



**MINUTES OF THE EXTRAORDINARY CONGRESS  
HELD ON 18 JUNE 2022  
KEMPINSKI HOTEL, BUDAPEST, HUNGARY**

**Present were:**

Maureen Croes , President  
David de Vlieger , Secretary Treasurer  
Van Donkersgoed, Vice President  
Luiz Fernando Coelho, Vice President  
Brenda Villa, EC Member (and MC of this Congress)  
Rafael Radhames Tavares, EC Member  
Virginia Jasontek, EC Member  
Margo Mountjoy, EC Member  
Ivonne Shoucair, Executive Director  
Mel Goldstein, Financial Director

**National Federations in Attendance:**

Antigua & Barbuda, Argentina, Aruba, Bahamas, Barbados, Bermuda, Bolivia, Brazil, Canada, Chile, Colombia, Costa Rica, Cuba, Curacao, Dominican Republic, Ecuador, El Salvador, Grenada, Guatemala, Guyana, Haiti, Honduras, US Virgin Islands, St. Maarten, Mexico, Nicaragua, Panama, Paraguay, Peru, Puerto Rico, St. Kitts & Nevis, St. Lucia, Suriname, Turks & Caicos Islands, Trinidad & Tobago, Uruguay, , Venezuela

**Special Guests included:**

FINA Treasurer, Dale Neuberger  
FINA Vice President Juan Carlos Orihuela  
FINA Bureau Members Algernon Cargill, Cheryl Gibson and Victoria Stanham  
FINA Executive Director Brent Nowicki (portion of meeting only)  
Zone Presidents Juan Carlos Orihuela, William Smith and Kelly Stark Anderson  
FINA Staff members Pere Miro, Loïc Loutain, Sergio Comte and Vita Balsyte

## **1. Accreditation of Delegates and Roll Call of National Federations**

The Secretary Treasurer proceeded with the roll call of federations in accordance with the sign-in sheets. All nations listed above were present at the outset of Congress, save one whose delegates arrived during the President's introductory remarks.

In addition to delegates from the listed Members and the previously noted special guests, there were also observers from various PanAm Aquatics members along with representation from PanAm Aquatics' valued partner Fluidra.

## **2. Declaration of Quorum**

The Secretary Treasurer reported that with 38 Members present, with all four zones represented, there was a legal quorum in accordance with Article 18 of the Constitution and declared the Extraordinary Congress properly constituted.

## **3. Opening remarks, Introduction of Special Guests, and Welcome**

The President welcomed everyone and thanked them for attending. Special mention was made of the presence of our honoured guests (noted above). Also noted was the exemplary attendance with 38 members in attendance.

The President expressed regrets on behalf of FINA President Husain Al Musallam who was unable to attend due to a last-minute conflict. She then welcomed Mr. Dale Neuberger, who was pleased to offer a welcome on behalf of Captain Al Musallam.

Mr. Neuberger congratulated federation members for their attendance and their efforts to advance the cause of aquatics in their respective countries. He recognized that PanAm Aquatics members have the highest participation rate in FINA clinics and encouraged members to make even more efforts to obtain the greatest possible participation rate in clinics in their regions. He also expressly recognized the attendance and tireless efforts of FINA staff, noting they were a

great resource for members seeking to improve aquatics in their countries. He finished by wishing members the greatest of success in the Championships.

#### **4. President's Report**

President Croes thanked everyone for their attendance and efforts to improve aquatics - making special note of the efforts of many people on behalf of PanAm Aquatics, including those hard working members of the Executive Committee, Discipline COmmitees, and many volunteers working hard to make PanAm Aquatics a better place. She then introduced a brief video presentation which again highlighted the efforts of many on behalf of aquatics in the Americas and also introduced the new branding efforts launched in late 2021.

#### **5. Financial Update/Report**

The Secretary Treasurer provided a brief update regarding the general financial condition of the organization, making note of the main revenue sources (being FINA Continental Support, sponsors such as Fluidra, and events) and the continued goal of achieving increased financial self-sustainability.

