



## FINA REQUIREMENTS FOR SWIMWEAR APPROVAL

(Regulation valid for swimwear to be used from January 1, 2010)

These rules include the rules applicable to swimwear in accordance with FINA Rule GR 5.

### 1. SWIMWEAR

Swimwear includes swimsuit, caps and goggles.

These rules apply to swimwear to be used in FINA and Olympic Games swimming pool competitions.

### 2. SWIMWEAR SUBJECT TO APPROVAL

As from the date of application of these rules, any swimwear used in FINA competitions and the Olympic Games shall comply with the criteria set forth in these rules and shall be a model approved by FINA in accordance with the procedure set forth below. It is further clarified that results achieved in any other competitions will only be recognised as world records by FINA if approved swimwear has been used.

### 3. CRITERIA

#### 3.1 Swimsuits

The following criteria are applicable:

##### (a) Design

- Decency: the wearing of the swimsuit shall not offend morality and good taste (in particular but not exclusively because of the cut and exposure of the parts of the body, covered or not)
- Surface covered:
  - Men swimsuit shall not extend above the navel or below the knee.
  - Women swimsuit shall not cover the neck or extend past the shoulders, nor shall extend below the knee.
- Composition/other items: Men's swimsuits are in one piece. Subject to decency rule and observance of limitation in surface covered, Women'

swimsuits may be in one or two pieces. Other items covering the body and not part of the swimsuit are prohibited.

- Colours: for the avoidance of doubt, colours will not be considered as part of the design for the purpose of these rules.

**(b) 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)" defined for the purpose of these rules as material consisting of, natural and/or synthetic, 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 (e.g. coating, printing, impregnation) 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. This part of the rule does not apply to logos and labels. This applies to both the manufacturing level and the actual use of the swimsuit.
- Flexibility: the material shall be flexible and softfolding.
- Regular flat material: The material shall be regular and flat. The material shall not form outstanding shapes or structures, such as scales.
- Outside application: No outside application shall be added on the material.
- Variety of materials: Different materials may be used in one swimsuit provided they are textile fabrics as defined above and they comply with all other criteria including notably thickness and permeability (measures to apply to total layers). Combination of materials shall further not create outstanding shape(s) or structure(s). Layered materials must be completely attached/bound/stuck together except where required to protect sensitive parts ("privacy layers").

**(c) Material (measured values)**

- Thickness: The material used shall have a maximum thickness of 0.8mm. It is clarified that this maximum thickness does not apply to seams as far as they are functional and their thickness and width result from their natural function.

Thickness is measured in accordance with the standard procedure set forth **in exhibit 1.**

**Buoyancy:** The swimsuit shall not have a buoyancy effect above 0.5 Newton measured after application of vacuum..

Buoyancy values are measured in accordance with the procedures set forth **in exhibit 2.**

- **Permeability:** material(s) used must have at any point a permeability value of more than 80 l/m<sup>2</sup>/second.<sup>1</sup>

Permeability values are measured on material with a standard multidirectional stretch of 25 %. However, measure on material which cannot be significantly stretched will be effected on unstretched flattened material.

The measurement procedure for permeability is described **in exhibit 3**

**(d) Construction**

- No zippers or other fastening system is allowed
- **Seams** shall be limited to functional systems and shall not create outside shapes. Use of seams (notably number, overall length, disposition) shall not affect compliance with the criteria set forth herein.
- **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.

**(e) Swimsuits effectively manufactured and used to be consistent with submitted samples**

- **Consistency:** Swimsuits effectively manufactured and used shall correspond to and be fully consistent with submitted samples. Any modification before use (including impregnation) is prohibited

**Customisation:** no customisation: there shall be any variation/modification for individual swimmers from the models corresponding to the samples submitted for approval.

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<sup>1</sup> Value to apply based on the present measurement technique and equipment ("FIS" equipment). The value may be revised based on specific measurement equipment presently under development.

### 3.2 Caps

The following criteria are applicable:

#### (a) Design

- Independent item: the cap shall not be attached to the swimsuit or goggles nor be in continuity therewith (no "hood" or "mask" effect)
- Shape: The shape shall follow the natural shape of the head
- Surface: The outer surface shall not include outside artificial shaping (rigs, spoilers etc.).

#### (b) Material

- 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. They can be of different thicknesses. However, differences in the thickness of different materials shall not be used to form shapes.

#### (c) Construction

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

### 3.3 Goggles

The following criteria apply:

#### (a) Design

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

#### (b) Material/construction:

- Safety standards: the goggles shall comply with prevailing safety standards for eyewear

## 4. APPROVAL PROCEDURE

### 4.1 Products to be submitted

All swimwear to be used during the period of application (i.e. from January 1, 2010) shall be submitted for approval even if previously approved.

All variations of a given product (e.g. various cuts, silhouettes, Men, Women models etc) shall be submitted for approval.

