

SUBPART B — ATHLETES AND ATHLETIC EVENTS

Article 60 — Membership of Athletes

360.1 Membership. To be eligible to compete in events sanctioned through the Corporation, all athletes must be registered athlete members of the Corporation. Athlete members must meet the rules of eligibility contained in Article 64. No athlete alleged to be ineligible shall be denied the right to register and compete without being afforded the opportunity to refute allegations relating to this possible ineligibility, pursuant to Part II, Subpart C.

360.2 Duration of membership. Athlete membership (registration) is for a calendar year period, through Dec. 31. Athletes applying for registration on or after Oct. 1 will be issued a registration card valid through Dec. 31 of the following year. The athlete's registration form and registration card shall indicate the athlete's citizenship and sport nationality.

360.3 Application. Application for membership in the Corporation is made online at www.usadiving.org. Liability waiver forms are also available on line at www.usadiving.org. Liability waiver forms may be accepted by the national office or by the registration section of the LDA and immediately forwarded to the national office. The form must be fully completed and signed by a parent or legal guardian of the athlete if the athlete is a minor. A signed registration form shall be a valid release of liability for every meet the athlete enters for the remainder of the calendar year. Likewise, a signed Doping Release Form shall be valid consent to be tested for drugs for every meet the athlete enters for the remainder of the calendar year.

360.4 Fees. The annual athlete registration (membership) fee shall be a nationally uniform fee established by the Board of Directors and approved by the USA Diving General Assembly at the Annual Meeting.

Article 61 — Sanctions

361.1 Jurisdiction. All events, whether sponsored by the Corporation, the Local Diving Association or any member club or other entity, must be sanctioned by the Corporation.

(a) **Sanctioned events.** All competitions, benefits, exhibitions, clinics or entertainments of any kind where athletes compete, exhibit, or display talents or techniques, must be sanctioned.

(b) **Unsanctioned events.** Events classified as "closed" are those, which are limited to, and conducted by and among, certain specific organizations or groups that collectively comprise a league or group and may be conducted without sanction. Such groups or organizations may also be members of the Corporation.

361.2 Requirements. Sanctions are issued, withheld, or withdrawn in accordance with the following regulations:

(a) An official application for sanction must be completed online at the Corporation's website, www.usadiving.org, together with payment of the appropriate fee, if any, and meet information;

(b) No sanction will be issued to any organization whose interest in sports and games is purely commercial, or where the event is to be promoted solely for the profit or the advertising value to be derived therefrom. Any income derived from sanctioned events must be used for the further promotion of amateur sport, for an

approved charity, or for the general welfare of the promoting organization as a whole.

(c) Sanctions issued to one organization cannot be transferred to another. Any sanction so transferred shall be void for all purposes, and the Corporation is empowered to deny further sanctions to any organization violating this provision.

(d) No further sanction will be given to any organization, which has failed to fulfill expense obligations to athletes, or to give prizes as stated on its entry blank. The foregoing sentence shall be set forth in every sanction granted;

(e) No sanction of any event will be granted for any event where the word "Olympic" or any derivative thereof, is used in any manner in connection with said event unless consent is obtained from the Corporation, except the term "Junior," which may be used when appropriate.

(f) All sanctions must be issued by the Corporation. A copy of each official sanction shall be immediately forwarded to, and retained by, the Registration Section of the Local Diving Association in a book kept for that purpose. All sanctions fees received by USA Diving will be remitted to the Local Diving Association.