#### **6. Address from FINA Executive Director**

The FINA ED Brent Nowicki apologized to Congress delegates for his delayed attendance noting other late breaking commitments. He thanked President Croes and the fuller PanAm Aquatics membership for their cooperation with FINA - a and for keeping the lines of communications open. He noted President Croes' involvement with the FINA reform process and indicated that he was able to stay abreast of issues impacting the Americas. He also noted support for the PanAm Aquatics rebranding exercise. He finished by thanking the local organizing committee, along with all federations and athletes for making this Championship a success. He wished all federations a successful Championships - and invited everyone to the opening ceremonies.

## **7. Constitution Amendments**

The Secretary Treasurer briefly reviewed the amendments before Congress - noting the reasons behind the amendments, the process undertaken, and the major changes in the document. The final version presented to the Extraordinary Congress is attached as Exhibit A.

*MOTION: Be it resolved that the amendments to the Constitution as presented at this Extraordinary Congress be taken en masse and approved.*

*Moved: Puerto Rico - Fernando Delgado*

*Seconded: Canada - Kelly Stark-Anderson*

*Passed*

## **8. Special Presentation**

President Croes made a special presentation recognizing the enormous efforts of Dr. Maglione on behalf of aquatics in the Americas and around the world. Not only was he an athlete, but he went on to a long career in the sports world. He is a former President of FINA, a (two-time!) past President of PanAm Aquatics (then UANA), among many other accomplishments. On behalf of PanAm Aquatics she presented a small token of our gratitude for his lasting impact - "Legacy" , a series of paintings by a Canadian artist

*Be it resolved that in recognition of his tremendous efforts and accomplishments in advancing aquatics in the Americas and around the world Dr. Julio Maglione be appointed as Honorary Life President of PanAm Aquatics.*

*Moved: Puerto Rico - Fernando Delgado*

*Seconded: Curacao - Raoul Hooftman*

*Passed unanimously*

## 9. Adjournment

There being no other matters on the agenda, the President wished the members a successful Championship and adjourned the Extraordinary Congress.

**Prepared by:**

**David de Vlieger**



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**Secretary Treasurer**

**Confirmed By:**

**Maureen Croes**



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**President**

## CONSTITUTION

### CHAPTER I NAME, DURATION AND OBJECTIVES

#### ARTICLE 1 - NAME AND RELATIONSHIP WITH FINA

PanAm Aquatics Inc. (PAQ) is a sports organization, recognized by Federation International de Natation (FINA), whose objective is to organize, supervise and control 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. For all purposes, PAQ shall be a Civil or Incorporated Association.

PAQ is a Continental Organisation of FINA, and PAQ is recognised as such by FINA pursuant to FINA Constitution (clause C 14). As such, PAQ recognises that this Constitution must not be in conflict with FINA Rules, and that the FINA Rules shall prevail over this Constitution to the extent of any inconsistency between the FINA Rules on the first part and this Constitution on the second part.

#### 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 Executive Committee.

#### ARTICLE 4 - OBJECTIVES

The objectives of PAQ shall be to:

- A. Unite under its direction all the Federations or Organizations engaged in Aquatics in the Americas.
- B. Promote Aquatics in its seven disciplines.
- C. Promote drug free sport.
- D. Comply and enforce compliance of the Constitution, Rules and resolutions of PAQ and of FINA.
- E. Organize, by its own or by delegation, Pan American Championships in Aquatics for all ages which the Congress of PAQ decides to conduct.
- 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 and affiliates.
- I. Undertake any action towards strengthening sports-wise and financially 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. Federations or Members – The national federations affiliated to PAQ and that are members of FINA.
- B. Delegate – The person that represents a Member of PAQ at the Congress.
- C. Aquatics – Means swimming, open water swimming, diving, water polo, artistic swimming, high diving and masters.
- D. Zone Member - One of the four organizations that constitute PAQ.
- E. Standing Committee – A Standing Committee constituted under Chapter X of this Constitution.
- F. Specialized Commission – Established and appointed by the PAQ Executive officially charged with a specific function.
- G. The Americas means South America, Central America, the Caribbean Islands, Mexico, Bermuda, United States of America and Canada.

