

# Internal Rules and Regulations

of the Maastrichtse Studenten Zwemvereniging Tiburón; abbreviated to M.S.Z.V. Tiburón.  
Most recently modified on 14-09-2022

## Article 1 General Provisions

1. The association Maastrichtse Studenten Zwemvereniging Tiburón, henceforth to be known as 'the association', was founded by notarial deed on the 23<sup>rd</sup> of April of 2001 and is based in Maastricht.
2. The Internal Rules & Regulations are applicable in unbreakable cohesion with the bylaws, as recorded by notarial deed on the 23<sup>rd</sup> of April of 2001.
3. The association is a full legal entity.
4. The association is registered with the register of associations kept by the Chamber of Commerce in Maastricht under the number 14069694.
5. The association is affiliated with the Royal Dutch Swim Federation (KNZB) under the number 14-052.
6. The association is recognised by the Maastrichtse Universitaire Studentensport Stichting (MUSST), Universiteit Maastricht (UM) and the Stichting Nederlandse Studenten Zwemsport (NSZ).
7. As a medium for official notifications, the association makes use of e-mail, letters and the club magazine 'Haai-Society', WhatsApp, the private Facebook group, and the website.

## Article 2 Duration

1. The association year runs from the 1<sup>st</sup> of September until the 31<sup>st</sup> of August. The same goes for the financial year, the membership year and the contribution year.

## Article 3 Members

1. Every individual who wishes to become a member and make claim to this (see Article 3.3) should give a written notice of this to the secretary by use of the official sign-up form.
2. Cancellation of the membership should take place by means of a letter or e-mail to the association's secretary before the 31<sup>st</sup> of August of the current membership year.
3. A claim to the membership can be made when the person in question fulfils the function of trainer or meets all the following criteria before the start of the membership;
  - A.
    - is a student or PhD student;
    - is in the possession of a swimming diploma "A" or has swimming capacities comparable to this diploma. This is the (aspiring) member's own responsibility.
  - Or;
  - B.
    - is chosen by the board as an extraordinary member;
    - is in the possession of a swimming diploma "A" or has swimming capacities comparable to this diploma. This is the (aspiring) member's own responsibility.
4. Members are distinguished in the following manner:
  - A. 'regular members':

- members who signed up in accordance with the procedure prescribed in article 3.1 and remain a member until they cancel their membership themselves or are forced to by means of suspension;
  - ‘trainers’ – people who are assigned by UM sports to facilitate the practices.
- B. ‘honorary members’:
- natural persons who have been appointed honorary members on recommendation of the board or of one tenth of the members who are entitled to vote at the general members assembly, on the grounds of extraordinary merits. They have the same rights and duties as other members but are exempted from paying the contribution fee.
- C. ‘supportive members’
- Supportive members are not entitled to participate in matches or practices, they are not entitled to vote and are not permitted to hold any function within the association with the exception of ex-TC functions as provided by article 3.5C.
- D. ‘extraordinary members’
- members who meet the demands of article 3.3B and remain a member until they cancel their membership themselves or are forced to by means of suspension. The number of extraordinary members, without a UM sports card, amounts to a maximum of ten percent of the total number of members.
- E. ‘ex-TC members’
- ex-TC members must have been regular members for a minimum of one year. They are not entitled to vote and not permitted to hold any function within the association with the exception of ex-TC & audit committee functions as provided by article 3.6E.
5. Regular members and honorary members have the responsibility to be in possession of a UM sports card before the deadline imposed upon by MUSST. This deadline must be communicated by the Secretary through one of the official communication channels. A member failing to meet this deadline may be subject to a fine.
6. The different kinds of members have the following rights:
- A. ‘regular members’ have the right:
- to participate in practices, swimming the NSZK/ONKS, and additional activities;
  - to hold and/or fulfil functions in the board or a committee;
  - to vote during General Members Assemblies.
- B. ‘honorary members’ have the right:
- to participate in practices, swimming the NSZK/ONKS, and additional activities, provided they are in possession of a UM sports card;
  - to participate in additional activities;
  - to hold and/or fulfil functions in the board or a committee;
  - to vote during general members assemblies.
- C. ‘supportive members’ have the right:
- to participate in additional activities;
  - to hold positions within the ex-TC, provided they are affiliated with this committee;
  - to attend general members assemblies, though their votes are only of an advisory nature.
- D. ‘extraordinary’ members have the right:
- to participate in practices, provided they are in possession of a UM sports card;
  - to participate in swimming the NSZK/ONKS and additional activities;
  - to hold or substitute for functions in the board or a committee;
  - to vote during general members assemblies.

