

**PANAM AQUATICS INC.
CONSTITUTION**

Dated August 20, 2023

| | |
|------------------------------------------------------------|----|
| PANAM AQUATICS INC. CONSTITUTION | 6 |
| CHAPTER I | 6 |
| NAME, DURATION AND OBJECTIVES | 6 |
| ARTICLE 1 - NAME AND RELATIONSHIP WITH AQUA | 6 |
| ARTICLE 2 - DURATION | 6 |
| ARTICLE 3 - ADDRESS | 6 |
| ARTICLE 4 - OBJECTIVES..... | 6 |
| ARTICLE 5 – DEFINITIONS | 7 |
| ARTICLE 6 – ZONES | 8 |
| CHAPTER II | 8 |
| MEMBERS | 8 |
| ARTICLE 7 - MEMBERS..... | 8 |
| CHAPTER III | 8 |
| OBLIGATIONS AND RIGHTS OF MEMBERS | 8 |
| ARTICLE 8 - OBLIGATIONS..... | 8 |
| ARTICLE 9 - RIGHTS..... | 9 |
| ARTICLE 10 - SANCTIONS AND TERMINATION OF MEMBERSHIP | 9 |
| CHAPTER IV..... | 9 |
| GOVERNING BODIES OF PAQ | 9 |
| ARTICLE 11 – GOVERNING BODIES | 9 |
| CHAPTER V..... | 9 |
| THE CONGRESS | 9 |
| ARTICLE 12 – HIGHEST AUTHORITY | 9 |
| ARTICLE 13 – CONGRESS | 10 |
| ARTICLE 14 - PRESIDING OVER CONGRESS | 10 |
| ARTICLE 15 - GOOD STANDING..... | 10 |
| ARTICLE 16 - TIMING OF CONGRESS..... | 10 |
| ARTICLE 17 - EXTRAORDINARY CONGRESS..... | 10 |
| ARTICLE 18 - QUORUM..... | 10 |
| ARTICLE 19 - HONORARY LIFE PRESIDENTS | 11 |
| ARTICLE 20 - AGENDA FOR CONGRESS..... | 11 |

| | |
|----------------------------------------------------------|----|
| ARTICLE 21 – MOTIONS FOR CONGRESS | 11 |
| ARTICLE 22- DUES..... | 11 |
| ARTICLES 23 - CONGRESS RESOLUTIONS BINDING..... | 11 |
| ARTICLE 24 – BUREAU AND EXECUTIVE COMMITTEE TERM | 11 |
| CHAPTER VI..... | 12 |
| THE BUREAU | 12 |
| ARTICLE 25 - COMPOSITION OF THE BUREAU | 12 |
| ARTICLE 26 - QUALIFICATIONS FOR THE BUREAU | 12 |
| ARTICLE 27- RIGHTS OF THE PAQ BUREAU..... | 12 |
| ARTICLE 28 - DUTIES OF THE PAQ BUREAU | 12 |
| CHAPTER VII..... | 13 |
| THE EXECUTIVE COMMITTEE | 13 |
| ARTICLE 29- AUTHORITY OF THE EXECUTIVE COMMITTEE | 13 |
| ARTICLE 30 - COMPOSITION OF THE EXECUTIVE COMMITTEE..... | 13 |
| ARTICLE 31 – OFFICES OF THE EXECUTIVE COMMITTEE..... | 13 |
| ARTICLE 32 – ELECTION OF OFFICERS..... | 13 |
| ARTICLE 33 - QUORUM FOR EXECUTIVE COMMITTEE..... | 14 |
| ARTICLE 34 - RIGHTS OF THE EXECUTIVE COMMITTEE..... | 14 |
| ARTICLE 35 – DUTIES OF THE EXECUTIVE COMMITTEE | 14 |
| ARTICLE 36 – NOMINATION OF AQUA BUREAU MEMBERS | 14 |
| CHAPTER VIII..... | 15 |
| DUTIES OF THE EXECUTIVE COMMITTEE OFFICERS..... | 15 |
| ARTICLE 37 - PRESIDENT | 15 |
| ARTICLE 38 - VICE PRESIDENTS..... | 15 |
| ARTICLE 39 - SECRETARY | 15 |
| ARTICLE 40 – TREASURER | 16 |
| ARTICLE 41 - ABSENCE OF THE SECRETARY or TREASURER | 16 |
| CHAPTER IX..... | 16 |
| DUES | 16 |
| ARTICLE 42 - ASSESSMENT OF DUES | 16 |
| ARTICLE 43- PAYMENT DATE | 16 |

