



## **FINA REQUIREMENTS FOR SWIMWEAR APPROVAL (FRSA)**

(Regulations valid for swimwear to be approved with effect from January 1, 2017)

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## ***FOREWORD***

The FINA requirements for swimwear approval ("FRSA") apply to swimwear to be used in FINA and Olympic Games pool and open water swimming competitions and are applicable in accordance with FINA Rule GR 5 and BL8.

"The FRSA are the regulations which state and describe the requirements, principles and procedures for submission and approval of swimwear to be used at the FINA events.

The FRSA do not regulate directly issues on markings (team, emblems, manufacturer markings, sponsor markings). Such are subject to the application of BL 7 and the permitted markings may vary depending on the events. However, the FRSA address markings (including also technical markings) in connection with their potential relevance from the point of view of the approval criteria (notably thickness and permeability).

The text the FINA GR and FINA By-Laws is published on the official FINA website ([www.fina.org](http://www.fina.org)). For ease of reference only the text of GR 5 and BL 8 currently in force is provided in exhibit 6.

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## 1. DEFINITIONS

Applicant	Legal entity applying for FINA approval on submitted swimwear.
Application Form	Formal request completed by Applicant while applying for FINA approval on submitted swimwear.
FINA competitions	Pool and open water swimming competitions organised by FINA including but not limited to FINA World Championships (50m), FINA World Swimming Championships (25m), FINA Swimming World Cup, FINA World Junior Swimming Championships, FINA World Open Water Swimming Championships, FINA Open Water Grand Prix, etc.
Material	All physical material used to produce every element of the swimwear.
Olympic Games	Summer Olympic Games and Summer Youth Olympic Games.
Product <sup>1</sup>	Piece of swimwear of a certain design/shape/material.
Product line <sup>2</sup>	Products which have similar construction and only vary in colour, size and shape. Any variations in colour, shape and sizes shall not lead to any changes to physical / technical parameters of the material. The product consists of the basic construction features (such as the positions and numbers of seams on the different sizes or shapes).
Sample	A particular Product and/or a piece of material used in Product construction of swimwear being submitted for the approval process.
Submission date	The last date by which an application for approval shall be received <sup>3</sup> by the FINA office in order to be accepted for approval process.
Swimwear	According to FINA rule GR5, swimwear includes swimsuits, caps and goggles.
Wetsuit	For the purpose of these rules, a wetsuit is a swimsuit made of material providing thermal insulation.

## 2. SWIMWEAR SUBJECT TO APPROVAL

As per the FINA Rules GR 5.4 and BL8.1, any swimwear used in FINA competitions and the Olympic Games shall comply with the criteria set forth in these rules and shall be a Product approved by FINA in accordance with the procedure set forth below.

It is further specified that results achieved in any other competitions will only be recognised as World Records by FINA if approved swimwear has been used.

## 3. APPROVAL PROCEDURE

### 3.1. FINA Swimwear Approval Committee

The approval procedure is conducted by a Committee of three to five members (Swimwear Approval Committee, FINA SAC).

The Members of the FINA SAC are appointed and removed by the FINA Bureau.

The Committee Members shall be independent from the manufacturers. In particular, they shall not have any relationship with a swimwear manufacturer (whether of contractual nature or as a shareholder direct or indirect) nor have had such during the five preceding years.

The FINA SAC Members execute confidentiality undertakings.

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<sup>1</sup> Please refer to Exhibit 5 «Clarification to the FINA Requirements for swimwear approval» clause 1.1

<sup>2</sup> Please refer to Exhibit 5 «Clarification to the FINA Requirements for swimwear approval» clause 1.2

<sup>3</sup> Applicant must make sure that its application is effectively received by the FINA Office at the latest on the submission date; The complete application (including duly completed Application Form, technical sketches, samples and samples of all materials) shall be received on time.

## **3.2. Submission**

### **3.2.1. Applicant**

The Applicant shall be the company which actually markets the corresponding swimwear to its end-users through customary sales channels (wholesalers/retailers/direct sales), respectively sells and/or supplies the same to competitors and teams.

Manufacturers acting as subcontractors for one or more other companies cannot apply for approval of the swimwear supplied to other companies. If a specific model is manufactured and supplied to different companies which then market or supply it, an approval shall be applied for by each of these different companies irrespective of the fact that the models marketed or supplied by these companies may have the same manufacturing sources. If the same company or companies belonging to a unique group of companies market or supply the same swimwear model under different trademarks, a single application can be submitted on behalf of the company and/or on behalf of the group.

### **3.2.2. Products to be submitted**

All swimwear to be used during the FINA pool and open water swimming competitions and the Olympic Games (see clause 2).

All variations of a given Product (including various cuts, silhouettes, and men’s and women’s models, variations in materials) shall be submitted for approval.

### **3.2.3. Application**

An application shall be submitted for each Product (including all variations if applicable).

The application must be made using the Application Form generated through the web-tool established for this purpose.

The Application Form shall be duly completed and notably include a detailed description of the swimwear and its specifications. For swimsuits the description shall include a description of the seams and/or if, different materials and/or layers are used, of the respective locations of such materials. Corresponding sketches showing the seams and locations of the different and properly identified materials shall be provided.

The access to the web-tool and the guidelines are provided to an Applicant on request by the FINA office.

The Application Form generated by the web-tool has to be printed and signed by the Applicant which thereby confirms formal acceptance of the approval rules and procedures. Applications not submitted with a duly signed form will not be considered. Any submission not based on a signed Application Form may be deemed as non-existent, respectively as withdrawn.

Reference samples of all material used shall be provided. Together with the submission of swimsuits, the Applicant shall also provide one unbound sample of 1m<sup>2</sup> of each different material<sup>4</sup> used in the swimsuits submitted for approval.

The application shall include a formal confirmation that the Samples submitted (in all sizes and variations) are fully consistent with the indications set forth on the form and that the swimwear produced and distributed on this basis will be fully consistent with the submitted Samples.

The application shall also include a confirmation that the Product(s) concerned will be made effectively available on the market at the latest on January 1 of the following year. Availability means that the swimwear is available for purchase by federations or competitors either on the open retail market and/or directly from the Applicant.

All the applications must be received by the FINA Office at the latest on the Submission Date. Applicants are responsible to forward their applications sufficiently in advance of the Submission Date to ensure receipt in due time.

Incomplete applications, (including missing or not duly completed Application Form, missing or incorrect technical sketches, missing material samples etc.) may will lead to rejection of application (see clause 3.2.4). However, in case of minor irregularities in the application, the

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<sup>4</sup> Please refer to Exhibit 5 «Clarification to the FINA Requirements for swimwear approval» clause 5.

FINA Office has the discretion (but no obligation whatsoever) to grant the Applicant a short dead-line to complete its application.

Additional information/samples may be required from the Applicant at any stage of the approval procedure.

The samples and information provided shall be used exclusively for the purpose of the approval procedure.

It is clarified that samples are retained by FINA for reference and control purposes. They may be destroyed when the approval becomes moot (corresponding swimwear withdrawn from the list or rejected swimwear after expiry of challenge dead-line or exhaustion of challenge possibilities).

#### **3.2.4. Submission Date**

There is at least one yearly submission date. FINA may establish additional submission date(s).