## **4.2 Application**

### **(a) Application form**

An application shall be submitted for each product (including all variations if applicable) using the application form **in exhibit 4**

The application shall include a detailed description of the product and of its specifications.

Reference samples shall be provided. The applicant shall also provide one unbound sample of 1 m<sup>2</sup> of each different material used in the swimsuits submitted for approval.

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

The form shall be signed by the Applicant. The Applicant thereby confirms its formal acceptance of the approval rules and procedures. Applications not submitted by using a duly signed form will not be considered. Any application not submitted based on a signed application may be deemed as non existent, respectively as withdrawn.

Additional information/samples may be required from the Applicant.

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

### **(b) Submission dead-line**

The submission dead-lines under these rules are as follows:

First submission: September 1, 2009

Second submission: November 15, 2009

Submission in 2010: July 1, 2010

Submission in 2011: July 1, 2011

Submissions in subsequent years: annually on July 1, it being clarified that the July 1 may be replaced by FINA by another date which in any event must be at least one year before the next FINA World Championships (50m) or Olympic Games.

FINA may establish additional submission dates.

**(c) FINA Swimwear Approval Commission**

The approval procedure will be conducted by a Commission of three to five members (Swimwear Approval Commission, FINA SA Commission).

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

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

The FINA SA Commission Members execute confidentiality undertakings.

**(d) Examination by the FINA SA Commission**

The FINA SA Commission will examine the applications and issue its decision normally within one month from the submission date.

The approval procedure for the submitted swimwear or part thereof may be subject to delays which may result from the examination process (such as for example, time necessary for testing).

In the event that an application is to be rejected and in the event the cause of rejection can be corrected, the Manufacturer may be given a dead-line of maximum 30 days to resubmit the same model with corresponding corrections. In such a case, the submission date remains the date of the original submission (notably for the purpose of clause 4.3 below).

In case of a decision not to approve, the decision of the FINA SA Commission will identify the ground(s) for non approval.

**(e) Experts / technical testing**

Technical testing and examination, as needed, will be conducted with the support and in collaboration with independent experts (such as notably but without limitation EPFL in Lausanne).

Testing results will be communicated to the concerned Manufacturer, upon request. They are not communicated to other Manufacturers.

### **4.3 Validity of the approval**

An approval will be effective upon its notification.

Notwithstanding the above, the use of swimsuits corresponding to models which have not been previously approved is subject to the following conditions:

Submission to approval 12 months in advance of the next coming FINA World Championships (50m) or Olympic Games.

The model shall be available on the market (available on sale to federations and competitors) at least 6 months prior to the next coming FINA World Championships or Olympic Games.

Upon request, the Manufacturers shall provide evidence of availability on the market.

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

In the event of changes in the criteria (introduction of new or amended criteria), all swimwear concerned by the application of the criteria are subject to re-approval (subject to exemption as per clause 4.4).

### **4.4 List of approved models / exemption of formal approval /category exemption in case of introduction of new criteria**

FINA will publish a list of approved models. It is clarified that use of approved model is subject to compliance with the conditions set forth under clause 4.3 above.

The list will be updated as needed. From time to time, Manufacturers shall notify FINA of models which are discontinued and can be removed from the list.

The FINA SA Commission may issue an exemption from formal approval in respect to swimwear which is obviously compliant (e.g. briefs or traditional shape women swimsuits in full textile and full permeable material). Conditions of such exemption will be published by the FINA. They are not subject to any review or challenge.

The FINA SA Commission may also issue an exemption from re-approval in respect of categories of already approved swimwear having characteristics which do not raise any issue in regard of new or amended criteria. Conditions of such exemption will be published by FINA. They are not subject to any review or challenge.

#### **4.5 Contribution to administrative and expert/testing costs**

A contribution to the administrative and testing costs will be applied and charged to the Manufacturers as follows (contribution per model):

- Swimsuits: € 3'000.-- + VAT (if applicable)
- Caps and goggles: € 750.-- + VAT (if applicable)
- First approval, under this rules, of caps and/or goggles already approved under former rules: Global fee for all submissions of a Manufacturer: € 1'000.-- + VAT (if applicable)
- Testing/expert costs

The above contribution applies in connection with application for a model. It is however clarified that an application including variations shall be considered as one application.

Upon receipt of an application, the FINA Office will establish an estimate (subject to review depending on effective testing/expert costs) of the applicable amount to be paid as contribution. Such amount shall be paid by the concerned Manufacturer in advance of the FINA SA Commission meeting. In any event, the decision will not be released until a Manufacturer has effectively paid the contribution. Subject to corresponding notice being formally given, an application will be considered as withdrawn if the Manufacturer fails to pay the corresponding contribution.

#### **4.6 Notice of approval**

The Manufacturer must indicate the approval on the product in use in a non removable manner, either on the product itself and/or on non removable label by the words "FINA approved" together with indication of approval time<sup>2</sup>.