| | |
|-------------------------------------------------------------|----|
| ARTICLE 44 - LOSS OF VOTING RIGHTS | 16 |
| CHAPTER X..... | 17 |
| COMMITTEES | 17 |
| ARTICLE 45- COMMITTEES..... | 17 |
| The Standing Committees of PAQ shall be the following:..... | 17 |
| A. Swimming Committee..... | 17 |
| B. Open Water Swimming Committee. | 17 |
| C. Diving Committee..... | 17 |
| D. Water Polo Committee. | 17 |
| E. Artistic Swimming Committee..... | 17 |
| F. High Diving Committee. | 17 |
| G. Masters Committee. | 17 |
| H. PAQ Athletes Committee. | 17 |
| ARTICLE 46 – COMPOSITION | 17 |
| ARTICLE 47 - OFFICERS | 17 |
| ARTICLE 48 - MEETINGS..... | 18 |
| ARTICLE 49 - RIGHTS AND DUTIES | 18 |
| CHAPTER XI..... | 18 |
| VACANCIES | 18 |
| ARTICLE 50 - FILLING VACANCIES | 18 |
| CHAPTER XII..... | 18 |
| LANGUAGE | 18 |
| ARTICLE 51- SPANISH AND ENGLISH..... | 18 |
| CHAPTER XIII..... | 19 |
| MODIFICATION | 19 |
| ARTICLE 52 - AMENDMENTS TO CONSTITUTION..... | 19 |
| ARTICLE 53 - TWO-THIRDS MAJORITY | 19 |
| ARTICLE 54 - EFFECTIVE IMMEDIATELY | 19 |
| CHAPTER XIV | 19 |
| RULES AND REGULATIONS | 19 |
| ARTICLE 55 - COMPETITION RULES..... | 19 |

| | |
|--------------------------------------------------------------------|----|
| ARTICLE 56 - PAN AMERICAN CHAMPIONSHIPS..... | 19 |
| PANAM AQUATICS INC..... | 20 |
| BY- LAWS | 20 |
| GENERAL RULES AND REGULATIONS FOR PAN AMERICAN CHAMPIONSHIPS | 20 |
| BY-LAW 1 | 20 |
| BY-LAW 2..... | 20 |

**PANAM AQUATICS INC.
CONSTITUTION
CHAPTER I
NAME, DURATION AND OBJECTIVES**

ARTICLE 1 - NAME AND RELATIONSHIP WITH AQUA

PanAm Aquatics Inc. (PAQ) is a sports organization recognized by World Aquatics (AQUA), the worldwide governing body for aquatics. The objective of PAQ is to organize, promote and unify under common objectives the aquatic activities in its seven disciplines (swimming, open water swimming, diving, water polo, artistic swimming, high diving, and masters) for all ages in the Americas. PAQ is incorporated and registered in Indiana, USA. PAQ is a public benefit corporation which is organized for public or charitable purposes.

PAQ is a Continental Organization of AQUA, and PAQ is recognized by AQUA pursuant to the AQUA Constitution. As such, PAQ recognizes that the PAQ Constitution must not be in conflict with the AQUA Constitution, and that the AQUA Constitution shall prevail over the PAQ Constitution to the extent of any inconsistency between the AQUA Constitution and the PAQ Constitution.

PAQ and its Members are obliged to fully comply at all time with the World Aquatics Constitution and the World Aquatics Rules, the WADA Code, the decisions and directives of the World Aquatics Bodies, as well as the decisions of CAS. PAQ and its Members recognize that World Aquatics is the only recognized body in the world which governs Aquatics on a worldwide basis.

ARTICLE 2 - DURATION

The duration of PAQ shall be for an indefinite period.

ARTICLE 3 - ADDRESS

The legal address of PAQ shall be that determined by the Bureau.

ARTICLE 4 - OBJECTIVES

The objectives of PAQ shall be to:

- A. Unite all the National Federations or organizations engaged in Aquatics in the Americas.
- B. Promote Aquatics in its seven disciplines in the Americas.
- C. Promote fair and clean sport.
- D. Comply and enforce compliance of the Constitution, Rules and resolutions of PAQ and of AQUA.
- E. Organize, by its own or by delegation, PAQ Championships in Aquatics for all ages.
- F. Promote among its Members the instruction of individuals in the different officials' duties and the correct way in which Aquatics competitions should be conducted.
- G. Provide technical assistance to its Members in Aquatics.

- H. Determine the financial and other obligations of its Members.
- I. Undertake any action towards strengthening sports functions and finances of PAQ, for the benefit of Aquatics in the Americas.