The yearly submission date(s) may be changed if appropriate for a timely conduct of the approval process. Change of the submission date(s) for a particular year shall be notified not later than three months before the concerned submission date(s).

The submission dates applicable at the time of the entry into force of the present edition<sup>5</sup> of these Rules are February 1 and May 1.

Applications received at the FINA office after the Submission Date will not be considered. Incomplete applications (including missing or not duly completed Application Form, missing or incorrect technical sketches, missing material samples etc. including insufficient description, missing material samples etc.) will as a rule be rejected. However, in case of minor irregularities in the application, the FINA Office has the discretion (but no obligation whatsoever) to grant the Applicant as short dead-line to complete its application.

#### **3.2.5. Examination by the FINA SAC**

The FINA SAC examines the applications and notifies its decisions to FINA normally within one month from the submission date.

However, the approval procedure for the submitted swimwear, or part thereof, may be subject to delays resulting from the time necessary for the examination process.

#### **3.2.6. Experts / technical testing**

Technical testing and examination, as needed, is conducted under direction of the FINA SAC, by experts appointed by FINA (presently at, but without limitation, the EPFL in Lausanne).

Information on the test results of specific Samples are communicated to the Applicant involved, upon request. No results are communicated to any third party.

The only results relevant for the approval process are those obtained by the FINA SAC appointees from the samples provided with the application, or from additional Samples specifically requested by the FINA SAC. Measurements taken outside of that process on the same Samples, or others, are not relevant for the approval process, irrespective of the equipment used.

#### **3.2.7. Results of the submission.**

The decision of the FINA SAC is reported in writing by FINA to Applicants within ten days from the date of the decision.

In the case of a decision not to approve, the FINA SAC identifies the ground(s) for non-approval.

The publication of approvals occurs once a year as per clause 7.

### **3.3. Resubmission**

#### **3.3.1. Resubmission of Products**

In the event that an application for a Product is rejected and the cause of rejection can be corrected, the Applicant concerned is given a dead-line by the FINA SAC to resubmit the same

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<sup>5</sup> Edition 2014 in effect for swimwear approved from January 1, 2015

Product with the required corrections. The period given to an Applicant for a submission cannot be less than 30 days. The second submission date may be used for resubmission.

The Samples resubmitted shall be the same Product as the previously submitted Samples, save for the modifications linked with the SAC requirements. Resubmission cannot serve for new models to be presented that are different from the ones initially submitted.

Applications received after the set dead-line will not be considered.

### **3.3.2. Resubmission process**

The resubmission process shall be conducted as for the original submission process and the above provisions regarding submission apply *mutatis mutandis*:

An application shall be resubmitted for each concerned Product as per clause 3.2.3 and shall include reconfigured samples with the variations as required by the FINA SAC.

Rejection after resubmission is final and no further submission or resubmission can be made until the next yearly submission date.

## **4. CRITERIA**

The following criteria set forth below are applicable to the respective categories of swimwear (swimsuits, goggle and caps).

The FINA SAC may issue and update guide-lines and clarifications in respect of the criteria and their application on an as-needed basis if issues of general relevance arise in the course of the effective conduct of the approval process. The clarifications and guide-lines respectively become part of the "FINA Requirements for swimwear approval". The guide-lines and clarifications in effect at the time of publication of this edition of the "FINA Requirements for swimwear approval" are attached hereto as exhibits. They will be updated on an as-needed basis.

### **4.1. Swimsuits for the pool and open water swimming competitions with temperature above 18C.**

#### **4.1.1. Design**

***Decency:*** the wearing of the swimsuit shall not offend morality and good taste (in particular, but not exclusively, because of the cut of the suit and body parts exposure whether covered or not).

***Surface covered*** (shape);

***For swimsuits used in pool swimming competitions:***

Men's swimsuits shall not extend above the navel or below the knee. Women's swimsuits shall not cover the neck or extend past the shoulders, or below the knee.

***For swimsuits used in open water swimming competitions<sup>6</sup>:***

Men's and Women's swimsuits shall not cover the neck, extend past the shoulder, or extend below the ankle.

#### **4.1.2. Composition/other items**

Men's swimsuits are in one piece. Subject to observance of the decency rule and limitations of the body surface covered, women's swimsuits may be in one or two pieces. Other items covering the body that are not part of the swimsuit are prohibited.

#### **4.1.3. Colours**

To avoid any doubt, colours will not be considered as part of the design. Colours can vary freely. However, colour variations shall not affect compliance with any criteria and tested values.

#### **4.1.4. Material (general)**

***Health:*** The material used must not put the health of the athletes at risk.

***Type of material:*** the material used for swimsuits can be only "Textile Fabric(s)". For the purpose of these rules, this is defined as material consisting of, natural and/or synthetic,

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<sup>6</sup> Swimsuits fulfilling shape requirements for pool competitions comply a fortiori with shape requirements for Open Water swimming competitions.

individual and non-consolidated yarns used to constitute a fabric by weaving, knitting, and/or braiding.

**Surface treatment of the textile fabric:** any material added on to the surface of the textile fabric (any part thereof) or processing of the same (e.g. coating, printing, impregnation, heating, calendaring etc.) shall not close the overall open mesh structure of the base textile fabric. The treated material shall further comply with all requirements in particular in regard to thickness, permeability and flexibility which must be and remain complied with, both at production stage until finished product stage and when the swimsuits are in actual use. The rules regarding surface treatment do not apply to seams (sawn, welded, taped, glued, etc.), markings (manufacturer and/or sponsor logos as permitted by the applicable competition rules: printed or affixed on the base material) or labels<sup>7</sup> (technical labels as permitted by the rules).

**Flexibility:** the material shall be flexible and soft folding.

**Regular flat material:** The material shall be regular and flat. The material shall not form outstanding shapes or structures, such as scales. A thickness variation of the material is permitted provided the thinnest point should not be less than 50% of the thickest point. The overall thickness limitation (0.8mm) shall in any event be respected at the thickest point(s).

**Variation of colours:** Variation of colours of the same material is possible as long as the colouring does not affect compliance with tested value limits. Manufacturers are fully responsible to ensure that requirements in respect of all tested values (permeability, thickness, etc.) are respected in any colour variation.

**Outside application:** No outside application shall be added on the material.

**Variety of materials:** Different materials may be used in one swimsuit provided all materials are textile fabrics as defined above and the swimsuit complies with all other criteria.

**Combination/inside layer:** A combination of maximum two layers of materials is permitted. The combination of layers shall not create outstanding shape(s) or structure(s). An inside layer of material can be used notably for comfort, protection of sensitive parts or decency. Permeability and thickness of layered materials shall be measured on both layers as combined together and the combination of layers must thus comply with thickness and permeability requirements as set forth in these rules in all parts of the swimsuit.

#### 4.1.5. Material (measured values)

**Thickness:** The total thickness of material/s used shall have a maximum value of 0.8mm. The thickness of layered materials is the total thickness of both layers measured together. It is clarified that this maximum thickness does not apply to seams as far as the seams are functional, and their thickness and width result from their natural functions. The measurement procedure for thickness is described in exhibit 1.

**Buoyancy:** The swimsuit shall not have a buoyancy effect above 0.5 Newton measured after application of vacuum. The measurement procedure for buoyancy is described in exhibit 2.