(g) The following clause will appear on all sanction application forms and on all forms upon which official sanctions are granted: "By submitting this application for sanction and in consideration of the sanction's being issued, applicant(s) agrees to indemnify and hold harmless USA Diving, U.S. Aquatic Sports Inc., and the Local Diving Committee, their officers, directors and employees from any claims or liabilities, including the defense thereof, arising from the conduct of the sanctioned event;"

(h) The Registration Section of the Local Diving Association where the event is being held shall receive the following information regarding finances from every organization receiving a sanction (not applicable to events sponsored by the Corporation):

(1) Each organization shall, within 30 days after holding a sanctioned event, file with the issuing Registration Section an itemized statement listing the following items:

(i) The name, Local Diving Association, and club membership (if applicable) of each athlete and each representative of any athlete to whom any payment of money or things of value was made excluding awards (trophies, medals, ribbons) authorized by this *Code*;

(ii) The amount of money paid to each athlete for transportation;

(iii) The number of days and amounts of money each athlete was paid for meals and lodging;

(iv) The signature of each athlete, or the athlete's representative, attesting to the amount of payment indicated as being correct;

(2) The Registration Section of the Local Diving Association where the event is being held shall send a copy of the information required by 361.2(h)(1) to the Registration Section of the home Local Diving Association of each athlete to whom any payment was made;

(3) The Registration Section may also require the organization to which a sanction has been granted to file, within 30 days after the event or within 10 days after a written request, whichever shall be later, a financial statement setting forth all receipts and disbursements in connection with the sanctioned event;

(4) The Registration Section may at any time require the organization to furnish, within 15 days after written request, all receipts and vouchers relating to the sanctioned event;

(5) No sanction to hold any athletic event of any kind shall thereafter be issued to an organization who has failed or refused to file with the Registration Section any statement or affidavit required under any subdivision of this section, until the statement or affidavit is filed, or until such time as the Registration Section may determine;

(6) Any athlete member of the Corporation, within 15 days after request by any appropriate committee, shall file an affidavit verifying or denying any item pertaining to the athlete contained in 361.2(h)(1). The athlete shall also furnish an itemized statement listing all monies, or other things of value, directly or indirectly received (or to be received), by the athlete, any member of the athlete's family, or any other person or organization, for expenses connected with, or resulting from, the athlete's entry, appearance, or participation in the event, together with receipts and vouchers for the same. Upon failure to furnish such affidavit, statement, receipts and vouchers or to satisfactorily explain the athlete's inability to do so, the athlete may be barred from further competition for such time as the Registration Section may determine;

(7) Sanctions shall only be issued to the Corporation, the Local Diving Association, or organizations that are members of USA Diving.

361.3 Conditions. All events requiring a sanction according to 361.1(a) are subject to the following conditions:

(a) No athlete's entry will be accepted, nor will the athlete be allowed to compete or exhibit at any event, unless the athlete is an athlete member as provided in Article 40. Membership is not required for events that are "closed" (limited to and conducted by and among certain specific organizations or groups that collectively comprise a league or group);

(b) Announcements and entry blanks of sanctioned events must state that no entries will be accepted unless the entrant is a registered athlete member;

(c) The registration number and affiliation of each competitor must accompany the entry blank and the athlete's affiliation must be displayed before or after the athlete's name on the program;

(d) Entry blanks, advertising, meet information and the program must bear conspicuously the statement: "Held under the sanction of USA Diving" and include the sanction number and address of the Local Diving Association;

(e) All organizations which have received a sanction for any contest where prizes are stated on entry blanks shall be required to send to the local Registration Section, before the date of the games, a copy of the entry blank and meet information, and must state the value of the prizes to be given for each event, if the value exceeds \$25 per award;

(f) A Local Diving Committee must verify that the minimum safety requirements are met for any facility that is hosting a diving competition, as set forth in the recommended dimensions in Article 1. An LDA may refuse to approve a sanction for any facility, which fails to meet the minimum safety requirements.

361.4 International events.

(a) **Within the United States:** (1) all international competitions within the United States, sponsored by the Corporation or by a member of a Local Diving Association, must be sanctioned by the Local Diving Association. All invitations to foreign athletes to compete in the United States must be extended by the Corporation.

(2) Any international competition within the United States, sponsored by an amateur sports organization or person other than the Corporation, must be sanctioned by the Corporation and such sanction must be granted unless there is clear and convincing evidence that holding or sponsoring the event would be detrimental to the best interest of diving.