ARTICLE 5 – DEFINITIONS

The terms that follow and which may appear in the Constitution have the following meanings:

- A. AQUA – means World Aquatics
- B. AQUA Constitution – means the constitution of AQUA, as amended from time to time.
- C. AQUA Rules – means the rules, by-laws and policies of AQUA, as amended from time to time.
- D. Aquatics – means swimming, open water swimming, diving, water polo, artistic swimming, high diving and masters.
- E. Athlete – means a person (i) who is taking part in aquatics competitions and events at the national or international level, organized in accordance with this Constitution, the PAQ Rules and/or regulations of PAQ Members or affiliated entities and/or (ii) who is registered by his or her National Federation.
- F. Bureau – means the bureau of PAQ.
- G. Congress – means a congress of PAQ whether ordinary or extra-ordinary
- H. Delegate – means a person who represents a Member of PAQ at the Congress.
- I. Executive Committee – means the executive committee of PAQ. The Executive Committee is intended to take actions consistent with actions of a Board of Directors under the Indiana laws for nonprofit corporations.
- J. Meetings – means in person, by teleconference, by videoconference or by another means of contemporaneous communication.
- K. Members – means the National Federations affiliated with PAQ and which are members of AQUA.
- L. National Federation – means a National Body of Aquatics recognized by World Aquatics and, as such, being a PanAm Aquatics Member. PAQ – means PanAm Aquatics Inc.
- M. PAQ Constitution – means the constitution of PAQ, as amended from time to time.
- N. PAQ Rules – means the rules, by-laws, and policies of PAQ, as amended from time to time.
- O. Specialized Committee – means those committees established and appointed by the PAQ Executive Committee and officially charged with a specific function.
- P. Standing Committee – means a Standing Committee constituted under Chapter X of the PAQ Constitution.
- Q. The Americas - means South America, Central America, the Caribbean Islands, Mexico, Bermuda, United States of America and Canada.
- R. WADA – means the World Anti-Doping Agency.
- S. Zone – means a grouping of countries and sport countries as provided for in Article 6 of the PAQ Constitution.

ARTICLE 6 – ZONES

PAQ consists of five (5) Zones, each Zone consisting of the countries and sport countries listed below, each represented by a National Federation recognized by AQUA. A National Federation will not be permitted to move from the assigned Zone. New National Federations recognized by AQUA will be assigned by the PAQ Executive Committee.

- A. Zone I - Consisting of the following: Argentina, Bolivia, Brazil, Colombia, Chile, Ecuador, Guyana, Paraguay, Peru, Suriname, Uruguay, and Venezuela, operating as CONSANAT.
- B. Zone II - Consisting of the following: Anguilla, Antigua and Barbuda, Aruba, Bahamas, Barbados, Belize, Bermuda, British Virgin Islands, Cayman Islands, Curacao, Dominica, Grenada, Haiti, Jamaica, St. Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sint Maarten, Trinidad and Tobago, Turks and Caicos Islands, and US Virgin Islands, operating within CCCAN
- C. Zone III - Consisting of the following: Costa Rica, Cuba, Dominican Republic, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama and Puerto Rico, operating within CCCAN.
- D. Zone IV - Consisting of the United States of America, operating as United States Aquatic Sports.
- E. Zone V - Consisting of Canada, operating as Aquatics Canada Aquatiques.

CHAPTER II MEMBERS

ARTICLE 7 - MEMBERS

The National Federation of any country in the Americas will be recognized as a Member if:

- A. it is located in the Americas.
- B. it is a member of AQUA.
- C. it has paid the PAQ dues and has documented compliance with these requirements.

CHAPTER III OBLIGATIONS AND RIGHTS OF MEMBERS

ARTICLE 8 - OBLIGATIONS

Members of PAQ must:

- A. Comply with the PAQ Constitution, the World Aquatics Constitution and the World Aquatics Rules, the WADA Code, the decisions and directives of the World Aquatics Bodies, as well as the decisions of CAS.
- B. Provide promptly to the President and Secretary of PAQ up-to-date copies of their constitutions, statutes and by-laws.
- C. Inform PAQ promptly of any changes of the names and addresses of their directors.

- D. Notify PAQ promptly of any sanctions imposed on its affiliates, athletes, technical personnel, managers or officials.
- E. Pay to PAQ on time the assessed dues, as well as any other assessments levied.
- F. Comply with the decisions and sanctions imposed by the Executive Committee, the Bureau, or a Congress.
- G. If a Member becomes the host for a PAQ Championship, it will be required to assume the traveling and living expenses of at least one representative of PAQ, designated by the Executive Committee to act as supreme supervisor and authority at such event, and to ensure that all PAQ and AQUA Rules are followed.
- H. Incorporate rules in its statutes allowing for the control of “doping” according to the rules of AQUA and WADA.