**Permeability:** material(s) used must have at any point (except on seams, logos or labels) a permeability value of more than 80 l/m<sup>2</sup>/second. Permeability values are measured on material with a standard multidirectional stretch of 25 %. However, measures on material which cannot be significantly stretched will be carried out on unstretched, flattened material. Permeability of layered materials is the permeability of both layers measured together. The measurement procedure for permeability is described in exhibit 3

#### 4.1.6. Construction

No zippers or other fastening system is allowed.

Seams<sup>8</sup> shall be limited to functional systems and shall not create outside shapes. Use of seams (notably number, overall length, and disposition) shall not affect compliance with the criteria set forth herein.

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<sup>7</sup> Please refer to Exhibit 5 «Clarification to the FINA Requirements for swimwear approval» clause 2.2 and 2.3

<sup>8</sup> Please refer to Exhibit 5 «Clarification to the FINA Requirements for swimwear approval» clause 3 and clause 4



External stimulation or influence: swimsuits which include any system providing external stimulation or influence of any type, including pain reduction, chemical/medical substance release, electro stimulation etc. are prohibited.

#### **4.2. Wetsuits for open water swimming competitions with water temperature below 20 C.**

Subject to the specifications below, wetsuits are subject to the provisions applicable to swimsuits set forth above under.

##### **4.2.1. Design (shape)**

Wetsuits shall completely cover torso, back, shoulders and knees. They shall not extend beyond the neck, wrists and ankles.

##### **4.2.2. Composition**

Wetsuits for both men and women shall be in one piece.

##### **4.2.3. Material (Type)**

Material used for wetsuits must have thermal insulation properties<sup>9</sup> (for example foam of polychloroprene (Neoprene) or of polyurethane or other material with similar insulating properties). The material can be multilayered, with non-water permeable layers. The material cannot contain injected gas.

Material without insulating properties cannot be used.

##### **4.2.4. Material (measured values - layers)**

**Thickness:** The thickness of material/s used shall be minimum 3mm and maximum 5mm. Provided the insulating functions are not prejudiced, the Applicant may apply for lowering of the minimum thickness value in limited specific areas, if such is functionally justified to allow free swimmer's movements. A decision in this respect is made at SAC' s discretion and cannot be challenged.

Permeability and buoyancy are not measured.

##### **4.2.5. Construction**

Zippers or other fastening systems are allowed without specific limitations. They must be functional.

#### **4.3. Caps**

##### **4.3.1. Design**

Independent item: the cap shall not be attached to the swimsuit or goggles nor be in continuity therewith (i.e.no "hood" or "mask" effect).

**Shape:** The shape shall follow the natural form of the head.

**Surface:** The outer surface shall not include outside artificial shaping such as rigs or spoilers and similar.

##### **4.3.2. Material**

**Health:** The material used must not put the health of the athletes at risk.

**Hardness:** No hard material (material can have some rigidity but shall be able to follow the shape of the head: no hard helmets).

**Types:** Different types of materials may be used on the same cap. The materials can be of different thicknesses, subject to respect of the maximum thickness (see below). However, differences in the thickness shall not be used to form shapes in the outer surface.

**Thickness:** The maximum thickness in all points shall be lower or equal to 2mm.

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<sup>9</sup> IMPORTANT NOTE: The thermal insulation properties are not controlled nor tested in the approval process. The approval does not constitute any warranty or confirmation by FINA and/or SAC of the capacity of the approved wetsuits models, when used, to effectively protect the swimmers from low temperature

### **4.3.3. Construction**

Seams if any shall be functional and shall not create outside shapes.

## **4.4. Goggles**

### **4.4.1. Design**

Independent item: the goggles shall not be attached to the cap nor be in continuity therewith (no "mask" effect).

### **4.4.2. Material/construction:**

**Health.** The material used or the construction must not put the health of the athletes at risk nor create a risk of injury.

**Safety standards and functionality:** the goggles shall comply with prevailing safety standards for eyewear. Goggles have the function to protect the eyes against water and ensure visibility. Their design or construction shall serve these functions and especially shall not seek to obtain aquadynamic advantages (e.g. through extended shapes not related to the above functions).

## **5. CONTRIBUTION TO ADMINISTRATIVE AND EXPERT/TESTING COSTS**

A contribution to the administrative and expert/testing costs will be applied and charged to the Applicants for each application, including resubmission. The applicable contribution will be based on the number of Products and material samples submitted with each application and will include the following fees:

- Basic application fee for each model of Swimsuit;
- Additional fee for each fabric submitted (for the same fabric used in different models the fee is calculated only once);
- Additional fee for each combination of materials/double layer (for the same combination used in different models the fee is calculated only once);
- Basic application fee for each model of Swimming Cap;
- Basic application fee for each model of Swimming Goggle;
- Resubmission fees for each Product.

The amount of each of the above-mentioned fees is determined by the FINA Executive. The fees applicable will be set forth in a schedule which will form part of these rules. Any amendment of the applicable fees shall be issued and published on the FINA website no later than January 15 of the concerned year.

Each Applicant shall calculate the applicable contribution based on the number of applications and samples it intends to submit and shall inform FINA accordingly in order to allow issuance of a corresponding invoice. The corresponding payment must be made at the latest on the dead-line for submission. Evidence of payment shall be provided either with the application or separately at the latest on the same date.

Payment of the calculated contribution on or before the submission dead-line is a condition for a valid application. Applications effected without corresponding fee payment will not be considered.

Upon receipt of the applications, the FINA Office will check the contribution calculation of the Applicant in view of the actual application received and notify the Applicant of any discrepancy. The difference, if any, will be either claimed or reimbursed.

In the event that a complement payment is requested by the FINA Office, such payment shall be effected within 10 days of receiving the request. If the Applicant does not agree with the calculation, it shall nevertheless pay the requested amount without prejudice to reimbursement after consideration of the arguments of the Applicant.

If the payment is not made in full within the set dead-line, the application(s) will not be processed and will be deemed as withdrawn. Any payment already made will be forfeited.

## **6. NOTICE OF APPROVAL**

FINA will provide Applicants with a “FINA Approved” identification label for each approved Product<sup>10</sup>. The label carries a unique identification number which includes a reference to the year from which the approval will be valid.

The respective labels (artwork) are provided for each Product upon request by the Applicant certifying that the Product(s) under consideration will be available on the market on or before January 1 of the year of validity for the relevant List of Approved Swimwear.

Applicants must undertake and warrant to apply labels strictly and only on Products identical to, and fully consistent with, the actual Samples submitted to obtain the approval.

The general FINA Approved Package Tag can be used on packaging and in product documentation (in a non-prominent manner). Such application shall always be clearly and specifically related to approved Product only.

### **“FINA Approved” Identification Label**

The Applicant must use the “FINA Approved” identification label in order to indicate that the Product in use has been approved. The notice shall be placed in a position allowing control when worn.

**Swimsuits:**

All swimsuits approved by the FINA SAC shall bear appropriate corresponding labels. If the swimsuit is in two pieces, each piece shall bear a label. The labels should be printed or affixed to the swimsuits in a manner ensuring that they cannot be removed without destroying the label (to prevent transfers);

**Caps:**

Appropriate methods to apply the labels shall be determined in consultation with the Manufacturers;

**Goggles:**

Appropriate methods to apply the labels shall be determined in consultation with the Manufacturers.