- E. 'ex-TC members'
- to participate in 3 practices a year, provided that they notify the board of the association beforehand;
  - to hold positions within the audit committee & board of ex-TC, provided that the current board of the association sees a necessity for a board of ex-TC;
  - to participate in the activities organized for ex-TC members;
  - to participate in General Members Assemblies, though they have no voting rights.
7. The rights mentioned in article 3.6 are voided when the member does not meet the contribution obligation, with exception of honorary members, within the term mentioned in article 7.4 and/or has not met the requirements of an imposed fine within the term of one month.
8. Changes in address or e-mail address should be notified to the secretary within fourteen days after changing.

#### **Article 4 Behaviour**

1. General:
- Members are expected to respect their own safety and the safety of others;
  - Use of drugs is strictly prohibited, both during external and internal activities;
  - Respect the sport and all who partake in it;
  - Do not use violence (physical or verbal) during practices or external activities;
  - Sexual unwanted and/or intimidating behaviour will not be tolerated;
  - Members are expected to treat each other and the association in a manner which is reasonable and fair;
  - Members are expected not to discredit the association with their behaviour.
2. Internally; in and around the pool:
- Members are expected to actively take part in the practice as drawn up by the trainers;
  - Members are expected to help setting up prior to the practice and cleaning up after practice;
  - Members are expected to be at the pool on time;
  - Members are expected not to swim underwater unless instructed by the trainers;
  - Members should clean up personal materials themselves;
  - Any individual under the influence of drugs or alcohol is prohibited from entering the pool. The current board will judge whether someone is under the influence of drugs or is intoxicated;
  - Running in and around the pool prohibited;
  - Members partaking in practices are expected to shower before they enter the pool.
3. Externally; outside of the pool:
- Members are expected to be on time for activities.

#### **Article 5 Disciplinary Law**

1. In the event of a violation of the behavioural rules, the board has the authority to address the behaviour of the member in question, to reprimand the member, or to suspend the member for a period of time proportional to the violation. A suspension may last for a maximum duration of 60 months after consulting the Advisory Board, to ensure the safety of the association and its members.
2. Fines, imposed by either the KNZB or any other authority, that apply directly to one or more individuals, should be paid by the individual(s) themselves.
3. Fines, imposed by either the KNZB or any other authority, that do not apply directly to

one or more individuals, should be paid by all persons involved in a manner that is as just as possible, at the discretion of the board.

4. Not attending a swimming competition will induce a fine equivalent to the registration fee of the aforementioned competition and other individual costs related to the competition, overnight, diner and/or party when applicable. This is not applicable if the member has cancelled their sign up before the last deadline of the competition with the approval of the concerning (replacing) swim coordinator via the official communication channels of M.S.Z.V. Tiburón.
5. In the event of the demonstrable damaging or stealing of the association's properties by a member, the association is allowed to recover the costs from the member in question.
6. If a member fails to sign out for a monthly event to which costs are connected before the deadline to sign up for the activity in question has passed, the costs will be recovered from the member in question. A cancellation becomes lawful once this has been sent in via the official communication channels of M.S.Z.V. Tiburón and the concerning organizing board member has given approval to said cancellation.
7. If a member fails to cancel their sign up for an event, such as the Batavierenrace or the members weekend, before the indicated deadline, the costs will be recovered from the member in question. A cancellation becomes legal once this has been sent in via the official communication channels of M.S.Z.V. Tiburón and the concerning organizing board member has given approval to said cancellation.