ARTICLE 9 - RIGHTS

The Members have the rights to:

- A. Attend and vote at all Congresses.
- B. Take part in the competitions organized by PAQ.
- C. Use all services that may be made available by PAQ.
- D. Be eligible to host to PAQ Championships or any other competitions organized by PAQ.
- E. Nominate representatives to positions of leadership in and on consultative bodies and committees of PAQ and AQUA.

ARTICLE 10 - SANCTIONS AND TERMINATION OF MEMBERSHIP

A Member may lose any of its rights or may be suspended by PAQ under the following circumstances:

- A. For violation of the PAQ Constitution or Rules.
- B. Failure to pay any PAQ dues or other assessments levied.
- C. If no longer affiliated with AQUA.
- D. If suspended by AQUA.

CHAPTER IV GOVERNING BODIES OF PAQ

ARTICLE 11 – GOVERNING BODIES

The governing bodies of PAQ shall consist of the Congress, the Bureau, and the Executive Committee.

CHAPTER V THE CONGRESS

ARTICLE 12 – HIGHEST AUTHORITY

The Congress is the highest authority of PAQ and shall have the power in accordance with this Constitution to decide upon matters arising in PAQ.

ARTICLE 13 – CONGRESS

The Congress of PAQ shall consist of:

- A. The Members, each represented by up to two (2) Delegates. Each Delegate shall have one (1) vote, however, when only one (1) Delegate represents a Member, that Delegate shall be entitled to two (2) votes. The Delegates shall be citizens and/or residents of the country or sport country that they represent, and they must accredit their designation at the proper time before the Congress with credentials issued by the Member.
- B. All members of the Bureau without vote.
- C. The Honorary Life Presidents without vote.

ARTICLE 14 - PRESIDING OVER CONGRESS

The Congress shall be presided over by the President of PAQ or, in the President's absence, by one of the Vice Presidents designated by the Bureau.

ARTICLE 15 - GOOD STANDING

For a Member to be duly represented at a Congress, it must be in good standing and up to date in the payment of its dues to PAQ and AQUA.

ARTICLE 16 - TIMING OF CONGRESS

The Congress shall be convened every two (2) years, once in conjunction with the Pan American Games (and at the same place and time these are held) and 2 years thereafter at a time and place to be designated by the Executive Committee. The Congress may meet in extraordinary sessions as necessary at other dates and places. The Secretary of PAQ shall inform the Members by email not later than four (4) months ahead of the likely date of the Congress. The Secretary of PAQ shall send by email an invitation to all Members, together with the agenda, reports, information about the candidates of any position subject to election, and duly submitted motions and applications at least (1) month prior to the date of the Ordinary Congress.

ARTICLE 17 - EXTRAORDINARY CONGRESS

An Extraordinary Congress may be called at any time by decision of the PAQ Executive Committee or by a written request of at least two thirds of the Members from a minimum of four (4) Zones. An Extraordinary Congress may only consider those matters indicated in the summons. The PAQ Executive Committee shall fix the date and place of the Extraordinary Congress, which shall be held within three (3) months of receipt by PAQ of such request. The Secretary of PAQ shall send by email an invitation to all Members, together with the agenda, reports and duly submitted motions and applications at least two (2) weeks prior to the date of the Extraordinary Congress. An Extraordinary Congress is summoned in the year prior to AQUA Bureau elections for the purpose of nominating the PAQ Continental representatives and World at Large candidates from the Americas.

ARTICLE 18 - QUORUM

For a legal quorum to exist at a Congress, the duly accredited representatives of one-half (1/2) plus one of the Members, from at least four (4) Zones must be present. If there is no quorum at the time for which the Congress was convened, the session will be postponed

for one (1) hour, at which time the legal quorum will be declared with the number of Members present, regardless of the number, provided that there must be Delegates present from at least four (4) Zones.

ARTICLE 19 - HONORARY LIFE PRESIDENTS

The Congress, in order to reward exceptional merit in or service in the advancement of aquatics internationally, may elect one or more Honorary Life Presidents. The Honorary Life Presidents will also be members of the Bureau, without vote.

ARTICLE 20 - AGENDA FOR CONGRESS

The Agenda for any two consecutive ordinary Congresses shall cumulatively include items A-J below. The PAQ President may add to or modify the agenda as needed to ensure the Congress completes its business in an organized and expeditious manner:

- A. Accreditation of Delegates.
- B. Declaration of quorum and opening remarks by the President of PAQ.
- C. Approval of the Minutes of the previous Congress.
- D. Report by the Executive Committee.
- E. Report by the Treasurer.
- F. Report by Standing Committees and Specialized Committees.
- G. Consideration and discussion of proposals previously submitted and included in the summons.
- H. Election of Executive Committee.
- I. Other matters of urgency, with the approval of two-thirds (2/3) of the Members present.
- J. Adjournment.