### **“FINA APPROVED” Package tag**

The “FINA approved” tag is aimed to be printed on hang tags or packages, and not on the product itself. The tag can also be used on the internet and in the product catalogues. However, it always has to clearly and specifically refer to approved swimwear only.

## **7. LIST OF APPROVED SWIMWEAR**

Following the approval process, FINA publishes a List of Approved Swimwear each year which serves as a reference for the following year.

The List of Approved Swimwear for any given year includes all the previously approved swimwear as published on the list for the preceding year (subject to a change in the criteria for a category of swimwear) and is updated with the result of the yearly approval process.

In order to present an accurately updated publication of the List of Approved Swimwear, Applicants shall notify FINA by no later than November 15th of each year of formerly approved Products which are to be discontinued, or of newly approved Products which will not be available by the following January 1. The discontinued and not-available Products will be removed from the Approved List for the subsequent year.

The List of Approved Swimwear shall be published each year before December 31 on the official website [www.fina.org](http://www.fina.org).

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<sup>8</sup> Please note that the “FINA Approved” identification label is different from the FINA logo and/or other trademarks of FINA. The FINA logo or other trademarks of FINA cannot be used to confirm approval as their usage is exclusively reserved to the FINA Partners for commercial/promotional activities and subject to a specific authorization, thus no other company is entitled to use the FINA logo or other trademarks of FINA in any way whatsoever.

## **8. CONSISTENCY**

The Products that are manufactured and used shall fully correspond to, and be consistent with, the Samples submitted to FINA SAC for obtaining the necessary approvals. Inconsistency found in the Products may lead to withdrawal of the approval (see clause 12).

All the parameters measured and recorded during the approval process notably values for permeability and thickness are applicable to the material as processed and used in finished swimsuit products which must remain in any event within the limits set under these rules.

Approved swimwear shall not be modified, treated or processed in any way after their manufacture. Any modification before use such as and including impregnation is prohibited.

Swimwear bearing an approval number shall be fully consistent with the corresponding approved model sample. Tested values (thickness, buoyancy or permeability) shall in any event remain within the limits set forth by the rules.

Competition results achieved with actual swimwear checked and found to be inconsistent with the corresponding approved models and in particular with a swimwear with tested values (thickness, buoyancy or permeability) found in excess of the values set in the FRSA are subject to disqualification. The disqualification of results applies to results achieved at the event at the occasion of which control testing is conducted or posterior thereto. The decision in regard of potential disqualification shall be issued by the FINA Executive based on a technical report issued by SAC. The concerned competitor and the concerned Applicant shall be heard prior to issuance of the decision. The application of clause 12 is reserved.

## **9. CUSTOMISATION**

The approval is not valid for the Products with any kind of customisation. There shall be no variation/modification for individual swimmers from the Product corresponding to the Samples submitted to obtain approval. Individual sizing shall not be considered as customization as long as the structure of the swimsuit is not modified.

## **10. EXEMPTION OF FORMAL APPROVAL**

The FINA SAC may issue an exemption from formal approval in respect to swimwear which can be determined as obviously compliant following general and easily checked objective criteria. Conditions of such exemption will be published by the FINA. They are not subject to any review or challenge.

## **11. VALIDITY OF THE APPROVAL**

An approval is valid upon its notification to the Applicant.

Notwithstanding the above, approvals will be only effective, i.e. the corresponding swimwear may be used in FINA competitions and at the Olympic Games, from the year following their first publication on the List of Approved Swimwear (see clause 7).

As of the effective date of these revised rules (January 1, 2017), the swimwear with approvals in effect for the FINA events taking place in 2017 is the swimwear on the List of Approved Swimwear as published in December 2016 and then each successive year in December.

The validity of the approval is further subject to the condition that the swimwear on the list has to be available on the market (available for purchase by federations and competitors) at the latest by January 1 following the publication.

Upon request, Manufacturers shall provide evidence of date of market availability. If a Product is not available on January 1 of the year in which the approval was to become effective, the corresponding approval shall be withdrawn from the list. The concerned Applicant may submit an application for relisting on the next yearly list. Such application shall be supported by clear and positive evidence of availability.

Approvals granted remain valid until the relevant criteria for a category of swimwear is changed.

Irrespective of change in the criteria, which will impact on approval as they come into force, the validity of the approvals may however be subject to a maximum period of validity, irrespective of a change in the criteria of no less than four years. The introduction and modalities of implementation of a maximum period of validity will be subject to additional specific rules in this respect, which will be issued after consultation of the Applicants. If a maximal period of validity is implemented, the concerned swimwear may be resubmitted for re-approval. The rules may provide for a simplified re-approval process.

In the event of introduction of new or amended criteria, all swimwear affected by the application of these changed criteria are subject to re-approval. The FINA SAC may however exempt certain types or categories of already approved swimwear from re-approval. The conditions of such exemption will be decided by FINA SAC. The conditions decided by SAC are not subject to any review or challenge.

## **12. SWIMWEAR IN USE / WITHDRAWAL OF APPROVAL**

The validity of an approval is based on the fact that any and all the products brought on the market as FINA approved swimwear are fully consistent with the models and the actual Samples submitted to obtain the approval.

The Applicants shall certify and be responsible for the fact that the swimwear they manufacture and bring on the market as approved swimwear are fully consistent with the Products and the actual Samples submitted for approval.

Compliance checks can be effected by FINA at any time on swimwear presented as approved in competition or otherwise.

Upon request of FINA, the Applicant shall deliver additional Samples of approved Products as brought on the market for compliance checks.

Competition results achieved with swimwear found to be non compliant with any of the criteria will not be recognised.

If swimwear presented as approved Product are found, during competitions or otherwise, to be not fully consistent with the Products and the actual Samples submitted for approval and this is not linked with modifications made outside the control of the Applicant, the approval can be withdrawn.

The decision to withdraw the approval will be issued by the FINA Executive after having heard the Applicant concerned. In case of urgency (e.g. major event in course), the FINA Executive may provisionally suspend an approval before hearing the concerned Applicant.

A withdrawal fee of € 10'000 — per product will be due by the concerned Applicant. The payment for withdrawal should include the Withdrawal fee as well as all related cost beard by FINA, including but not limited with cost of purchased samples, cost of expertise, laboratory tests and required consultancy. Furthermore, any new or pending application(s) by an Applicant will not be considered, respectively will be suspended and, subject to proper advanced notice setting an ultimate payment date, deemed as withdrawn, if the Applicant does not pay any amount overdue in application of these rules.

Application for re-approval for a withdrawn Product is to be effected through the normal process for approval and the application will be held as a new submission and handled accordingly. As a condition for re-approval, the concerned Applicant shall bring evidence supporting the fact that it will guarantee consistency between Samples and Products effectively on the market.

## **13. EXCLUSION OF LIABILITY/INDEMNITY**

### Exclusion of liability

To the full extent permitted by law, the Applicant expressly waives any claim against FINA, its officers, employees and/or Committee Members arising out or in connection with the approval process set forth in these provisions.

### Indemnity

The Applicant shall indemnify and keep FINA, its officers, and/or the Committee Members harmless against claims, damages or costs (including reasonable attorney's fees) arising out of or linked with claims by third parties based on the approval of Applicant's Product(s) and/or use by the Applicant of the approval notice.

