expense to USF; and
- h) The right to a timely, written, reasoned decision, specifically, including an explanation of the reason(s) for any period of suspension.

**54. The Finance Committee**

**55. The Marketing & Publicity Committee**

**56. The National Records Committee**

**57. The Planning & Development Committee**

**58. The Team Selections Committee**

**59. The Technical Officials' Committee**

**60. The Legal Committee**

The duties of the Legal Committee are –

- a) To provide legal expertise to the Executive and to give recommendations regarding legal matters whenever needed,
- b) To assist the Executives, USF Committees and the commissions in drafting amendments to the Constitution, USF Rules and Regulations;
- c) To advise, if necessary, on matters referred to CAS by USF; and
- d) To advise, if necessary, on agreements between USF and third parties.

**61. The Awards and Merits Committee**

**PART X – MEDICAL MATTERS**

**62. Medical Rules**

**61.1 General Principles**

- 1) Athletes are entitled to the same fundamental rights as all patients in their relationships with physicians and health care providers, in particular the right to respect for –
  - a) Their human dignity;
  - b) Their physical and mental integrity
  - c) The protection of their health and safety
  - d) Their self-determination; and
  - e) Their privacy and confidentiality.
- 2) The relationship between athletes, their personal physician, the team physician and other health care providers must be protected and subject to mutual respect. The health and the welfare of athletes must prevail over the sole interest of competition and other economic, legal or political considerations.

**61.2 Consent**

- 1) The voluntary and informed consent of the athletes is required for any medical intervention.
- 2) This consent can be made verbally or by a written document.
- 3) Particular care should be taken to avoid pressures from the entourage (e.g. coach, management, family, etc.) and other athletes, so that athletes can make fully informed decisions, taking into account the risks associated with practising a sport with a diagnosed injury or disease.
- 4) Athletes have the right to refuse or to interrupt a medical intervention. The consequences of such a decision must be carefully explained to them.
- 5) Athletes are encouraged to designate a person who can act on their behalf in the event of incapacity. They can also define in writing the way they wish to be treated and give any other instruction they deem necessary.
- 6) With the exception of emergency situations, when athletes are unable to consent personally to a medical intervention, the authorization of their legal representative or of the person designated by the athletes for this purpose is required, after they have received the necessary information. When the legal representative has to give authorization, athletes, whether minors or adults, must nevertheless assent to the medical intervention to the fullest extent of their capacity.

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- 7) The consent of the athletes is required for the collection, preservation, analysis and use of any biological sample.
- 8) Refusal to consent to provide a biological sample for doping control purposes is a doping offence subject to punishment in accordance with the FINA's Anti-Doping Rules (DC 2.3 and DC 10.3.1.)

### **61.3 Confidentiality and Privacy**

- 1) All information about an athlete's health status, diagnosis, prognosis, treatment, rehabilitation measures and all other personal information shall be kept confidential, even after the death of the athlete.
- 2) Confidential information may be disclosed only if the athlete gives explicit consent thereto, or if the law expressly provides for this. Consent may be presumed when, to the extent necessary for the athlete's treatment, information is disclosed to other health care providers directly involved in his or her health care.
- 3) All identifiable medical data on athletes must be protected. The protection of the data must be appropriate to the manner of their storage. Likewise, biological samples from which identifiable data can be derived must be protected.
- 4) Athletes have the right of access to, and a copy of their complete medical record. Such access should normally exclude data concerning or provided by third parties.
- 5) Athletes have the right to demand the rectification of erroneous medical data.
- 6) An intrusion into the private life of an athlete is permissible only if it is necessary for diagnosis, treatment and care, and the athlete consents to it, or if it is legally required. Such intrusion is also permissible pursuant to the provisions of the World Anti-Doping Code.
- 7) Any medical intervention must respect privacy. This means that a given intervention may be carried out in the presence of only those persons who are necessary for the intervention, unless the athlete expressly consents or requests otherwise.

### **61.4 Protection/Promotion of the Athlete's Health during Training and Competition**

- 1) A practice constituting any form of physical injury or psychological harm to athletes is not acceptable and will be a violation of these Rules.
- 2) Minimal safety requirements must be defined and applied with a view to protecting the health of the athletes and the public during training and competition.

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- 3) USF will take steps to publicize the measures to safeguard the health of the athletes and to minimize the risks of physical injury and psychological harm should be publicized in order to benefit all those concerned.

### **61.5 Fitness to Engage in Aquatics**

- 1) Except when there are symptoms or a significant family medical history, the practice of sport for all does not require undergoing a fitness test. The choice to undergo such a test is the responsibility of the personal physician.
- 2) For competitive sport, athletes may be required to present a medical certificate confirming that there are no apparent contraindications. The fitness test should be based on the latest recognized medical knowledge and performed by a specially trained physician.
- 3) A pre-participation medical test is recommended for high-level athletes. It should be performed under the responsibility of a specially trained physician.