ARTICLE 21 – MOTIONS FOR CONGRESS

Motions, applications, and proposals for amendments of the Constitution shall be considered only if submitted by a Member or by the PAQ Executive Committee. All motions, applications, and proposals to be considered by an Ordinary Congress must reach the Secretary of PAQ at least two (2) months prior to the Ordinary Congress and must appear on the agenda submitted to the Members. The proposals or motions approved by the Congress will become effective only upon the approval by AQUA, which approval must be obtained in advance.

ARTICLE 22- DUES

The Congress shall determine the dues to be paid by the Members.

ARTICLES 23 - CONGRESS RESOLUTIONS BINDING

The resolutions of the Congress are binding on all Members for full and correct compliance.

ARTICLE 24 – BUREAU AND EXECUTIVE COMMITTEE TERM

The Congress, in its ordinary session during the Pan American Games, shall elect the members of the Executive Committee. They, together with the members of the AQUA Bureau elected from among Members of PAQ, will hold office as the PAQ Bureau on the day following the conclusion of the aquatic activities of such Games, until the end of

aquatics at the following Games. If there is any change in the members of the AQUA Bureau elected from among Members of PAQ, a corresponding change shall be made immediately in the PAQ Bureau.

CHAPTER VI THE BUREAU

ARTICLE 25 - COMPOSITION OF THE BUREAU

The Bureau shall consist of twelve (12) members of the Executive Committee elected in accordance with Article 32 together with the members of the AQUA Bureau elected from among Members of PAQ. No Bureau member shall have more than one (1) vote.

ARTICLE 26 - QUALIFICATIONS FOR THE BUREAU

The candidates for membership in the Bureau of PAQ shall:

- A. be members of a Member, and nominated only by their respective Member; or
- B. be members of the AQUA Bureau elected from among Members of PAQ.

ARTICLE 27- RIGHTS OF THE PAQ BUREAU

The rights of the PAQ Bureau are to:

- A. Represent PAQ in the control and managements of its affairs between meetings of the Congress, which control, and management is delegated to the Executive Committee between meetings of the Bureau.
- B. Receive and consider applications for membership, in accordance with Article 7 of this Constitution.
- C. Issue whatever orders are deemed necessary for the success of its plans of action.
- D. Institute By-Law changes, with a requirement that any changes subsequently be ratified by the Members at the next Congress.
- E. Adjudicate, if appealed to, in the resolution of conflicts arising between Members.
- F. Take part in the sessions of Congress, with voice but not a vote, unless they are also Delegates to the Congress from a Member, in which case they will also have a vote.

A majority plus one of the members of the Bureau representing at least four (4) of the Zones shall constitute a legal quorum at any meeting of the Bureau. Absent members may vote by email.

ARTICLE 28 - DUTIES OF THE PAQ BUREAU

The duties of the PAQ Bureau include:

- A. Meet when required, and at least once every two (2) years.
- B. Deal with all matters within the competence of the Bureau.
- C. Monitor the implementation of plans approved of by the Bureau.
- D. Deal with issues referred to it by any Zone or by AQUA.

CHAPTER VII THE EXECUTIVE COMMITTEE

ARTICLE 29- AUTHORITY OF THE EXECUTIVE COMMITTEE

The Executive Committee shall have complete authority in the operation of PAQ in the intervals between the meetings of the Congress and between meetings of the Bureau.

ARTICLE 30 - COMPOSITION OF THE EXECUTIVE COMMITTEE

The Executive Committee shall consist of twelve (12) persons, with two (2) persons (one (1) male and one (1) female) from each of the five (5) Zones, and two (2) Athlete Members (one (1) male and one (1) female). For the election of the Executive Committee members from each Zone, only the Delegates of the Members of the respective Zone shall nominate and vote for their respective candidates. Candidates may be nominated only by their respective Member no later than 15 days prior to the Congress. The two (2) Athlete Members shall be from different Zones and shall be nominated and elected by the athlete members of the AQUA Athletes Committee who are from the Americas no later than 15 days prior to the Congress. No Executive Committee member shall have more than one (1) vote.

ARTICLE 31 – OFFICES OF THE EXECUTIVE COMMITTEE

- A. The Executive Committee shall consist of:
- B. One (1) President
- C. Two (2) Vice Presidents
- D. One (1) Secretary
- E. One (1) Treasurer
- F. Seven (7) additional members.