## **14. ARBITRATION**

Any dispute (including i.e. challenge of the decisions of the FINA SAC and/or of the FINA Executive, decision or disputes in connection with payments or other disputes) in connection with an approval procedure or otherwise in connection with approvals pursuant to these rules shall be exclusively submitted to the Court of Arbitration for Sport (CAS) in Lausanne in accordance with the CAS arbitration rules.

Disputes over payments of less than € 100'000.--- shall be submitted to a single arbitrator.

Swiss law shall apply as substantive law.

For the avoidance of doubt, criteria set forth in these rules shall not be subject to review. The same apply to conditions for exemptions.

## **15. AMENDMENTS**

The present edition of the rules is applicable to swimwear to be approved for use in competition from January 1, 2017.

Amendments to the rules shall be issued by the FINA Bureau. They become immediately applicable subject to a different decision of the FINA Bureau.

All the exhibits and annexes to the rules are the documents for the clarification and information purpose. They can be completed or amended by SAC from time to time.

## **16. DATE OF ISSUE**

Issued by the FINA Bureau on August 5, 2016.

## **17. EXHIBITS**

The following exhibits are included:

EXHIBIT 1: THICKNESS MEASUREMENT

EXHIBIT 2: BUOYANCY MEASUREMENT

EXHIBIT 3: PERMEABILITY MEASUREMENT

EXHIBIT 4: GUIDE-LINES FOR "FINA APPROVED" LABEL AND PACKAGE TAG APPLICATION

EXHIBIT 5: CLARIFICATION TO THE FINA REQUIREMENTS FOR SWIMWEAR APPROVAL

EXHIBIT 6: EXTRACTION OF THE FINA RULES APPLICABLE TO SWIMWEAR

## EXHIBIT 1

### THICKNESS MEASUREMENT

#### Value

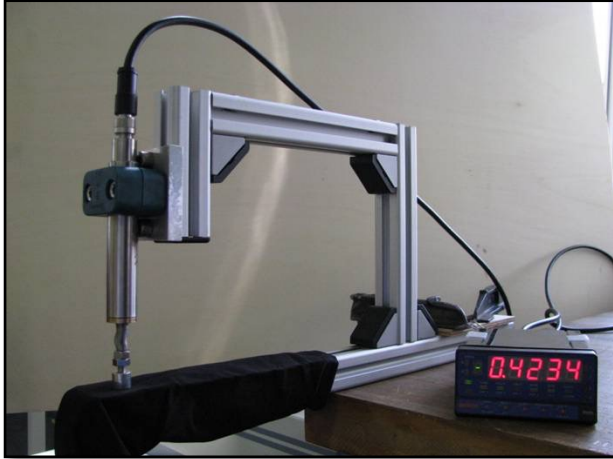
Maximum value: equal or less than 0.8 mm

Minimum value: equal or superior to 50 % of maximum value

Tolerance: +/- 0.1mm

#### Equipment

The equipment consists of a reference plate, a disk (parallel to the plate) together with a test gauge capable of measuring the distance between disk and plate with an accuracy of at least 0.01 mm.



#### Specifications

according to ISO 5084

disk size 100 +/- 1 mm<sup>2</sup> (diameter 11.28 +/- 0.05 mm),

pressure 1 +/- 0.01 kPa

## EXHIBIT 2 BUOYANCY MEASUREMENT

### Value

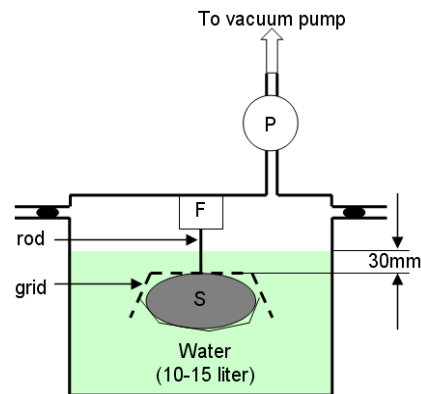
Maximum value: equal or less than 0.5 Newton

Tolerance: +/- 0.1 Newton

(NB: Value to be observed for all sizes/recommendation to provide sample in largest available size)

### Equipment

The equipment (see illustration below) consists of a tank connected to a vacuum pump and a sample-holder (including rod and a grid cage) allowing force to be applied to immerse the swimsuit below the water line. There must be a measuring system recording with time the force acting on the rod and the pressure inside the tank.



Airtight tank (approved for the pressure)  
connected to a vacuum pump  
P: vacuum pressure transducer (~10-1000mbar)  
F: force transducer (~50N)  
S: swim suit

### Illustration

### Process:

Force and vacuum pressure are to be monitored during whole process.

Swimsuit is softly folded to the shape of a ball and fixed below the grid.

The grid is fixed to the force transducer.

When tank is closed (vacuum tight), the grid is immersed at a depth of 30mm and kept immersed for up to 5 minutes to allow for water absorption and air bubbles to escape.

Application of vacuum pressure (100 mbar) to force residual air extraction for up to 5 minutes.

Release of vacuum pressure to atmospheric pressure, wait for equilibrium for up to 5 minutes.

Read force from the transducer and compensate for the force imposed by the sample holder (weight and buoyancy).



### EXHIBIT 3

## PERMEABILITY

### Value

- Minimum Value: equal or higher than 80 liters/square meter/seconds (l/m<sup>2</sup>/s)
- Tolerance: +/- 5 % (in the range of Minimum Value)

### Measurement of air permeability

A flow of air is sucked through the fabric specimen, a tube system and differential pressure transducer. The unit measures the resultant differential pressure (proportional to volumetric flow), the absolute pressure and the medium temperature. The air permeability of the measured specimen is established based on those values. The value of permeability is given in litres/m<sup>2</sup>/seconds for a given material.

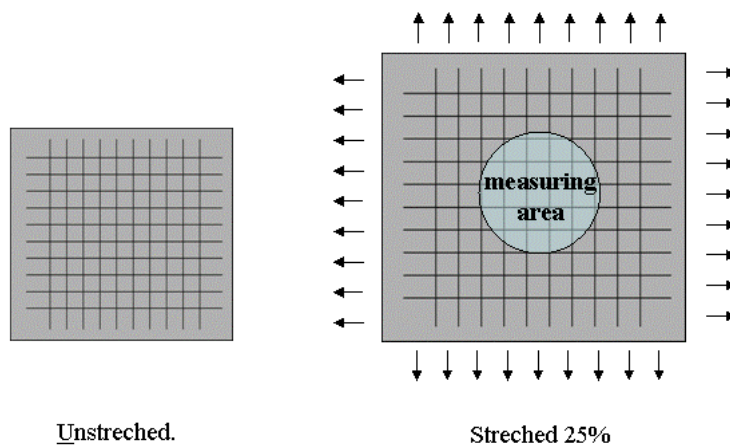
### Measurement characteristics:

Measuring area: Diameter 25 mm.

Differential pressure: 20 Pa

Measuring range: 0-400 l/m<sup>2</sup>/s (high accuracy around Minimum Value)

Definition of stretch: Uniform bidirectional and perpendicular stretch of 25% applied to the fabric (see sketch below).



