



AMENDMENT

A.CS.24.7 | 04 JUNE 2024

Protest Committee Structure

The following is the revised amendment, originally presented to the General Assembly on May 2nd, 2024.

	<p>Association aquatique Northshore Assemblée générale</p>	<p>Northshore Aquatic Association General Assembly</p>
<p>A.CS.24.7 — Protest Committee Structure for Competitive Swimming</p>		
<p>1.6</p>	<p>Standing Protest and Review Committee for Competitive Swimming</p>	
<p>The Discipline of Competitive Swimming shall be excluded from section 1.2.7, 1.2.8, 1.2.9, as well as articles 1.4, 1.5 and the sections therefrom.</p>		
<p>The Committee shall be composed of:</p>		
<ul style="list-style-type: none"> • The President; • The Vice-President of Competitive Swimming; • An elected representative from a Division A team; • An elected representative from a Division B team; • An elected representative from a Division C team; 		
<p>Each member must nominate one representative to run for election. No president or head coach of a member pool may sit on the Protest and Review Committee. Representatives hold their positions for one entire NAA season.</p>		
<p>The members of the Committee are held to confidentiality regarding any information received in the completion of their functions.</p>		
<p>Should the issue at hand involve the member pool of an elected representative, the Committee shall vote on a replacement, amongst the individuals previously nominated by each member pool, and from the same division as the representative to be replaced.</p>		
<p>The Committee shall have jurisdiction in the following situations:</p>		



- (a) Protests by a competitor, volunteer, representative of a member pool or other members or non-members, against another individual, in relation to a violation of the Constitution which leads to an unfair competitive advantage;
- (b) Protests by a competitor, volunteer, representative of a member pool or other members or non-members, against another individual, in relation to a violation of the Code of Conduct;
- (c) Requests and appeals in relation to the eligibility to compete in Competitive Swimming events;
- (d) The imposition of sanctions against a member or a member pool, with regard to the situations above.

The Vice-President of Competitive Swimming maintains executive and exclusive jurisdiction over decisions and imposed sanctions in the following situations:

- (a) The application of policies, rules and regulations pertaining to the health, safety, integrity and security of members and member pools;
- (b) The application of policies, rules and regulations pertaining to the health, safety, integrity and security of Competitive Swimming activities.

Investigatory Authority of the Vice-President of Competitive Swimming

The Vice-President reserves the right to investigate and audit any activity relating to safety, the Constitution, rules, regulations, procedures and policies of the Association. Member pools must comply with all investigations and audits.

Authority of the Referee at a Meet

~~The referee shall have authority to enforce all regulations at a Swimming Competition.~~

The referee shall have the exclusive authority to enforce SNC rules, at a Swimming Competition.

All protests relating to SNC rules, officiating, or decisions thereof, must be addressed ~~in writing to the referee, within thirty (30) minutes of the event,~~ and decided upon by the referee ~~before the end of the meet.~~ The referee shall handle the protest in the respect of current SNC procedures. The decisions of the referee ~~with regard to SNC rules are final, and cannot be overturned by the Vice-President nor by the Protest and Review Committee are binding until amended.~~

Unsportsmanlike Behaviour

~~The referee shall have authority to enforce the Code of Conduct at a Swimming Competition.~~

The referee is responsible for receiving any complaints regarding the unsportsmanlike behaviour of an individual, coach, spectator, parent or official at a Meet, and applying sanctions accordingly. The referee may warn, disqualify, or even expel an individual for unsportsmanlike behaviour. ~~Interfering with an official on duty, using obscene or abusive~~



language in the pool area, or exhibiting other irresponsible behaviour, are amongst actions considered to be unsportsmanlike.

Thereafter, should a concerned party seek to appeal a decision of a referee, a written and formal protest must be transmitted to the Vice-President of Competitive Swimming.

Record of the Decisions of a Referee

All ~~complaints, protests or agreements raised to the referee~~, as well as sanctions and decisions therefrom, must be communicated to the Vice-President of Competitive Swimming ~~by the referee~~ within 24 hours, according to the established procedures.

The Vice-President may summon any involved party for further investigation, emit a new decision regarding the incident or refer it to the Protest and Review Committee for a final and binding decision.

Notwithstanding this, the decisions of the referee with regard to SNC rules are final, and cannot be overturned.

Appeals concerning a Provision of the Constitution

All appeals in relation to a violation of the Constitution leading to an unfair competitive advantage must be resolved at the Meet by agreement of one designated representative from each concerned team. This agreement must be conducted in the presence of the referee. The referee is responsible for documenting the issue.

Should the representatives fail to reach an agreement, the matter must be referred to the Vice-President of Competitive Swimming, for decision at a later date, according to the procedures below.

Protest Submission Procedure

All protests, appeals and requests must first be formally sent in writing to the Vice-President of the Competitive Swimming.

If the protest, appeal or request targets another member or member pool, the latter must be informed within one (1) day of the submission of the protest. Thereafter, the member or member pool shall have two (2) days to provide the Vice-President with a counter-statement to the protest.

After receiving the submission, or observing an infraction to the Constitution, the Vice-President must emit an Advisory Notice, in which the Vice-President presents an Executive Decision on the matter. This decision remains confidential and must be applied by all concerned parties.

The Protest and Review Committee (PRC) will convene in the three situations below:

- (a) The Vice-President seeks to impose a sanction against a member or a member pool, in relation to a situation within the jurisdiction of the PRC;
- (b) A concerned party appeals the interpretation and/or decision of the Vice-President of Competitive Swimming;



- (c) The Vice-President refers the matter directly to the Committee for an analysis and decision.

The Committee shall convene as necessary and emit a decision within nine (9) days of receiving the Request for Appeal, unless voted otherwise by the Committee. The minutes of the Committee's meetings will be taken.

The Committee or the Vice-President of Competitive Swimming has the right to require that involved individuals stand before a hearing of the Committee.

The exhibits, decisions and minutes of the cases handled by this Committee must be archived and publicly available. Such documents shall serve as reference for future protests, requests and appeals to the Vice-President and to the Committee. Nonetheless, any identifying information pertaining to a member or a member pool shall be removed. The Committee may also decide, by majority vote, to redact other sections of a decision.

The decisions of the Protest and Review Committee are final, and serve as reference for future cases.