ARTICLE 32 – ELECTION OF OFFICERS

The officers of the Executive Committee of PAQ shall be elected as follows:

- A. The President and Secretary shall be elected by the Congress in its ordinary session during the Pan American Games. The twelve members of the incoming Executive Committee shall be entitled to self-nominate for these two positions no later than ten days prior to the Congress. Such nominations shall be communicated to Members no later than seven days prior to the Congress. The President and Secretary shall not be from the same Zone.
- B. The Treasurer shall be elected by the members of the Executive Committee from among its members but shall not be from the same Zone as the President or the Secretary.
- C. The two Vice Presidents shall be elected by the Executive Committee from among its members but shall be from different Zones and shall not be from the same Zones as the President, the Secretary or the Treasurer.

Athlete Members may be elected to any officer position.

No person shall serve as President for more than two (2) terms, and no Zone shall hold the President or Secretary position beyond two consecutive terms.

ARTICLE 33 - QUORUM FOR EXECUTIVE COMMITTEE

A majority plus one (1) of the members of the Executive Committee representing at least four (4) of the Zones shall constitute a legal quorum at any meeting of the Executive Committee. If a quorum cannot be present, the absent members may present their observations and vote by mail or email prior to the meeting relating to the matters to be considered at the meeting. Meetings may be held in person, by teleconference, by videoconference or by another means of contemporaneous communication. Voting by correspondence (including email) and/or online is permitted.

ARTICLE 34 - RIGHTS OF THE EXECUTIVE COMMITTEE

The rights of the Executive Committee are to:

- A. Be the sole authority to represent PAQ in the control and managements of its affairs between meetings of the Bureau.
- B. Receive from the Members, the annual dues to be paid to PAQ.
- C. Issue whatever orders are deemed necessary for the success of its plans of action.
- D. Appoint delegates and commissions to represent it.
- E. Appoint administrative personnel as required to better conduct the affairs of PAQ.
- F. Nominate AQUA Bureau candidates to a PAQ Extraordinary Congress.
- G. Convene Congresses as provided for in the Constitution.
- H. Take part in the sessions of Congress, with voice but not a vote, unless they are also Delegates to the Congress from a Member, in which case they will also have a vote.
- I. Make emergency decisions which will be immediately valid.
- J. Accept the resignation of any of its members.
- K. Appoint Specialized Committees, the President of which must be a member of the Executive Committee and ratify the recommendations of these Specialized Committees.

The decisions of the Executive Committee must be approved by one half (1/2) of the members plus one. Absent members may vote by mail or email.

ARTICLE 35 – DUTIES OF THE EXECUTIVE COMMITTEE

The duties of the Executive Committee include:

- A. Meet as, and when required, and at least twice a year.
- B. Keep a record of and publish the Members of each Zone.
- C. Be responsible for dealing with all matters within the competence of the Executive Committee requiring decisions between meetings of the Bureau.
- D. Monitoring the implementation of plans approved of by the Executive Committee and the Bureau.
- E. Deal with issues referred to them by any Zone.
- F. Taking decisions in cases of emergency.

ARTICLE 36 – NOMINATION OF AQUA BUREAU MEMBERS

The Executive Committee nominates AQUA Bureau candidates for the consideration of a PAQ Extraordinary Congress in the year preceding the AQUA Congress where such elections take place, according to the following procedures:

- A. For the five Continental representatives, each Zone nominates one man and one woman.
- B. For the four World At Large representatives, Zones I, II, and III nominate one man and one woman.
- C. From the sixteen (16) candidates nominated by the Zones, the PAQ Executive Committee recommends a slate of candidates that reflect geographic diversity and ensures that no gender will have less than 40% representation (five men and four women, or five women and four men). Each Zone has one Continental representative within the slate, and Zones I, II, and III each have at least one World at Large representative within the slate.
- D. The PAQ Executive Committee recommendations are placed in nomination to a PAQ Extraordinary Congress for its approval, including the Vice President. Nominations for the positions of AQUA President and Treasurer may come forward if deemed appropriate.

CHAPTER VIII

DUTIES OF THE EXECUTIVE COMMITTEE OFFICERS

ARTICLE 37 - PRESIDENT

The duties of the President of the Executive Committee of PAQ include:

- A. Perform the duties of this office for the period for which elected.
- B. Preside over all meetings of the Bureau, the Executive Committee and the Congress.
- C. Sign official and private documents when necessary.
- D. Authorize, by signature, all expenditures of PAQ.
- E. Exercise vigilance in the enforcement of the Constitution of PAQ.
- F. Further the development and progress of PAQ, protecting its good name as a sport organization.
- G. Represent PAQ before all authorities in defense of its interests, and give all necessary powers, assignments, or commissions, distribute work, and sign contracts as needed for the conduct of PAQ, having the obligation to inform the other members of the Executive Committee or the Bureau of any such actions, within thirty (30) days of such actions.

