



CAYMAN ISLANDS AMATEUR SWIMMING ASSOCIATION
PROCEDURES FOR SWIM CLUB TRANSFER
2012/2013

A. Transfer Rules

Where a swimmer proposes to transfer from his or her current swimming club ("**Current Club**") to another swimming club ("**New Club**"), the following procedures shall be complied with:

1. if the swimmer transfers clubs between 1 August and 30 September inclusive in any calendar year (the "**Transfer Window**"):
 - (a) the swimmer or swimmer's parent (if swimmer is under 18 years of age) should notify the Current Club of such transfer (which does not have to be in writing) in a timely manner; and
 - (b) the New Club should submit to CIASA within 2 weeks of such transfer a transfer notice confirming (i) that such swimmer has signed a membership form for the New Club, (ii) the transfer date and (iii) the Current Club (such notice, a "**Transfer Notice**"). A form of Transfer Notice is set forth in Exhibit 1;
2. if the swimmer transfers between clubs during any period outside the Transfer Window:
 - (a) the swimmer or parent (if swimmer is under 18 years of age) should provide a written letter of resignation to the Current Club in a timely manner with a copy to CIASA (such letter, a "**Resignation Letter**"); and
 - (b) the New Club should submit to CIASA within 2 weeks of such transfer a Transfer Notice;
3. a swimmer who transfers between clubs may not subsequently transfer to another club unless a period of 12 months has elapsed from the date of the original transfer (such period, the "**Restricted Transfer Period**") unless CIASA determines otherwise in its sole discretion, due consideration being given for extenuating and/or exceptional circumstances only. Any swimmer seeking to transfer between swim clubs during a Restricted Transfer Period shall submit a letter to CIASA requesting a transfer, providing details of the Current Club and prospective New Club and setting forth the swimmer's reasons for requesting the transfer, including any extenuating and/or exceptional reasons (such letter, a "**Restricted Transfer Request**"). CIASA shall make a determination within 7 days of having received a Restricted Transfer Request and shall communicate its decision in writing to the swimmer, the Current Club and the prospective New Club, such determination to be binding on all parties.

B. Effective Date of Transfers

Provided that CIASA has received a completed Transfer Notice and, in the case of a transfer taking place outside the Transfer Window under Section A.2, a copy of the Resignation Letter and, in the case of a transfer taking place during a Restricted Transfer Window under Section A.3, a Restricted Transfer Request, and in each case, if applicable, any outstanding CIASA membership fees as set forth in Section C below, CIASA shall, or in the case of a Restricted Transfer Request, may, approve the transfer and indicate the date from which such transferring swimmer may swim in the name of the New Club, which shall be:

1. immediately - in the case of transfers during the Transfer Window;
2. ninety (90) days after the date of resignation (set forth in the Resignation Letter) - in the case of transfers outside the Transfer Window; and
3. such date as CIASA determines - in the case of a transfer approved during a Restricted Transfer Period.

If CIASA does not approve a transfer request submitted pursuant to a Restricted Transfer Request under Section A.3, such Swimmer shall remain with his or her Current Club until the expiry of the Restricted Transfer Period.

During the transition period in Section B.2 above and during any transition period in B.3 above, if any, the swimmer may not compete in any local competitions i.e. those based in the Cayman Islands, under the name of the New Club but may compete with the designation "Unattached" provided, however, that the swimmer may compete for the New Club in competitions overseas i.e. not based in the Cayman Islands, and may represent the Cayman Islands in international swimming events.

CIASA shall provide confirmation of all new registrations via email to both the Current Club and the New Club.

C. CIASA Membership Fees

It is noted that CIASA's membership year is 1 January to 31 December ("**CIASA Membership Year**") and that swim clubs have membership years that may differ, for example 1 September to 31 August (each, a "**Swim Club Membership Year**"). It is further noted that swim clubs submit CIASA membership fees to CIASA on behalf of their swimmers at the beginning of their respective Swim Club Membership Years and not at the beginning of CIASA's Membership Year. CIASA permits this.

CIASA Membership Fees will be payable upon a transfer between swim clubs in accordance with the following rules:

1. Swimmers who have paid CIASA membership fees based on a Swim Club Membership Year:

Any such swimmer who transfers swim clubs during his or her Current Club's Swim Club Membership Year shall not be required to pay a CIASA membership fee unless:
 - (a) such transfer occurs at the end of such swimmer's Current Club's Swim Club Membership Year; or

(b) such transfer occurs at the beginning of such swimmer's New Club's Swim Club Membership Year; or

(c) such swimmer has not previously paid CIASA membership fees at all;

in which case, such swimmer's New Club shall procure the payment of the CIASA membership fee on behalf of such swimmer upon his or her transfer to the New Club.

2. Swimmers who have paid CIASA membership fees based on a CIASA Membership Year:

Any such swimmer who transfers swim clubs during a CIASA Membership Year shall not be required to pay a CIASA membership fee unless:

(a) such transfer occurs at the end of such CIASA Membership Year; or

(b) such swimmer has not previously paid CIASA membership fees at all;

in which case, such swimmer's New Club shall procure the payment of the CIASA membership fee on behalf of such swimmer upon his or her transfer to the New Club.

Swimmers and swim clubs may contact CIASA at any time to determine whether a swimmer has paid his or her CIASA membership fees.

CIASA does not pro-rate CIASA Membership fees.

D. Sanctions for non-compliance with the Transfer Rules

1. Swimmers

Any swimmer who does not comply with the transfer rules set forth above shall cease to be in good standing with CIASA and, whilst such swimmer remains in breach of such rules, shall be ineligible to compete in any CIASA sanctioned swimming events in the Cayman Islands or to represent the Cayman Islands in any international swimming competitions.

2. Swim clubs

Swim clubs shall:

(a) ensure that all of their swimmers are made aware of these transfer procedures; and

(b) endeavour to ensure that current club swimmers or prospective club swimmers adhere to these rules and procedures when transferring to or from their swim club.

Any swim club that knowingly authorises or encourages any swimmer to breach the transfer rules and who fails to remedy such breach within 7 days of being notified of such breach by CIASA shall be subject to a fine, not to exceed CI\$1,000. Any swim club that repeatedly breaches the transfer rules or who does not pay any fines levied under this provision may have its CIASA club membership revoked at CIASA's option, which may be with immediate effect.

E. Communications

All letters, notices and communications required pursuant to these transfer procedures should be addressed to CIASA and sent as follows:

(i) either by post to the following address:

CIASA at: PO Box 10376 , Grand Cayman KY1-1004; or

(ii) by email addressed to CIASA at: ciasaboard@gmail.com

**EXHIBIT 1
FORM OF TRANSFER NOTICE**

CIASA
PO Box 10376
Grand Cayman
KY1-1004

[Insert Date]

Dear Secretary

Swimmer Transfer Notice

We hereby inform CIASA that [insert name of swimmer] has:

1. Completed a membership form for [insert name of new swim club];
2. Joined our club on [insert date]; and
3. Ceased to be a member of [insert old swim club name].

[We have also included [a cheque][cash] in respect of the CIASA membership fee for the above-referenced swimmer.]

Yours faithfully

For and on behalf of
[Insert new swim club name]