#### **Article 6      Complaints and issues**

1. Members can address the confidence person in case of any problems. A confidence person is a person who does not hold a board function and who will be appointed at the first GMA of the association year, with this person's consent.
2. Members with complaints about trainer(s), board member(s), the board in general or other matter(s) related to the association and its activities, should file these complaints either written (via an e-mail or letter to the association's address) or orally to the board or the confidence person. The complaint should be reasoned and motivated. Complaints filed in any other way will not be taken into consideration.

#### **Article 7      Financial means**

1. The revenue of the association consists of paid contribution, entry fees, subsidies, income for competitions, revenue from the sale of clothes, coincidental incomes and contributions from sponsors.
2. The amount of the contribution will be determined during the first GMA of the association year.
3. In case of a half-year membership, the amount paid will be two thirds of the full contribution. When the payment is done via direct debit or a bank transfer, the amount to be transferred shall be two thirds of the entire contribution. When the payment is done in cash, administrative expenses will be charged, the amount of which will be determined by the current board.
4. Contribution should, in the event of a member not paying via direct debit, be paid within two weeks after the start of the association year on a date determined by the current treasurer. When an individual becomes a member over a month after the start of the association year, for a period longer than a half-year membership, this individual should pay a full contribution within two weeks after signing up on a date determined by the current treasurer. In the event of a member not paying a half-year membership via direct debit, the membership should be paid within two weeks after the start of the half-year membership on a date determined by the current treasurer.
5. If a member with a half-year membership for the period from September until January decides to extend his or her membership for the second half of the association year, the remaining contribution, one third of the full contribution, should be paid within two weeks

after the end of the half-year membership on a date determined by the current treasurer. When the payment is done in cash, administrative expenses will be charged, the amount of which will be determined during the first GMA of the association year.

6. When a member cancels their membership during the association year, the full contribution should still be paid.
7. The contribution should be spent on costs made by the association for the purpose of the practices, the continuation and operation of the association, and for the embellishment of the association's social life. This is excluding the contribution of ex-TC members, which is to be spent solely for the purposes of the ex-TC committee.
8. All members can file declarations with the treasurer by means of the official declaration form. The board decides in accordance with the standards of reasonableness and fairness whether a part of the amount will be paid, or all of it. Declaration forms should be submitted to the treasurer at a maximum of 30 days after the purchase.
9. Members of the ex-TC should pay the contribution decided for them on a date determined by the current treasurer. The amount of this contribution will be decided at the first GMA of the association year. This amount can be paid via direct debit, bank transfer, or by cash. In the event of a cash payment, no administrative fees are required.

## **Article 8 Board**

1. The board consists of at least five individuals of legal age. These five individuals are the president, the secretary, the treasurer, the swim coordinator and the activity coordinator, all of whom are appointed during the General Members Assembly. Additionally, a vice-president should be appointed. This function can be held by a board member, excluding the president, the secretary or treasurer, or by an additional board member who is part of the board. Board functions can be held by any member as described in article 3.3.
2. When a vacancy appears in between two General Members Assemblies, the board will appoint one of their own to fill the vacancy until the next General Member Assembly as a substitute.
3. In the event the functions of swim coordinator, the activity coordinator and the vice-president are not held, the association will continue to exist with the daily board, as described in article 8.4. The board should search for suitable individuals for these positions as actively as possible.
4. The president, the secretary and the treasurer form the daily board of the association.
5. The board meets once a week, unless the majority is absent, for example during holidays. The date, time and place are to be decided internally.
6. The tasks of the president, among others, include:
  - general coordination of the board;
  - overseeing the other members fulfil their tasks, as described in these Internal Rules and Regulations (in articles 8.6, 8.8, 8.9, 8.10, and 8.11), in an adequate manner;
  - overseeing the committees execute their functions adequately;
  - presiding over meetings and assemblies;
  - sustaining external contacts with organisations and persons.
7. The tasks of the vice-president, among others, include:
  - taking over the tasks of the president in his or her absence.
8. The tasks of the secretary, among others, include:
  - setting up and maintaining a valid list of members;
  - taking care of incoming (e-)mails and distributing these to whom they may concern;
  - drafting minutes and sending them in a timely fashion;
  - keeping of the archives;
  - keeping of the yearly agenda;