(i) Factors to be considered in the determination of whether sponsoring the event would be detrimental to the best interest of diving shall include, but not be limited to, the following:

(A) Financial guarantees of athlete expenses, both U.S. and foreign; (B) Financial guarantees of any appearance money or prize money for athletes; (C) Financial guarantees of acceptable accommodations and travel for athletes; and (D) Absence of substantial conflict with the USA Diving National Team programs and USA Diving National Championships.

(3) Upon determination by clear and convincing evidence that sponsoring the event would not be detrimental to the best interest of diving, the sanction will be issued upon that organization or person:

(i) Paying to the Corporation a reasonable sanctioning fee; and (ii) Demonstrating that: (A) Appropriate measures have been taken to protect the amateur status of athletes who will take part in the competition and to protect their eligibility to compete in amateur athletic competition;

(B) Due regard has been given to any international amateur athletic requirements specifically applicable to the competition;

(C) The competition will be conducted by qualified officials; and

(D) Proper medical supervision will be provided for athletes who will participate in the competition;

(iii) Submitting to the Corporation an audited or notarized financial report of similar events, if any, conducted by the amateur sports organization or person.

(4) Sanctioning fees for international events shall be as established by the Board of Directors of the Corporation.

(b) **Outside the United States:**

(1) All invitations for individual athletes to compete abroad must be extended by the recognized governing body of the inviting country through the Corporation.

(2) All negotiations for individual athletes or teams who are members of the Corporation must be through the Corporation offices and in compliance with procedures established by the International Diving Committee.

(3) Approval for teams sponsored by an amateur sports organization not a member of the Corporation must be granted unless there is clear and convincing evidence that holding or sponsoring the event would be detrimental to the best interest of the sport. The Corporation shall advise any such organization requesting such foreign travel of the requirements for approval.

(c) No team, individual or organization competing inside or outside the United States may indicate that it is a team or individual representing the United States, without the express written approval of the Corporation (through the CEO). (See FINA GR 2.3.)

Article 62 – Representation

362.1 General.

(a) To be eligible to compete in a USA Diving-sanctioned event as a representative of a club, educational institution or other organization, an athlete must be a member of an organization that is itself a member in good standing of the Corporation and its respective Local Diving Association.

(b) Residency requirement. To compete as a representative of a club or other organization other than an educational institution, an athlete member must establish a minimum period of bona fide residence in either the Local Diving Association in which such organization is located, or a contiguous Association. The minimum period of bona fide residence for all athlete members who are students regularly enrolled in any college (two- or four-year) or university shall be 90 days; for all other athlete members, the period shall be 120 days.

(c) Exceptions to residency requirement.

(1) An athlete may represent a club or organization that is in an Association other

than that of the athlete's residence or contiguous association.

(i) The Association in which the athlete's club or organization is located is geographically nearer the athlete's place of residence than any active club in the athlete's Association or any contiguous association; or

(ii) The athlete's club or organization has facilities not available in the athlete's Association or a contiguous organization.

(2) A member of the Armed Forces of the United States, when transferred from a different Local Diving Association, and dependents residing with the Armed Forces member are also exempt from the requirements for a minimum period of residency in 362.1(b)(1) above;

(d) A bona fide student at an educational institution may be considered as a resident of the place of such institution during the period of attendance of such institution.

362.2 Students.

(a) A student registered with an organization who wishes to compete for an educational institution shall be released by the athlete's organization upon commencement of the athlete's scholastic diving season to compete for that institution in open competition, and the athlete shall similarly be released by such school immediately on termination of the scholastic season and can represent the organization of the athlete's immediate previous registration.

(b) Any student who desires to represent an organization other than the athlete's immediate previous registration must establish a bona fide residence as set forth in Article 63.

(c) Any student in an educational institution who desires to represent an organization located in the same Association as the institution attended may apply the time in residence at the institution as credit toward residence for club competition.