### Conditions:

- a) The swimsuit material is tested new and dry.
- b) For accuracy purpose, repeatable tests will be done if the test value is close to the limit.

## EXHIBIT 4

### GUIDE-LINES FOR "FINA APPROVED" LABEL AND PACKAGE TAG APPLICATION

This document is aimed to clarify requirements for usage of the FINA Approved label and FINA approved Tag on approved swimwear and their correspondent packages/hang tags in accordance to the clause 6 of the "FINA Requirements for Swimwear Approval". In order to keep consistency throughout the approved products and as a means of proving conformity and certification for the consumers buying/receiving FINA approved swimwear, there are the following regulations for the swimwear manufacturer to be followed.

**Please note that the FINA logo or other trademarks of FINA cannot be used for identification purposes** as its usage is exclusively reserved to the FINA Partners for commercial/promotional activities and no other company is entitled to use the FINA logo or other trademarks of FINA in any way whatsoever.

#### 1. "FINA approved" package tag.

The "FINA approved" tag can only be used in relation with FINA approved swimwear. The "FINA approved" tag can also be used for approved goggles and swimming caps as a hanging tag and/or applied on packages.

"FINA approved" tag is aimed to be printed on hang tags or packages, not on the product itself. The tag is allowed to be also used on the internet and on the product catalogues however it has to be always brought together and with clear reference to particular swimwear effectively approved by FINA. Size and colour of the "FINA approved" tag:

- The printing of the tag should always be done in Black and white colours.
- The size of the tag cannot dominate on overall area it is used on and moreover cannot be bigger than 47mm x 15mm when printed and 130pix -41pix when used on a webpage.



Please note that the "FINA approved" tag has to be used only as a proof of the conformity for the swimwear manufactured by your company with the FINA rules and shall not be in any case used as a means of promotion or association with FINA.

#### 2. "FINA Approved" Identification Label for swimsuits

According to the FINA BL 8 Rule, the athletes attending the FINA World Championships, Olympic Games and other FINA events must wear the FINA Approved Swimsuits. The swimsuits are subject to be checked by the officials at the occasion of an event.

All swimsuits of the models-shapes approved by FINA shall bear appropriate corresponding labels. If the swimsuit is in two pieces, each piece shall bear a label.

**IMPORTANT: The Applicants undertake and warrant to apply labels strictly and only on swimwear of the corresponding approved models-shapes.**

- Each label corresponds to particular model-shape of the swimsuit approved by FINA;
- The Applicant is entitled to produce the label according to the specifications provided by FINA;
- Each swimsuit of an approved model-shape shall bear a corresponding FINA Approved label;
- The label has to be produced with high contrast (in white on dark colours or in black on light colours);
- The size of the label shall respect the reference size of 35X20mm (H x W) with a tolerance;



The label shall be printed/tightly affixed (non removable) on the outside of each piece of the swimwear and placed as per attached document (FINA Identification Label Placement). The labels should be printed or affixed in manner ensuring that they cannot be removed without destroying the label (to prevent transfers).



## EXHIBIT 5

### CLARIFICATION TO the FINA REQUIREMENTS FOR SWIMWEAR APPROVAL

The below list of clarifications is created based on information received from FINA Swimwear Approval Committee and came as a result of effective conduct of approval process with full consideration and continuous follow-up of technological developments.

#### 1. CLARIFICATION TO CLAUSE 1-“DEFINITIONS”

##### 1.1. Definition “Product”

“Product is a piece of swimwear of a certain design/shape and produced with the certain material.”

In swimwear approval process, definition of product is used to identify every particular piece of swimwear (swimsuit, caps and goggles).

Product (standard definition): the end result of the manufacturing process, to be offered to the marketplace to satisfy a need or want. Considering that the product is the end result of the manufacturing process it can consist of one or many elements. All the elements of the product have to be fixed, attached to each other and have to have practical meaning according to the product functionality.

##### 1.2. Definition “Product Line”

“Product line – the number of products that have similar construction and only vary in colours, sizes and shapes. Any variation in colours, shapes and sizes should not lead to any change of physical / technical parameters of the material the product consists of.”

The swimwear will be considered as the products of one product line if all of the following criteria are fulfilled.

###### **Material:**

The same type or combination of the same types of material is used to manufacture the products. Every element of the product is made of the same material as the corresponding and relative element of other product.

###### **Construction:**

All the products of the same product line have to have the same main part that is designed and structured in the same way.

The products must consist and/or to be constructed of same elements with the same shape / design. In case of difference in shapes, main part of the product has to be considered.

The difference in the shapes of the product within one product line is accepted only in case of extending of some elements of the main part or by attaching of additional element to the main part with only condition of direct application to it.

Types of joints/seals/seams between the elements are the same between the products.

External design of the main part including the internal (inside) parts of the product should be the same.

*Example: One Product Line of the swimsuits can include number of products of different shapes such as: Classic (Men), Pants-Short (Men), Pants-Long (Men), Full-Knee (Men), Full-Long-Leg (Men), Classic (Women), Full-Knee (Women), Full-Long-Leg (Women) as well as any possible modifications of the basic shapes (Open/Closed back).*

#### 2. CLARIFICATION TO CLAUSE 4.1.4 “MATERIAL (GENERAL)”

##### 2.1. CLARIFICATION TO “SURFACE TREATMENT OF THE TEXTILE FABRIC”.

###### **Provision**

This issue is linked with the application of coating or other treatments of the textile material (including heating) which impact the open mesh structure of the material. The requirement to use textile (see definition in art. 3.1.2) implies the use of an open mesh

material and to avoid use of material with consolidated structure. The material shall not be treated in a way which affects this open, non consolidated structure.

***The FINA SAC position***

Given that: using open mesh textile material is a central requirement of the new rules.

Art. 3.1.2 has the objective of preventing the open nature of the textile material being modified / affected via coating with any substance (e.g. glue, paint, polymeric material) or technique via treatment (notably coating, heating etc.) Which alters the open mesh structure of the textile material.

This issue relates to the nature / structure of the material and is not linked with the observance of the permeability value (which must be met in any event).

***Interpretation/ Application***

Any swimsuit constructed with material treated with a technique (notably coating or heating etc.) which closes the open mesh structure of the base textile material will be rejected. Surface treatment /coating consists in the application of a substance on any surface of the textile material, respectively on each of the different layers of material (e.g. application of glue in-between layers). This applies irrespective of the permeability value which shall be respected in any event.

Swimsuits with material treated with mesh-closing techniques will be rejected, irrespective of permeability values

**2.2. Clarification to “Surface treatment of the textile fabric” and markings**

***Provision***

This is a specific sub-issue related to surface treatment and coating. Trademarks, logos and decorative designs are often applied on textile material using printing techniques which add a layer of material (e.g. paint or plastic layer). These techniques are “mesh closing” techniques in the above sense. Art. 3.1.2 expressly permits their application in connection with logos (i.e. trademarks or sponsors’ identifications) and labels.

***The FINA SAC position***

Given that: The logo exemption refers to logos as permitted by the rules governing commercial identifications, the label exemption applies i.g. for the approval label. The effective impact of a local application of a mesh closing technique to apply a decorative design can be limited, there is however no practical way of setting precise and practically controllable limits of acceptability.