## **ARTICLE 6 - ZONES**

PAQ consists of four Zone Members, which are represented by independent bodies as follows:

- A. Zone I - Consisting of the countries located in South America, represented by the South American Swimming Confederation (CONSANAT).
- B. Zone II - Consisting of the countries and sport-countries located in Central America, Caribbean and Mexico, represented by the Central American and Caribbean Amateur Swimming Confederation (CCCAN).
- C. Zone III - Consisting of the United States of America represented by United States Aquatic Sports, Inc (USAS).
- D. Zone IV - Consisting of Canada, represented by the Aquatics Canada Aquatiques (ACA).

## **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 the Zone as described in Article 6 of the Constitution.
- C. it is a member of FINA.
- D. it has paid PAQ the required membership fee and provided documentation testifying to its compliance with the above mentioned requirements.

## **CHAPTER III OBLIGATIONS AND RIGHTS OF MEMBERS**

### **ARTICLE 8 - OBLIGATIONS**

Members and Zone Members of PAQ must:

- A. Comply with this Constitution and the current constitution and by-laws of FINA, as well as the constitution or statutes of the corresponding Zones.
- B. Provide promptly to the President and Secretary-Treasurer of PAQ up-to-date copies of their constitutions, statutes and by-laws.
- C. Inform PAQ promptly of 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 affiliation fee, as well as any other assessments levied.
- F. Comply with the Constitution, Rules and resolutions of PAQ and of FINA
- G. Comply with the decisions and sanctions imposed by the Executive Committee or Congress.
- H. In the event that a Member becomes the Host for a Pan-American Championship or an international competition between two or more Zones of PAQ, it will be required to assume the traveling and living expenses of at least one representative of PAQ, who will be designated by the Executive Committee, to act as supreme supervisor and authority at such event, and to ensure that all PAQ and FINA rules are followed.
- I. Incorporate rules in its Statutes that allow for the control of "doping" according to the rules of FINA and the World Anti-Doping Agency (WADA).

### **ARTICLE 9 - RIGHTS**

The Members have the rights to:

- A. Attend all Congresses.
- B. Take part in the competitions organized by PAQ.
- C. Use all services that may be made available by PAQ.
- D. Be host to Pan American Championships or any other competitions organized by PAQ.
- E. Elect and have its representatives elected to the positions of leadership in and on consultative bodies and committees of PAQ.

## **ARTICLE 10 - SANCTIONS AND TERMINATION OF MEMBERSHIP**

A Member or Zone Member may lose its rights or may be suspended by the Congress of PAQ, by the affirmative vote of at least two thirds of the Delegates present, under the following circumstances:

- A. For violation of the Constitution, Bylaws, resolutions and decisions of the Congress or the Executive Committee.
- B. Failure to pay the affiliation fees or other assessments that have been levied by the Congress.
- C. For having terminated its affiliation with FINA.
- D. If suspended by FINA.
- E. If suspended by its Zone.

## **CHAPTER IV GOVERNING BODIES OF PAQ**

### **ARTICLE 11 – GOVERNING BODIES**

The governing bodies of PAQ shall consist of the Congress 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 all and each one of the matters arising in PAQ.

### **ARTICLE 13 – CONGRESS**

The Congress of PAQ shall consist of:

- A. The Members represented by two Delegates. Each Delegate shall have one vote, however, when a Member is represented by only one Delegate, that delegate shall be entitled to two votes. The Delegates shall be citizens and/or residents of the Zone, 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 Executive Committee without vote.
- C. Zone Member Presidents (or delegates) without vote.
- D. The Honorary Life Presidents without vote.
- E. All Honorary Members 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 Executive Committee.

### **ARTICLE 15 - GOOD STANDING**

For a Member to be duly represented at a Congress, it must be up to date in the payment of its affiliation fees to the Zone, PAQ and FINA and in good standing with each.

### **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-Treasurer of PAQ shall notify all Members, with at least sixty (60) days prior notice, of the date, time and location set for the Congress.

## **ARTICLE 17 - EXTRAORDINARY CONGRESS**

An Extraordinary Congress may be called at any time by decision of the Executive Committee or by a written request of at least two thirds of the Members from a minimum of three Zones. The only matters to be considered in an Extraordinary Congress will be those indicated in the summons.