- making of an annual report.
9. The tasks of the treasurer, among others, include:
    - collecting and maintaining the money;
    - maintaining the bookkeeping;
    - conducting the correspondence about financial means;
    - constructing the yearly budget and yearly financial report, which need to be presented and approved during the General Members Assembly
    - giving financial advice to committees and board members;
    - taking care of the association's storage and supplies.
  10. The tasks of the swim coordinator, among others, include:
    - functioning as contact for any (potential) members with questions concerning (competitive) swimming, and being approachable in such away;
    - maintaining the contact with the Stichting NSZ as a board member;
    - taking care of the members' participation in competitions and swimming-related activities;
    - coordinating the NSZK committee, in the event of the association hosting a match;
    - working together with the treasurer to take care of the swimming attributes.
  11. The tasks of the activity coordinator, among others, include:
    - the monthly hosting of an activity;
    - taking care of the organisation of the monthly drinks;
    - making sure the members are aware of organised activities and the members can timely sign up for these activities;
    - functioning as a link between the activity committee and the board;
    - functioning as a contact for members with questions concerning the activities.

### **Article 9     Untimely resignation of board members**

1. A board member or complete board that wishes to resign before the end of the association year, should give a written notice of the aforementioned to the president, or, in the event of a resigning president, to the secretary. The involved board should fill the vacancy as soon as possible. In the case a complete board wishes to resign prematurely, they should give written notice to the Advisory Board.
2. A board member who neglects the interests of the association, can be limited in their function by a board decision (to which at least a majority of the current board has voted in favour). This board member can then be suspended or discharged during the General Members Assembly. In the situation of a tie of minority of votes, the limitation will not be considered.
3. When a board member or committee member resigns, whether obligated or not, he or she is obligated to hand over any of the association's belongings or documents to a person who is appointed for this purpose by the board within 14 days.

### **Article 10    Committees**

1. The board is allowed to create committees during the association year, in order to lift the burdens of the board functions. The board is responsible for the committees and the committees are required to give account to the board.
2. The committees are required to give account of their financial and organisational proceedings to the board.
3. Committees:
  - *Activity committee:*  
The activity committee takes care of the planning and execution of the activities. These consist of the monthly activities, the monthly drinks, and the members

weekend. Additionally, this committee functions as a contact point for members with questions concerning the activities. The activity committee is supervised by the activity coordinator.

- *Haai Society committee:*

The board in combination with the committee is responsible for the regular publishing of the club magazine four times a year and an adequate distribution of this magazine. The Haai Society committee takes care of the design of this magazine in collaboration with the secretary in which members are notified of internal activities. The club magazine also functions as a medium for official announcements within the association, next to the whatsappgroup, the private Facebookgroup, and emailcontact. The Haai Society committee is under the supervision of the secretary.

- *Audit committee:*

The Audit Committee is presented by the new board during the first General Members Assembly of the association where after the members described in article 3.6 can exercise their voting right to appoint or reject the proposed Audit Committee. This committee consists of at least two regular and/or ex-TC members of the association. Members of the current board are not allowed to be a part of the Audit Committee. This committee has a controlling function regarding the association's bookkeeping. This committee has the right to inspect the bookkeeping at any given moment during the financial year. The Audit Committee operates completely independently from the board and only has to report to the General Members Assembly.

- *NSZK committee:*

The NSZK committee takes care of the organisation of the NSZK when the Stichting NSZ assigns it to the association. The committee takes care of accommodations, meals, and the organisation of the party. The NSZK committee is under the supervision of the swim coordinator.