ARTICLE 38 - VICE PRESIDENTS

The Vice Presidents will have the responsibilities that the President may assign to them including relating to the commissions that may be assigned to each one. In the case of temporary absence of the President, the Secretary shall determine which Vice President shall act as substitute.

ARTICLE 39 - SECRETARY

The duties of the Secretary include:

- A. Inform the President of all official correspondence of PAQ.
- B. Sign official correspondence of PAQ.
- C. Attend all meetings held by the Executive Committee, the Bureau and each Congress.

- D. Inform promptly the affiliated Members and organizations of all circulars or resolutions emanating from PAQ.
- E. Prepare all documents related to the matters for consideration at the meetings of the Executive Committee and the Bureau.
- F. Record the minutes of all sessions held by the Executive Committee, the Bureau and the Congress and keep a record of the same.
- G. Prepare the minutes for distribution from each session, having available all information that may be requested in relation to the same.
- H. The Secretary of PAQ shall notify all Members by way of a summons, with at least sixty (60) days' prior notice, of the date, time and location set for the Congress and a general description of the business to come before it.

ARTICLE 40 – TREASURER

The duties of the Treasurer include:

- A. Attend all meetings held by the Executive Committee, the Bureau and each Congress.
- B. Keep custody of the funds, property and records of PAQ.
- C. Receive from the Members, the annual dues paid to PAQ and keep a detailed account of all receipts, payments, dues and other accounts of PAQ.
- D. Prepare and formulate annually a financial statement of PAQ, sending it to the members of the Executive Committee and the Bureau not later than May 31 of each year, and after approval, send it to all the Members of PAQ, not later than June 30 of each year.
- E. Comply with all banking and financial regulations of governmental bodies having jurisdiction over the banking and financial transactions of PAQ.

ARTICLE 41 - ABSENCE OF THE SECRETARY or TREASURER

In the event of temporary absence of the Secretary or the Treasurer, the other shall act as substitute, and in the absence of both, the Vice Presidents shall act as substitutes.

CHAPTER IX DUES

ARTICLE 42 - ASSESSMENT OF DUES

Each Member or organization affiliated with PAQ shall pay annual dues to PAQ, in addition to any other assessments that may be levied by the Congress or the Bureau.

ARTICLE 43- PAYMENT DATE

Dues shall be paid annually and not later than the date of any Congress.

ARTICLE 44 - LOSS OF VOTING RIGHTS

Any Member in arrears in payment of PAQ dues shall not be eligible to vote at any Congress and will be held in suspension of its membership rights until it has made full payment.

CHAPTER X COMMITTEES

ARTICLE 45- COMMITTEES

The Standing Committees of PAQ shall be the following:

- A. Swimming Committee.
- B. Open Water Swimming Committee.
- C. Diving Committee.
- D. Water Polo Committee.
- E. Artistic Swimming Committee.
- F. High Diving Committee.
- G. Masters Committee.
- H. PAQ Athletes Committee.

From time to time and as deemed necessary, the Executive Committee may also appoint Specialized Committees for specific purposes and to be of such duration as the Executive Committee may decide.

ARTICLE 46 – COMPOSITION

The Standing Committees shall consist of twelve (12) persons, being two (2) representatives, one (1) of each gender, from each of the five (5) Zones and two (2) athlete representatives, one (1) of each gender.

All members shall have the same rights and obligations. A Chair, Vice Chair and Secretary for each Committee will be designated in accordance with Article 47.

The PAQ Athletes Committee shall be elected by the Athletes according to a procedure approved by the Executive Committee. The members of the other Standing Committees shall be appointed by the Executive Committee and shall be recognized experts in their respective disciplines, with experience in competing, officiating, coaching, communications, or event management/administration, capable of and interested in actively and regularly attending the meetings of the Committees.

ARTICLE 47 - OFFICERS

The Executive Committee will designate the officers of each Committee - the Chairperson, the Vice Chairperson and the Secretary. The Executive Committee shall appoint from its members a Liaison for each of the Committees who shall not count against the Zone quota, if any, and who shall have a voice, but no vote on their respective Standing Committee. The officers, together with the Liaison (as defined above), shall be known as the "Commission" for their respective PAQ Committee. The Liaison shall inform the respective Committee or Commission of the Executive Committee's policy and strategy. The Liaison shall present and comment to the Executive Committee, proposals, recommendations, and requests of the respective Committee/Commission. The Chairman of each Committee shall conduct the meetings and business of the respective Committee or Commission.

ARTICLE 48 - MEETINGS

The Committees shall meet when circumstances so require. All meetings of each Standing Committee will be subject to approval by the Executive Committee.