## **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 three of the 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 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 three of the Zones.

**ARTICLE 19 - HONORARY LIFE PRESIDENTS AND MEMBERS** 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 and Honorary Life Members. The Honorary Life Presidents will also be members of the Executive Committee, without vote.

## **ARTICLE 20 - AGENDA FOR CONGRESS**

The Agenda for any two consecutive ordinary Congresses shall cumulatively include items A-K below. The PAQ President may add to or modify the agenda as needed to ensure the business of the Congress is completed 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 Secretary-Treasurer.
- F. Report by Standing Committees and Special Committees.
- G. Consideration and discussion of proposals previously submitted and included in the Summons.
- H. Election of Executive Committee.
- I. Election of officer candidates of the Americas to the FINA Bureau.
- J. Other matters of urgency, with the approval of two-thirds (2/3) of the Members present.
- K. Adjournment.

## **ARTICLE 21 - PROPOSALS**

Any proposals to be considered at a Congress may be submitted only by a Member. These must be sent to the Secretary-Treasurer not later than ninety (90) days prior to the date set for the Congress.

## **ARTICLE 22 - AMENDMENTS TO CONSTITUTION**

Subject to Chapter XIII, motions or proposals for amendments or additions to the Constitution will be considered only if submitted by a Member or the Executive Committee, and sent to the Secretary-Treasurer at least seven (7) months prior to the date of the Congress in which it is expected that they would be considered. The proposals shall be communicated to all Members by the Secretary-Treasurer no later than four (4) months prior to the Congress; with the exception that on a matter of urgency, this may be considered with the approval by two-thirds of the Members present representing at least three of the Zone Bodies. The proposals or motions approved by the Congress will become effective only upon the approval by FINA, which approval may be obtained in advance.

## **ARTICLE 23 - DUES**

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

## **ARTICLES 24 - CONGRESS RESOLUTIONS BINDING**

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

## **ARTICLE 25 - EXECUTIVE COMMITTEE TERM**

The Congress, in its ordinary session during the Pan American Games, shall elect the members of the Executive Committee, who will hold office on the day following the conclusion of the aquatic activities of such Games, until the end of aquatics at the following Games.

## **CHAPTER VI THE EXECUTIVE COMMITTEE**

### **ARTICLE 26 - AUTHORITY OF EXECUTIVE COMMITTEE**

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

### **ARTICLE 27 - COMPOSITION OF EXECUTIVE COMMITTEE**

The Executive Committee shall consist of ten (10) persons, on the basis of two (2) persons from each of the four Zones, and two Athlete Members. For the election of the Executive Committee Member from each Zone, only the Delegates of the Members of the respective Zone shall nominate and vote for their respective candidates. For the election of the Athlete Members, only Athletes of the designated Zone may vote for their respective candidates, in a procedure that is conducted by the Zone within three months before the PAQ Congress.

### **ARTICLE 28 - OFFICES**

The Executive Committee shall consist of:

- A. One President
- B. Two Vice Presidents
- C. One Secretary-Treasurer
- D. Six additional members, two of whom are Athlete Members

### **ARTICLE 29 - OTHER EXECUTIVE COMMITTEE MEMBERS**

The Honorary Life Presidents, the Immediate Past President and the Immediate Past Secretary Treasurer, shall also be ex officio members without vote of the Executive Committee. The Immediate Past President and the Immediate Past Secretary-Treasurer will be members of the Executive Committee only for the term of the Executive Committee.

**ARTICLE 30 - QUALIFICATIONS FOR EXECUTIVE COMMITTEE** The candidates for membership in the Executive Committee of PAQ shall:

- A. be members of a Member, and
- B. be nominated by the Member they represent.