There are techniques or methods allowing the application of a wide range of designs without using “mesh closing techniques”.

The strict exclusion of application techniques closing the open mesh structure of the textile material is the only practical possibility to consistently apply the rules and will be implemented. The only exception is the use for markings as permitted by advertising rules and for labels. Subject to this exception, any other element, notably of design, irrespective of its size, must be applied with a technique/method which does not close the open meshed structure of the textile material.

***Interpretation/Application***

The only permitted use of treatments which close the open mesh structure of textile material is for markings as permitted by the rules on commercial identifications and for labels (notably approval notice label). NB: The FINA SAC is not in charge of applying the rules on commercial markings.

**2.3. CLARIFICATION TO “SURFACE TREATMENT OF THE TEXTILE FABRIC” (TECHNICAL LABEL)**

***Provision:***

Technical labels are used to provide technical indications regarding the swimsuits: origin, material composition. They are often printed on the swimsuit material using techniques which are mesh closing.

### **The FINA SAC position**

Given that: Technical label is the one used by the manufacturers for information following the legal and local requirements at a place/market of product sales/distribution. Normally the information to be placed on a technical label is the one about a name of producer, effective place of production, name of the product (model), type of material used, general information on handle and care of the product.



The application technique may have mesh closing effect.

The Technical labels are applied/attached to the inner side of the swimwear as direct printing on the surface or as a tag attached to a seam.

The label should not be visible when the product is worn.

In case of direct printing on the inner surface of the product, the size of the label has to be not more than 35cm<sup>2</sup>. Only two labels are allowed to be placed on each piece of the swimwear with 5cm distance in between as minimum.

### **Interpretation/ Application**

Considering the above, the regulations regarding permitted use of treatments which close the open mesh structure of textile material do not apply to the surface used for technical labels.

## **3. CLARIFICATION TO CLAUSE 4.1.6 "CONSTRUCTION"**

### **Seams**

The FINA SAC observes that swimsuits include various elements which have a joining, binding and/or finishing function (seams). These seams include seams in the narrow meaning of the word (i.e. the element binding different parts of continuous material), "edge seams" at the edges of the swimsuits, "grippers", i.e. edge seams which hold the legs of the swimsuits in place and waistbands holding jammers or briefs. Further straps may be used to hold the upper part of women bodysuits.

All these elements have a specific construction (i.e. sewn or welded seams, use of folded material, use of elastic bands or silicone or similar strips) which is different from the sole use of textile material.

### **The FINA SAC's evaluation**

In each case, the FINA SAC will evaluate the functionality of the seams according to the above definition including grippers, waistbands and straps.

Without prejudice to decisions in specific cases regarding these elements, FINA SAC will take into account the principles and guidelines as included below.

### **General principles**

The below is provided for guidance only and without prejudice. The FINA SAC decisions will be based on an overall evaluation of the individual swimsuits.

The purposes of the seams are:

- To join together the elements of the swimsuit ("seams")
- To finish properly the swimsuit at its edges ("edge seams")
- To prevent the swimsuit legs to roll back ("grippers")
- To hold a jammer or brief ("waistband")
- To maintain the upper part of a women's bodysuit ("straps")

The seams must be fit for the above purposes and shall have no other function.

The following elements will be considered in this respect:

### **Width:**

Joining seams shall not exceed 5mm.

Reinforcement/protection tapes such as those used to form or cover welded seams shall not exceed 20mm.

Edge seams and grippers shall not exceed 20mm.

Waistbands shall not exceed 25.4mm (one inch).

In case of seams based on a technique using glue and a covering tape (notably to take into account overspill or irregularities in the application), the glued area is part of the seam (bounding area) and must remain within the maximum width. However, in order to allow practical application of said technique, a tolerance of maximum 4mm will be applied to the maximum width of the total bounding area. The tape itself must in any event respect the maximum width (20mm).

#### ***Number of seams***

Excessive number of seams is prohibited.

Development in regard of seams will be carefully observed. SAC reserves the possibility to intervene against excessive or non-functional seams.

**AS AN INDICATIVE GUIDE-LINE, THE FINA SAC CONSIDERS THAT A NUMBER OF SEAMS EXCEEDING THE NUMBERS SET FORTH BELOW COULD BE HELD AS EXCESSIVE:**

- For the upper part (above the crotch area):
  - 9 seams for Men swimsuits,
  - 11 seams for Women swimsuits.
- For the lower part (below the crotch area):
  - 4 on each leg for both Men and Women suits.

**WHEN TWO OR MORE SEAMS ARE COMBINED OR MERGE, THEY COUNT AS TWO OR MORE DIFFERENT SEAMS IN ANY AREA WHERE THEIR COMBINED WIDTH IS ABOVE THE MAXIMUM WIDTH OF A SEAM.**

#### **4. CLARIFICATION TO 4.1.5 “MATERIAL (MEASURED VALUES)”**

##### ***Clarifications regarding permeability***

Permeability will not be tested on seams, provided they are considered as legitimate and functional seams.

Seams must remain limited to functional purposes. The use of seams shall not affect compliance with criteria. However, the seams themselves are exempted from the application of the thickness rule and the permeability is not measured on seams.

##### ***Non textile material/elements/application***

Non textile material/elements/applications can be used on seams in the following cases:

- In "edge seams" including in particular “grippers”, to ensure holding functions, e.g. through silicone strips and/or elastic cord(s).
- In waistbands and straps (e.g. elastic cord inside folded material)
- Use of glue to fix the seam or the corresponding reinforcement tapes on (e.g. to hold welded seams or to cover seams in merging areas)

#### **5. CLARIFICATION TO 3.2.3 “APPLICATION”**

##### ***Provision***

The material samples provided must enable effective relevant testing, notably but not limited to permeability. This must also be the case when materials are used combined (multiple layers).

##### ***The FINA SAC position***

Given that: Attachment methods between layers may have an impact on measurements and test results.

Attachment method may constitute mesh closing coating/treatment.

Unbound samples of material shall be provided for each material separately and also exactly as effectively used combined when attached together in the swimsuit.

##### ***Interpretation/ Application***

Applicants must provide:

- Unbound sample of each material. The fabric samples submitted for approval shall be cut in the principle direction of the yarns/fabric (in the direction of the roll of material).
- Unbound sample of combined materials exactly as used in the swimsuits.

- Description of method used to bind the layers together.

***Different colours of fabric and samples to be submitted***

According to FRSA art. Material (general) 4.1.4, colour variations are possible. The manufacturers are responsible to ensure that all requirements are complied with in any colour variation.

Accordingly, the applicants may but are not obliged to submit material samples for all colours variations they may intend to use for a particular model.

However, the material samples provided must be consistent with the submitted swimsuit sample.

This implies:

- The materials samples provided must be provided in the same colour as used in the corresponding submitted swimsuit sample;
- If a submitted swimsuit sample is made of patches of the same material in different colours, then corresponding material samples shall be provided for each of the colours actually used in the submitted swimsuit sample.

**6. CLARIFICATION TO 8 “CONSISTENCY”**

Clarification regarding consistency and minor modifications of approved swimsuits models

***Provision***

The principle that swimsuits which are effectively manufactured and used shall be and remain fully consistent with the corresponding approved model is an essential element of the approval system under the FRSA.