(d) Any student of an educational institution, which is a member of the Corporation, may alternately represent both the athlete's institution and another club member to which the athlete belongs:

(1) If the open competition is conducted during the course of the scholastic year, and the institution does not release the athlete from representation, the points scored shall accrue to that institution;

(2) If the competition is conducted during the interval between scholastic years, and the institution releases the athlete from representation, the points scored shall accrue to the club for which the athlete is registered.

362.3 Armed forces.

(a) A registered athlete regularly enlisted in the Armed Forces of the United States may represent in open competition either, or both, the athlete's military organization and the club to which the athlete belongs. Any points scored by such athlete shall count for the athlete's club, except where a point trophy is advertised to be contested for by a military organization.

(b) Any registered athlete who is a member of the Armed Forces shall be permitted to represent the athlete's military organization in open competition upon signing a statement, endorsed by the athlete's Commanding Officer, that the athlete has never received pay for participating in any contest and is an amateur within the meaning of this Code.

362.4 Unattached.

(a) An unattached competitor is a registered athlete who represents no club, educational institution, or other organization. An unattached athlete may compete in any Association Championship each year in the Association in which the athlete is registered and may compete in any Regional Championship.

(b) An unattached athlete shall be identified in competition with the Association or place of residence in which the athlete is registered, and not with a club. For example, J. Doe, Unattached (Middle Atlantic).

(c) An athlete competing in an unattached status shall not accrue points for any club or organization; however, in Junior Regional Championships in which an Association or Region trophy or other similar award is presented, an unattached athlete may accrue points for the Association in which the athlete is registered or for the Region of which such Association is a part.

(d) In recognition of the fact that representing a specific club is a voluntary agreement between a coach and an athlete, if either the coach or the athlete decides to withdraw from this agreement, the athlete shall be considered unattached. Unattached status shall commence as soon as the coach or athlete notifies the Registration Chair of the Association in which the athlete is registered or, if the decision is made during a competition, the meet director.

Article 63 – Transfers

363.1 Within an Association or between contiguous Associations.

(a) An athlete registered as Competitive Gold who participates in any of the Junior Spring or Summer Regional, Zone, East/West Spring National, Age Group National, or Junior National Championships may change club affiliation at any time up to 30 days prior to the Spring Regional Meet or 30 days prior to the Summer Regional Meet. An athlete registered as Competitive Gold participating in such meets may not change club affiliation from 30 days prior to the Spring Regional Meet through the end of the Spring East/West Nationals or from 30 days prior to the Summer Regional Meet through the end of the later of the Junior National Championship or the Age Group National Championship. (b) An athlete registered as Competitive Gold who participates in the USA Diving Spring National Championship, USA Diving National Preliminaries or USA Diving National Championships may change club affiliation at any time up to 30 days prior to the first day of qualifying for the USA Diving Spring National Championship (or qualifying meet if established) or 30 days prior to the USA Diving National Preliminaries in the summer season. An athlete registered as Competitive Gold may not change club affiliation from 30 days prior to the first day of qualifying for the USA Diving Spring National Championships and the end of the USA Diving Spring National Championships or from 30 days prior to the USA Diving National Preliminaries through the end of the USA Diving National Championships. (c) Athletes whose clubs dissolve or merge with the time frame established by this provision are exempt. An athlete may change to unattached at anytime. (d) All athletes registered as Competitive Blue and athletes registered as Competitive Gold who do not participate in the competitions specified in subparagraphs (a) and (b) above may change club affiliation at any time. [**Editor's Note:** *As a result of the amendments to section 240.1 regarding athlete membership, a significant rewrite of this section was required. The rewrite maintains the integrity and intent of the section.*]

363.2 To another association.

(a) *General Procedures - Residency requirement.*

(1) When an athlete in good standing begins to establish a bona fide residence in another Association, the athlete shall surrender the athlete's current registration card to the Registration Chair of the new Association, and upon approval, shall be granted Unattached status, unless the athlete is qualified to and chooses to continue representing the club with which the athlete is registered in the athlete's old Association. If it so desires, the Registration Section may request proof of the new

residence.