### **ARTICLE 31 - ELECTION OF OFFICERS**

The officers of the Executive Committee of PAQ shall be elected under the following system:

- A. The office of the President shall be rotated in order for each quadrennial period as follows: from Zone II, from 2019-2023; from Zone IV from 2023-2027; from Zone I from 2027-2031, and from Zone III, from 2031-2035 continuing in the same sequence thereafter.
- B. When the President is from Zone I, the Secretary-Treasurer shall be from Zone III; when the President is from Zone II, the Secretary-Treasurer shall be from Zone IV; when the President is from Zone III, the Secretary-Treasurer shall be from Zone II; and, when the President is from Zone IV, the Secretary-Treasurer shall be from Zone I.
- C. The Vice Presidents shall be elected in this way: one from Zone I or Zone II, and one from Zone III or Zone IV. The Vice Presidents must be from Zones other than those of the President and the Secretary-Treasurer.
- D. The Athlete Members shall be elected in this way: one from Zone I or II, and one from Zone III or Zone IV. The Athlete Members must be from Zones other than those of the President and Secretary-Treasurer.

- E. In case of death, resignation or removal of any member of the Executive Committee, the vacancy shall be filled immediately in accordance with this Constitution.

### **ARTICLE 32 - QUORUM FOR EXECUTIVE COMMITTEE**

Five (5) members representing at least three 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 relating to the matters considered at the meeting.

## **CHAPTER VII RIGHTS AND DUTIES OF THE EXECUTIVE COMMITTEE**

### **ARTICLE 33 - RIGHTS OF 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 Congress.
- B. Receive and consider applications for membership, in accordance with Article 7 of this Constitution.
- C. Receive from the Zones and affiliated Members, the annual dues that these must pay to PAQ, as determined by the Congress.
- D. Issue whatever orders deemed necessary for the success of its plans of action.
- E. Institute By-Law changes, with a requirement that any changes subsequently be ratified by the Members at the next Congress
- F. Appoint delegates and commissions to represent it.
- G. Adjudicate, if appealed to, in the resolution of conflicts arising between Members or between the Zones and their members.
- H. Appoint administrative personnel as required to better conduct the affairs of PAQ. These will include the Director, Financial Manager and other positions deemed necessary by the PAQ Executive.
- I. Convene Congresses as provided for in the Constitution.
- J. 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.
- K. Make emergency decisions which will be immediately valid, except replacing Executive Committee member vacancies arising from resignation or otherwise, and which are to be submitted for confirmation by the Congress at its next session.
- L. Accept the resignation of any of its Members.
- M. Appoint sub-commissions for special purposes, the President of which must be a member of the Executive Committee, and ratify the recommendations of these sub-commissions.
- N. The decisions of the Executive Committee must be approved by one half (1/2) of the members plus one. If this majority cannot be obtained at any meeting, absent members may vote by mail. The votes cast by mail will be accepted using the same procedures as FINA.

### **ARTICLE 34 - DUTIES OF EXECUTIVE COMMITTEE**

The duties of the Executive Committee are to:

- A. Meet at least once every year.
- B. Comply and enforce compliance of the Constitution of PAQ, as well as of all resolutions passed by the Congress.
- C. Prepare the budget of PAQ and submit it to the Congress for consideration and approval.
- D. Submit to the Congress a financial report of all income and expenditures of PAQ during the period preceding the Congress.
- E. Submit to the Congress a report of its activities during the period preceding the Congress.
- G. Submit to the Congress a projected program for the following period.
- H. Submit to FINA nominees for election to the FINA Bureau: (i) one nominee as selected by each of the Zone Members; and (ii) two at large nominees, one selected by each of Zones 1 and 2 respectively; and (iii) any FINA officer candidates elected at Congress.

- I. Give the widest possible publicity to events which will be organized under its sponsorship and management, or those that may be run by the affiliated Members and organizations.
- J. Prepare the minutes of its sessions containing the resolutions approved, which must be signed by the President or a Vice President and the Secretary-Treasurer, and recorded in the Executive Committee's Minute Book.
- K. Approve and circulate all Rules and Regulations for each competition of PAQ, manage and control the conduct of these and decide regarding the site and date on where and when these competitions would be held.

## **CHAPTER VIII THE OFFICES OF THE EXECUTIVE COMMITTEE**

### **ARTICLE 35 - PRESIDENT**

The duties of the President of the Executive Committee of PAQ are the following:

- A. Perform the duties of this office for the period for which elected.
- B. Preside over all meetings of 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 of any such actions, within thirty (30) days of such actions.