The notice shall be placed in a position allowing control when worn but shall not be prominent. It shall be written in normal font script and size.

Usage of notice for public advertising and promotion is not permitted subject to a specific agreement with FINA. For the avoidance of doubt, use of the FINA Logo or other trademarks of FINA is not permitted in any way.

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<sup>2</sup> Indication of month/year (reference to submission dead-line): e.g. FINA approved 09/09, 11/09 and so on

The application of specific procedures in relation with control of use of approved models at the occasion of competitions is reserved (e.g. check and confirmation markings of swimsuits prior to competition).

## **5. SWIMSUITS IN USE / WITHDRAWAL OF APPROVAL**

The validity of an approval is based on the fact that any and all the swimsuits in use are fully consistent with the submitted samples and effectively comply with the criteria at all times.

The Manufacturers certify that the swimsuits they manufacture and distribute based on approved models are fully consistent with the indications provided and the submitted samples, in particular in any respect relevant for the application of the criteria.

Compliance checks can be effected by FINA at any time on swimsuits effectively used in competition or otherwise presented as approved swimsuits. Upon request of FINA, the Manufacturers shall deliver additional samples for compliance checks.

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

If swimsuits of approved models are found, during competitions or otherwise, not to comply with the criteria and this is not linked with modifications made outside the control of the Manufacturer, the approval can be withdrawn.

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

A withdrawal fee of € 10'000.— per model will be due by the concerned Manufacturer.

Application for re-approval for a withdrawn model is to be effected through the normal process for approval and the application will be deemed a new submission. As a condition for approval, the concerned Manufacturer shall bring evidence supporting the fact that it will guarantee consistency between samples and swimsuits effectively in use.

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

### **(a) Exclusion of liability**

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

### **(b) Indemnity**

The applicant shall indemnify and keep FINA, its officers, and/or the Commission 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 products and/or use by the applicant of the approval notice.

## **7. ARBITRATION**

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

Swiss law shall apply as substantive law.

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

## **8. APPLICATION / AMENDMENTS**

These rules shall become applicable from September 1, 2009.

They apply to swimwear to be used in competition from January 1, 2010.

Amendments shall be issued by the FINA Bureau.

Issued by the FINA Bureau on July 31, 2009.

Exhibit1: Thickness measurement

Exhibit 2: Buoyancy

Exhibit 3: Permeability

Exhibit 4: Application form

# EXHIBIT 1

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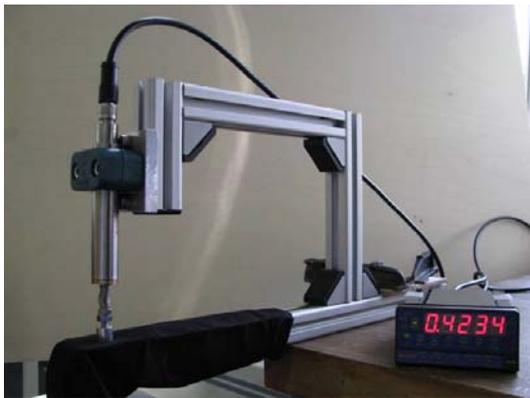
## Thickness

### Value

- Maximum value: equal or less than 0.8 mm
- 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  $100 \pm 1 \text{ mm}^2$  (diameter  $11.28 \pm 0.05 \text{ mm}$ ),
- pressure  $1 \pm 0.01 \text{ kPa}$

# EXHIBIT 2

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## Buoyancy

### Value

- Maximum value: equal or less than 0.5 Newton
- Tolerance: +/- 0.1Newton

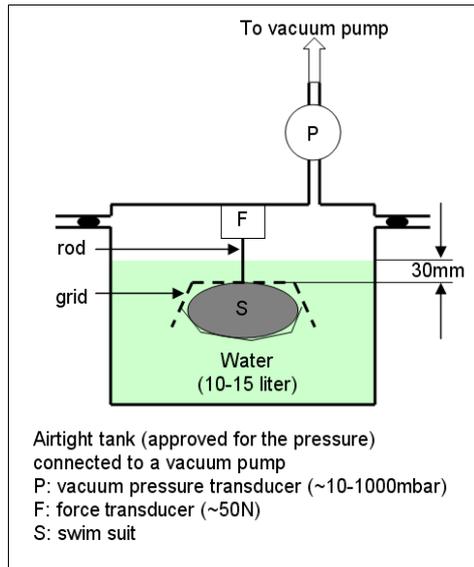
(NB: Value to be observed for all sizes/recommendation to provide sample in largest available size)

### 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.

### Process:

- Force and vacuum pressure are to be monitored during whole process.
- Swimsuit is softly fold to 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 (100mbar) 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)
- Illustration



# EXHIBIT 3

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## 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<br>b) Measurements will be performed both from the outside in and from the inside out. Lowest value is the determining. |