(2) The Registration Section shall then send to the Registration Section of the Association of the athlete's previous registration and residence and the National Office a transfer notice showing the date of the application for transfer and the date of expiration of the existing registration.

(3) Upon approval of this transfer, a new registration card for the unexpired period of the athlete's original registration, which shall be dated according to the date of the application for transfer, shall be issued to the athlete by the Registration Section of the Association of the athlete's new residence.

(4) If and when the athlete has completed the applicable minimum bona fide period of residence in the new Association, the athlete shall be eligible to represent a club in that Association when the athlete has completed and submitted to the Registration Section the appropriate change form, together with a fee equal to one-half the registration fee, except an athlete who has competed in a USA Diving National Preliminary, Regional, East/West or Zone meet may not affiliate with a club for the subsequent USA Diving National Championships, Age Group National Championship or Junior National Championship.

(5) Registration Chairs shall submit to the National Office, within the time and manner prescribed by the Corporation, copies of all changes in Registration.

(6) No athlete may be registered in two or more Associations at the same time. (b)

General Procedures - Exceptions to residency requirement. (1) An athlete may transfer to a club or organization that is in an Association other than that of the athlete's residence or contiguous Association if: (i) The Association in which the athlete's new club or organization is located is geographically nearer the athlete's place of residence than any active club in the athlete's Association or any contiguous Association; or

(ii) The athlete's new club or organization has facilities not available in the athlete's Association or a contiguous organization.

(iii) Notwithstanding (i) and (ii) above, the athlete may not transfer to a new club if the transfer is completed within 30 days prior to a USA Diving National Preliminary, Regional, East/West or Zone meet for the subsequent East/West Spring Championship, USA Diving National Championships, Age Group National Championship or Junior National Championship.

(2) The athlete must obtain approval of the request for transfer from the Registration Section in the new Local Diving Association where the athlete resides, has applied for and been granted registration, and where the athlete's new club or organization is located; and

(3) The athlete must complete the applicable minimum period in unattached status (30 days) after the athlete's transfer to the Association where the athlete's new club or organization is located. (**Note:** "Bona fide residence" shall not be interpreted to mean those residences in which an athlete may reside for a brief period of time, such as a vacation period, holiday, camp, or any other sojourn.)

363.3 Dependent Athlete. Notwithstanding any other provision in this *Code* to the contrary, any athlete who is a full time dependent resident with his family or other legal guardian may immediately change representation provided all of the following conditions are met:

(a) The athlete's family or guardian changes its bona fide place of residence and the new bona fide place of residence is 100 miles or more from the previous place of residence; and,

(b) The athlete's new representation conforms to the provisions of 362.1(a).

(c) The change does not occur within the prohibited time frames for transfers prior to any meet designated as a National Championship [see 363.1 (a) and (b)].

Article 64 — Eligibility 364.1 Required registration. Any competitor eligible to compete shall be registered with USA Diving.

364.2 Notification of financial gain. Unless otherwise allowed by USA Diving, any financial advantage which a competitor gains based on athletic fame and/or competitive results must be approved by USA Diving. An athlete may control personal gains based on athletic fame after notifying USA Diving and extending first right of refusal to licensees of USA Diving before accepting sponsorships.

364.3 Temporary Ineligibility. Regardless of an athlete's amateur status, the Corporation may declare an athlete temporarily ineligible to compete in any or all events over which the Corporation has jurisdiction for violation of 470.1, or violation of the Code of Conduct for International Trips, subject to all rights and procedures of 250.2 and Article 70.

364.4 Reinstatement of amateur status. An athlete declared ineligible because the athlete has ceased to be an amateur may be reinstated pursuant to 470.5(a)(7).