### **61.6 Medical Support**

- 1) Every Member shall put in place guidelines regarding the necessary medical support depending on the nature of sporting activities and the level of competition. These guidelines should address, but not be limited to –
  - a) The medical coverage of training and competition venues and how this is organized;
  - b) The necessary resources (supplies, premises, vehicles, etc.);
  - c) The procedures in case of emergencies;
  - d) The system of communication between the medical support services, the organizers and the competent health authorities.
- 2) For every competition held, the host shall ensure the presence on site of at least 2 nurses and a medical kit that should have in it a sucker, oxygen and the other requirements, in order to deal with accidents or any medical emergencies that may occur.
- 3) In the case of a serious incident occurring during training or competition, the USF or the Member conducting the activity will provide the necessary support to those injured, by evacuating them to the competent medical services when needed. The athletes, coaches and persons associated with the sports activity should be informed of those procedures and receive the necessary training for their implementation.
- 4) To reinforce safety in the practice of sports, the USF will put in place a

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mechanism for data collection with regard to injuries sustained during training or competition. The data will be collected with the consent of those concerned, and shall be treated confidentially and in accordance with the recognized ethical principles of research.

### PART XI – ANTIDOPING RULES

#### **63. Anti – Doping Provisions**

##### **63.1 USF Bound by FINA’s Anti – Doping Rules**

- a) The USF is bound to comply with FINA’s Anti-Doping Rules which shall apply to and be binding upon each Member, each participant in any of USF activities or the activities of FINA by virtue of the participant’s membership, accreditation, or participation in FINA, USF, or their activities or competitions.
- b) All FINA Rules including these Anti-Doping Rules shall be deemed as incorporated into and shall be directly applicable to and shall be agreed to and followed by competitors, competitor support personnel, coaches, physicians, team leaders, and club and the Executive, its Executive, volunteers, personnel and associates.

##### **63.2 Authorization for Conduct of Doping Control by USF Members**

Each Member shall –

- a) Allow FINA and, USF or the National Anti-Doping Agency to conduct Doping Control at that the Member’s Championships or any other Competition within the jurisdiction of USF; and
- b) Allow FINA, USF or the National Anti-Doping Agency to conduct unannounced Testing on any Competitor under that USF’s jurisdiction.

##### **63.3 Reporting Results of Doping Controls**

- a) The USF shall report at the end of every quarter (31 March, 30 June 30, 30 September, and 31 December) all results of Doping Controls within their jurisdiction to FINA sorted by Competitor and identifying each date on which the Competitor was tested, the entity conducting the test, and whether the test was in or out of Competition.
- b) The USF shall report to FINA the times of all swimming performances, which fall within the top 50 FINA World Ranking lists of the previous year and the present year.
- c) Where the USF has received an Adverse Analytical Finding on one of its Competitors, or has determined that an apparent anti-doping rule violation has occurred, it shall report the information to FINA and

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WADA within fourteen (14) days in accordance with FINA's Anti – Doping Rules.

### **63.4 Disciplinary Hearing for Doping Violations**

- a) When it appears, following USF's results management process described in the FINA Anti – Doping Rules, that an anti-doping rule violation has occurred, the Competitor or other Person involved shall be brought before a USF disciplinary panel or other *Person's Member Federation* for a hearing to adjudicate whether a violation of these Anti-Doping Rules occurred and if so what *Consequences* should be imposed.
- b) Hearings pursuant to violations shall be completed expeditiously and in all cases within three (3) months of the completion of the results management process. Hearings held in connection with *Competitions* may be conducted by an expedited process.
- c) The USF shall keep FINA fully apprised as to the status of pending cases and the results of all hearings. Where FINA assumes responsibility for results management under the FINA Anti-Doping Rules or the hearing of a violation, the USF shall provide all requested documentation and shall be responsible for FINA's costs relating to the results management process or hearing.
- d) FINA shall have the right to attend hearings as an observer.

### **63.5 Doping Control Review Board (DCRB)**

### **63.6 Doping Panel**

## PART XII – MISCELLANEOUS MATTERS

### **64. Facilitation of female participation in the Federation's activities**

- (1) The Federation shall take practical measures to facilitate the participation of girls and women, in Aquatics, administration and all other activities of the Federation.
- (2) In order to foster the participation in Aquatic sports activities and administration, the Federation will ensure that girls and women are not discriminated against or deprived of their rights to participate account of their gender.



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- 65. Child protection measures**  
Every Member shall put in place child protection measures to safeguard children against practices that may be detrimental to the welfare, safety and general wellbeing of children. All applicable policies shall be filed with the Federation for record purposes.
- 66. Communication Between USF and Members**  
Members shall be responsible for providing regular updates on their activities to the USF on a timely basis, and will furnish the Secretariat with addresses for communication both electronically and otherwise.
- 67. The USF Council**
- 67.1 Establishment of the USF Council**  
There shall be established a Council which shall be known as the USF Council whose objective and purpose shall be to foster the dissemination of information within the USF and the promotion of Aquatics.
- 67.2 Composition of the USF Council**  
The composition of the USF Council shall be –
- a) The USF Executive Committee;
  - b) One representative from USF's Members;
  - c) Any sports organizations, entities or individuals which may be invited by the USF Executive Committee.
- 67.3 Chairperson and Secretary of the Council**  
The USF President shall be the Chairperson of the USF Council with the General Secretary as its Secretary.
- 67.4 Frequency of Council Meetings**  
The Council will meet at least once every quarter (ie every three (3) months), but may meet more often if deemed necessary.
- 68. Matters Not Provided For under the Rules & Regulations**  
Matters not provided for in these Regulations and cases of *force majeure* shall be decided by the USF Executive Committee, whose decisions shall be final.
- 69. Amendment of these Rules and Regulations**  
These Rules and Regulations may be amended from time to time by the Executive Committee whenever the need arises.

**1 October 2016  
UGANDA SWIMMING FEDERATION**