- *PR committee:*

The PR committee ensures active participation in activities concerning the INKOM. Aside from this, it is in charge of organising and carrying out activities provided by the association during this week. The organisation of and accountability for the Batavieren Race also form part of this committee's responsibilities. The maintenance, upkeep and posting of messages on all official social media accounts is carried out by the PR committee. The PR committee is under the supervision of the president.

- *Advisory Board:*

This committee consists of at least two 'regular members' of the association. Members of the current board are not allowed to be a part of the Advisory Board. The committee has an advising role related to the functioning of the association with respect to board decisions.

- *Webshop committee:*

The committee is responsible for the stocks of the association with respect to ordering, printing and distributing clothes and other association-related products are offered for sale. The webshop committee is under the supervision of an appointed board member.

- *Ex-TC committee:*

The ex-TC is in charge of organizing at least one activity per year for the ex-TC members. The ex-TC is under the supervision of an appointed board member. Additionally, and provided that the board of the association finds it necessary, a board of ex-TC may be appointed. This board shall be composed of a secretary, a treasurer, and a president who operate under the supervision of the appointed association board member.

### **Article 11 General Members Assembly (GMA)**

1. The board is obligated to organise a General Members Assembly at least twice a year.
2. The board can organise a General Members Assembly upon request of the members. The board is obligated to do so when this request is signed by at least five members who are entitled to vote.

The board should timely notify the members of a General Members Assembly. Additionally, the members should be in possession of the agenda and all documents which will be discussed at least ten days prior to the General Members Assembly.

3. Members are expected to attend the annual General Members Assembly or give notice of their absence to the secretary at least one day before the General Members Assembly via one of the official communication channels. When an absent member wishes to temporarily transfer their voting right, they have to include the first and last name of a present member who will acquire their voting right temporarily.
4. The General Members Assembly should take place in Maastricht, on a weekday, and not during any official holidays.
5. Members can add agenda points at least four days before the start of the General Members Assembly.
6. During the first General Members Assembly of the financial year, presided by the new board, the new board will present their year plan.

### **Article 12 Voting**

1. Only members who are entitled to vote, as described in article 3.5, are allowed to partake in voting.
2. The voting can be done anonymously, upon request of members who are entitled to vote. Voting with regard to the appointment of a new board is anonymous at all times.
3. A proposal is accepted through a vote if the number of votes in favour of the proposition constitutes at least half of all votes, plus one vote.
4. A decision to change the bylaws can only be accepted by a two-thirds majority of the votes cast at a General Members Assembly, whereby the number of present members represents at least half of the votes which can be cast by all members.
5. In the event of a General Members Assembly not matching a quota as described in article 12.4, a second General Members Assembly will be organised. This General Members Assembly should be no earlier than two weeks after the aforementioned General Members Assembly and no later than four weeks after the aforementioned General Members Assembly. This General Members Assembly is allowed to change the bylaws, regardless of the number of votes given during this General Members Assembly.
6. In the event of the voting occurring via written notes, the votes should be written clearly and legibly. Only one vote is allowed per note.
7. Every member who is entitled to vote, is allowed to bring out his or her vote through another member who has been authorised to do so by the member in question via written means. This authorised member is only allowed to bring out a maximum of two votes, their own vote included.

### **Article 13 Final provisions**

1. The board is obligated to provide every member with a copy of the Internal Rules and Regulations. The bylaws should also be provided upon request. At least one copy of both the statutes and the Internal Rules and Regulations should be present during all meetings.
2. The association is not responsible for illness, injury or damage of any kind to its members.
3. Every member should be aware of the matters determined in the Internal Rules and Regulations and the bylaws.



4. These regulations begin to apply on the day of approval from the General Members Assembly.
5. Alterations to these Internal Rules and Regulations can be made during the General Members Assembly, if the number of votes in favour of the alterations is at least half of all votes, plus one vote.
6. In instances not covered by these Internal Rules and Regulations, the board has the authority to make the final decision, provided they have heard the opinions of the members.