ARTICLE 49 - RIGHTS AND DUTIES

The rights and duties of the Standing Committees of PAQ include, but are not limited to, the following:

- A. Discuss and take decisions on all matters assigned to them by the Executive Committee.
- B. Promote their disciplines in any possible way, for example, by collecting experiences, conducting clinics, circulating technical expertise to Members, etc.
- C. Exchange continuously expertise and opinions with Members about technical matters.
- D. Consider and decide on all technical matters in their disciplines.
- E. Evaluate, promote and maintain the quality of referees, judges and officials and establish annually a list of PAQ recognized officials in their disciplines.
- F. Co-operate in the technical preparation and holding of the competitions in their disciplines at the Pan American Games and other PAQ events.
- G. Investigate the currently available equipment and specifications, relating to the facilities to be used at PAQ competitions.
- H. Control the technical preparation and technical conduct of the Aquatics in the Pan American Games and other PAQ competitions.
- I. Consider and take decisions on applications for records of PAQ.
- J. Appoint sub-committees, consisting of Committee members, to investigate, study and make recommendations to the Committee related to any matter referred to them.
- K. Establish and recommend for approval of the Executive Committee regulations for the conduct of PAQ events.
- L. Promote the holding of competitions in their respective disciplines, subject to approval by the Executive Committee.

CHAPTER XI VACANCIES

ARTICLE 50 - FILLING VACANCIES

Should a vacancy occur in the Executive Committee, it may be filled temporarily by a majority vote of the Executive Committee, until the respective Zone shall designate a person to fill the vacancy for the balance of the term.

CHAPTER XII LANGUAGE

ARTICLE 51- SPANISH AND ENGLISH

Spanish and English shall be the official languages of PAQ. There shall be printed and

published versions of the Constitution and Rules in both Spanish and English. In case of differences, the English version shall prevail. Correspondence will be sent in both Spanish and English.

CHAPTER XIII MODIFICATION

ARTICLE 52 - AMENDMENTS TO CONSTITUTION

In all cases, the proposals for modification of this Constitution shall be as provided for in Article 21, once a legal quorum is present.

ARTICLE 53 - TWO-THIRDS MAJORITY

For modifications of this Constitution, an affirmative vote of two-thirds (2/3) of the Delegates present, from a minimum of four (4) of the Zones, shall be required.

ARTICLE 54 - EFFECTIVE IMMEDIATELY

Any amendment to this Constitution, the Rules and any regulations approved by Congress will become effective immediately unless determined otherwise at the time of its approval, or, in the case of the Constitution, approval by AQUA as contemplated by Article 21. For the avoidance of doubt, in accordance with the AQUA Constitution, any amendment to or modification of this Constitution must be submitted to AQUA for approval, and any such amendment or modification shall not come into force until such time as AQUA approves that amendment or modification, in writing. Furthermore, PAQ acknowledges that the AQUA Constitution and AQUA Rules may be amended, from time to time, and accordingly that, if necessary, PAQ will promptly amend this Constitution and the PAQ Rules in consequence of such amendments of the AQUA Constitution and AQUA Rules.

CHAPTER XIV RULES AND REGULATIONS

ARTICLE 55 - COMPETITION RULES

The Rules for competitions held by PAQ will be the current rules of AQUA at the time the competition is held.

ARTICLE 56 - PAN AMERICAN CHAMPIONSHIPS

PAQ shall make every effort to conduct PAQ Pan American Championships at least bi-annually in all disciplines. PAQ shall select the dates and places to hold these Championships.

PANAM AQUATICS INC.

BY- LAWS

GENERAL RULES AND REGULATIONS FOR PAN AMERICAN CHAMPIONSHIPS

BY-LAW 1

The rules for the competitions or Championships authorized by PAQ will be the rules and regulations of AQUA in effect when the competition is held.

BY-LAW 2

The minimum requirements to be able to host any PAQ Championship, in any of the Aquatics disciplines are the following:

- A. All the installations necessary to carry out the events must be provided in accordance with the summons and respective international regulations.
- B. All judges and officials, as well as the equipment requested by PAQ, must be provided.
- C. Food, lodging, and local transportation must be made available for all visiting teams at the lowest possible cost for the duration of the Championships. Competitors and accredited team officials shall be responsible for their own expenses for travel, lodging and meals.
- D. Provide prizes and trophies as requested by PAQ; these prizes and trophies must be inscribed with the initials or symbol of PAQ.
- E. The cost of air transportation, food, lodging and all other needs of a representative of PAQ during the event.
- F. The cost of food, lodging and local transportation for the members of the applicable PAQ Standing Committee.
- G. The host country shall provide, as a guarantee to PAQ, a cash deposit of one thousand dollars (US \$1,000.00) within 30 days from the time it is designated as the host country. The guarantee shall serve to ensure fulfillment of the commitments of the host country. It will be returned at the successful conclusion of the event.