This implies notably that the relevant features, including design, construction, material(s) of the models submitted for approval, as a matter of principle, may be effectively manufactured.

However, Applicants can occasionally apply for minor modifications, notably indicating that such would be necessary to address issues, which had not been identified prior to full manufacturing stage and actual use of the swimsuits (e.g. swimsuits breaking due to too weak seams, material transparent when worn, necessity to protect sensitive parts with lining etc.).

***The SAC position:***

- Modifications of approved models are as a rule excluded.
- However, minor modifications which do not affect essential features may be exceptionally allowed by SAC based on a reasoned application of a Manufacturer and when the modification(s) appear(s) to be needed.

As a guide-line only, the following elements may be taken into consideration by SAC:

- The acceptance of modification(s) of an approved model is and must remain the exception. The modification(s) must normally be necessary or must address an actual issue existing if the swimsuit is manufactured in a manner fully consistent with the initially approved model. Subject to very minor modifications, improvements of an existing which are not justified by a need to address actual issues affecting swimsuit models which have been in use without raising specific problems will not be allowed. It is clarified that the exceptional acceptance of modifications shall not be used to submit improvements of approved swimsuits models, which are not needed in relation with an actual issue existing in relation with the swimsuit consistent with the initially submitted swimsuit model. Material improvements of existing models are normally to be submitted through new applications in the course of the normal approval process.



- The modification(s) must in an event not affect any essential feature of the model.

The decision to allow the modification(s) or not is at the entire discretion of the SAC and is not subject to any challenge.

*Examples of modifications which may be held as acceptable:*

- *The reinforcement of seams to prevent the swimsuit to brake without change of the seam locations, notably through a change of the seam type (knitted seams replaced by bonded seams).*
- *The replacement of the lace used in the swimsuit sample by a different lace (for example flat vs round).*
- *The modification of shoulder straps: for example widening of the straps to make them comfortable to wear.*

*Examples of modifications which will normally NOT be held as acceptable:*

- *Modification of construction structure (addition or suppression of seams).*
- *Modification of base material. A modification of the lining which may be adequate for example to prevent transparency or the swimsuit to hurt sensitive part may however be acceptable (always subject to observance of tested values).*
- *Modification or addition of lining to prevent the swimsuit or to be transparent in relevant parts.*

The above applies mutatis mutandis in relation with caps and goggles.

For application on modification the Manufacturer must submit the following:

- Reference to the approved model at stake (approval number);
- Detailed description of the modifications (together with corresponding sketches) by reference to the approved model;
- Provide corresponding sample(s) (including material sample(s) if applicable);
- Submit a detailed description of the reason(s) justifying the modification(s);
- Explanation on whether or not swimsuits consistent with the initial application have already been in use.

The Applicant must expressly confirm that the modification(s) has(have) not been implemented yet in regard to swimsuits already in use and must also confirm that, in case the modification(s) is (are) approved, only the modified models will be henceforth manufactured and distributed.

The applicable limits in regard of tested values and all other requirements and criteria must be observed in any event. If tests have to be performed (for example, use of a different lining), the Manufacturer will have to bear the corresponding costs. Advanced payment of the costs may be required as a condition to handle the application.

In the event, modification(s) of an approved swimsuit model is (are) accepted by SAC, the corresponding samples will be kept as new reference for the concerned approval number. If swimsuits consistent with the initial submission are in use, the initial samples will be kept as well.

## **EXHIBIT 6**

### **EXTRACTS OF THE FINA RULES**

(The extracts of the FINA rules are provided for ease of reference only. The official text is the text as published from time to time on the FINA official website).

#### **GR 5 SWIMWEAR** *(FINA General Rules, valid as of January 29, 2015)*

- GR 5.1 The swimwear (swimsuit, cap and goggles) of all competitors shall be in good moral taste and suitable for the individual sports disciplines and not to carry any symbol which may be considered offensive.
- GR 5.2 All swimsuits shall be non-transparent. It is permissible to wear two (2) caps.
- GR 5.3 The referee of a competition has the authority to exclude any competitor whose swimsuit or body symbols do not comply with this Rule.
- GR 5.4 Before any swimwear of new design, construction or material is used in competition, the manufacturer of such swimwear must submit the swimwear to FINA and obtain approval of FINA.

#### **BL 8 SWIMWEAR** *(By Laws, as approved by the FINA Bureau on August 5, 2016)*

- BL 8.1 All swimwear used at Olympic Games and FINA Events (pool and open water swimming competitions) shall be swimwear approved by FINA in accordance with the rules and procedures set forth in the FINA Requirements for Swimwear Approval (FRSA) issued by the FINA bureau and valid on the date of approval. Following an approval process conducted by the Swimwear Approval Commission, a list of approved swimwear is published by FINA (the Approved List) each year. The Approved List is published each year before December 31 and is valid starting from January 1 of the subsequent year.
- BL 8.2 In pool and open water swimming competitions the competitor must wear only one swimsuit in one or two pieces. No additional items, like arm bands or leg bands shall be regarded as parts of a swimsuit. All swimsuits (including wetsuits for open water competitions) shall comply with the requirements set forth in these By-Laws and the FRSA.
- BL 8.3 For pool swimming competitions swimsuits for men shall not extend above the navel nor below the knee, and for women, shall not cover the neck, nor extend past the shoulder, nor below the knee. All swimsuits shall be made from textile materials.
- BL 8.4 For open water swimming competitions, with water temperature from 20 C, swimsuits for both men and women shall not cover the neck, nor extend past the shoulder, nor extend below the ankle. Subject to these specific shape specifications, swimsuits for open water swimming competitions shall further comply with all other requirements applicable to swimsuits for pool swimming competition.
- BL 8.5 From the 1st of January 2017, for open water swimming competitions in water with temperature below 20 C, men and women may use either swimsuits (BL 8.4) or wetsuits. When the water temperature is below 18 C, the use of wetsuits is compulsory.
- For the purpose of these rules, wetsuits are swimsuits made of material providing thermal insulation. Wetsuits for both men and women shall completely cover torso, back, shoulders and knees. They shall not extend beyond the neck, wrists and ankles.
- BL 8.6 BL 8.1 to BL 8.5 apply also for the Masters Open Water competitions.  
*[NOTE TO BL8.6: It is clarified that swimsuits, respectively wetsuits which fulfil the shape requirement set forth in BL 8.3, respectively BL 8.4 and 8.5 (for open water swimming competitions) can be accepted even if they do not bear a valid FINA approval label provided they effectively and evidently fulfil the material requirements set forth in the current FINA Requirements for Swimwear Approval. This is notably the case for swimsuits made of traditional permeable textile (i.e. open mesh material) material (such as cotton, Nylon, Lycra and the like) with no application of surface treatment closing the open mesh structure and wetsuits, which expressly fulfils the thickness requirement (for example wetsuit thickness provided by manufacturer). In case of doubt in this respect and when notably such doubt concerns a swimsuit or a wetsuit used at the occasion of a World record, an actual check of the swimsuit or wetsuit can be required from the competitor or Certifying Official and the swimsuit or wetsuit is to be forwarded to the FINA Office for submission to an actual control of all or parts of the requirements.]*
- BL 8.7 For team events in open water swimming, all swimmers from the same team must wear the same colour caps which shall also comply with the FINA rule BL 7.1.2.