### **ARTICLE 36 - 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 Vice President belonging to the Zone-pair of the President shall act as substitute.

### **ARTICLE 37 - SECRETARY-TREASURER**

The duties of the Secretary-Treasurer shall be the following:

- 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 and the sessions of 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.
- F. Record the minutes of all sessions held by both the Executive Committee and the Congress and keep a record of the same.
- G. Read the minutes in each session, having available all information which may be requested in relation to the same.
- H. Custody of the funds, property and records of PAQ.
- I. Keep a detailed account of all receipts, payments, dues and other accounts of PAQ.
- J. Prepare and formulate annually a financial statement of PAQ, sending it to the members of the Executive Committee not later than May 31 of each year, and after this is approved, send it to all the Members of PAQ, not later than June 30th of each year.

### **ARTICLE 38 - ABSENCE OF SECRETARY-TREASURER**

In the event of temporary absence of the Secretary-Treasurer, the Vice President from the Zone pair of the Secretary-Treasurer shall act as substitute.

## **CHAPTER IX DUES**

### **ARTICLE 39 - ASSESSMENT OF DUES**

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

### **ARTICLE 40 - PAYMENT DATE**

Dues shall be paid not later than March 31 of each year.

### **ARTICLE 41 - LOSS OF VOTING RIGHTS**

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

## **CHAPTER X STANDING COMMITTEES**

### **ARTICLE 42 - 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.

### **ARTICLE 43 - COMPOSITION**

The Standing Committees shall consist of at least twelve (12) persons, the Chairman, Vice Chairman, Secretary, and additional members with representation as follows: Zone 1 – 3 members, Zone 2 – 4 members, Zone 3 - 2 members and Zone 4 – 2 members.

One member of each Committee shall be an athlete who shall not count against the Zone quotas. The athlete member shall have the same rights and obligations as other members of each Standing Committees.

The members elected 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, with the understanding that each of the Zones will be the only ones that may nominate and vote for the candidate or candidates from the Zone.

### **ARTICLE 44 - OFFICERS**

The officers of each Standing Committee shall be the Chair, the Vice Chair and the Secretary, who will be designated by the Executive Committee. The Executive Committee shall appoint from its members a Liaison for each of the Standing Committees who shall not count against the Zone quota 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 Standing 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 Standing Committee shall conduct the meetings and business of the respective Committee or Commission.

## **ARTICLE 45 - MEETINGS**

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

## **ARTICLE 46 - 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 in regard to 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 47 - FILLING VACANCIES**

Should a vacancy occur in the Executive Committee, it shall temporarily be filled 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 48 - SPANISH AND ENGLISH**

Spanish and English shall be the official languages of PAQ, but in all cases of clarifications related to the printed and published versions of the Constitution, By-laws and regulations, the Spanish version shall prevail. Correspondence will be sent in Spanish to the Spanish speaking Members, and in English to the English-speaking Members.

## **CHAPTER XIII MODIFICATION**

### **ARTICLE 49 - AMENDMENTS TO CONSTITUTION**

In all cases, the proposals for modification of this Constitution shall be as provided for in Article 22, once a legal quorum is present.

#### **ARTICLE 50 - TWO-THIRDS MAJORITY**

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

#### **ARTICLE 51 - EFFECTIVE IMMEDIATELY**

Any amendment to this Constitution, the By-laws 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 FINA as contemplated by Article 22. For the avoidance of doubt, in accordance with clause C14.2 of the FINA Constitution, any amendment to or modification of this Constitution must be submitted to FINA for approval, and any such amendment or modification shall not come into force until such time as FINA approves that amendment or modification, in writing. Furthermore, PAQ acknowledges that the FINA Constitution and FINA Rules may be amended from time to time and accordingly that, if necessary, PAQ will promptly amend this Constitution and other PAQ Rules in consequence of such amendments within FINA Constitution and FINA Rules.

### **CHAPTER XIV RULES AND REGULATIONS**

#### **ARTICLE 52 - COMPETITION RULES**

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

#### **ARTICLE 53 - 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 FINA 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.