



## CONSTITUTION RC35 SCOTLAND CLASS Final 2017

### SECTION 1 - NAME AND OBJECTS

1. The name of the class association shall be 'The RC35 Scotland Class Association'.
2. The objects for which the National Association is formed are to promote and facilitate the interests of the RC35 Scotland Class and to represent the interests of owners of RC35 Scotland Class boats as follows:-
  - (a) to keep members informed of developments concerning the RC35 Scotland Class and any proposals concerning Class Rules.
  - (b) to organise Championships and to co-ordinate the programme for other races for the RC35 Scotland Class.
  - (c) to encourage National and International competition in the United Kingdom and Ireland for the RC35 Scotland Class.
  - (d) to promulgate information on technical development, define and enforce the Class Box Rule within the RC35 Scotland Class.

### SECTION 2 - TERMS AND DEFINITIONS

3. The following expressions shall have the associated meanings:-
  - (a) "The RC35 Scotland Class" shall mean the class of sailing boat designed that conforms to the rule as described below:
    - i. All yachts will fit within an IRC rating band of 1.015 – 1.040 which will be subject to an adjustment of +/- 0.05 in 2017
    - ii. The minimum weight for the Class will be 3,000kg (as shown on the yacht's IRC certificate)
    - iii. All Yachts will be between 32ft – 38ft in length which will be subject to an adjustment of +/- 2ft for boats meeting all other aspects of the Rule
    - iv. No Yacht shall adjust its IRC rating by 10 points or more to make the Class
    - v. All yachts in the RC35 class shall meet RCD category B "Offshore" or above
    - vi. Yachts shall have a current IRC certificate. The Class goal is to move to Endorsed certificates
    - vii. All yachts shall send a copy of their current IRC certificate to the Class Secretary before the first race of the RC35 Championship
    - viii. All yachts shall have a full covering of anti-foul and not dry sailed. Yachts are allowed lift outs for cleaning during season.
    - ix. No yacht shall purchase more than 2 new race sails per year. An exception will be made for new yachts to the class
    - x. All yachts shall carry safety equipment to ISAF Cat 4
    - xi. Crew allowance as per IRC certificate +1, except where event rules alter this. Crew aged 16 or under at the start of the event do not count to IRC crew numbers (max. 2 per boat).
    - xii. Yachts must be helmed by the owner, co-owner or other nominated helm that must comply within the spirit of the class. The nominated helm's name should be should be submitted to

the Class secretary at the beginning of the season. 4 members of the Class Association are required to change the boat's nominated helm during the season.

- xiii. A maximum of 3 Category 3 crew members per yacht. No crew member shall be paid for their services whilst racing.
- xiv. All yachts will fix main sail Class logos as per instructions
- xv. All yachts shall fly the Class forestay flag during RC35 championship regattas (not when racing)
- xvi. All yachts will pay the relevant Class Association subscription fee per boat for each season.
- xvii. All yachts shall comply with the spirit of the Class Association that specifically aims to promote fair and cost effective racing.

(b) "The Class Rules" shall mean the rules relating to specification, construction and measurement controls of the RC35 Scotland Class as defined in the ISAF Equipment Rules of Sailing and governing the building of each RC35 Scotland Class boat and its rating as a recognised boat within the class for class racing purposes.

(c) "The Committee" shall mean the Committee of the RC35 Class Association

(d) "Measurement/Rating Certificate" shall mean a current IRC certificate

(e) "Owner" and "Joint Owner" shall mean any person or persons, corporation or association entered on a certificate as owner or joint owner of a RC35 Scotland Class boat.

### **SECTION 3 - OFFICERS**

The Officers of the Association shall be Full Members and shall consist of a Chairman, a Vice-Chairman, a Secretary and a Treasurer. Officers shall be elected at the Annual General Meeting in each year and shall hold office for one year, retiring at the termination of the Annual General Meeting in each year. All Officers of the Association shall be eligible for re-election.

5. The Secretary shall:

- (a) Keep the RC35 Class Association Register;
- (b) Keep a register of Association members' names and addresses
- (c) Conduct the correspondence of the Association;
- (d) Keep custody of all Association documents;
- (e) Keep full minutes of all meetings of the Association and the Committee, which shall be confirmed and signed by the appropriate Chairman upon the agreement of the Association or the Committee at the next following meeting of the Association or the Committee, as appropriate;
- (f) Administer such insurance policy or policies as may be needed fully to protect the interests of the Association, its Officers and its members;
- (g) Maintain any such certificates or registrations, and complete any such non-financial returns, as may be required by law.

6. The Treasurer shall:-

- (a) Cause such books of account to be kept as are necessary to give a true and fair view of the state of finances of the Association.

(b) Cause all returns as may be required by law in relation to such accounts to be rendered at the due time.

(c) Make such payments on behalf of the Association as the Committee shall direct.

(d) Prepare an annual financial statement each year and cause such financial statement to be reviewed at least once annually and shall thereafter cause the same to be sent to all members of the Association at least fourteen days before the date of the Annual General Meeting

(e) Present the annual financial statement to the Association at its Annual General Meeting.

7. The Reviewers shall:

(a) Be appointed at the Annual General Meeting in each year;

Duties of Auditors

(b) Review the accounts of the Association when called upon to do so and shall give such certificate of assurance as to the accuracy of the said accounts as shall be required by law or by the Committee;

(c) If either unwilling or unable to act, inform the Committee who shall appoint a substitute to hold office until the termination of the next Annual General Meeting.

#### **SECTION 4 - MEMBERSHIP**

8. There shall be the following categories of membership with power to vote at all meetings of the Association as indicated hereunder.

Full Member. An owner of a RC35 Scotland Class compliant boat or, in the case of joint owners, to any one of them or, in the case of a corporation or association, to a nominated representative thereof, who shall have one vote. A Full Member is entitled to one vote and may attend any general meeting of the Class Association.

Associate Member – A yacht may apply to become an associate class member in order to race in a specific Class event. An Associate Member shall not be entitled to vote or attend any general meeting of the Class. A yacht may only attend 2 events per season under Associate Membership and will not be included in overall results.

9. The rate of Entrance Fee and annual Subscription Fee for each category of membership of the Association shall be proposed by the Committee to the members at the Annual General Meeting in each year. Any proposed changes shall be approved by a majority of those present and entitled to vote and shall become operative on the first day of March in the year following.

10. All members shall pay the Entrance Fee (if any) and their first annual Subscription Fee upon election to the Association and thereafter on the first day of January in each year. Provided that a member elected after the first day of June in any year shall pay half the annual Subscription Fee applicable for that year and that a member elected after the first day of November in any year shall not be required to pay any Subscription Fee in respect of the year of election, but shall pay, on election, the Entrance fee and the annual Subscription Fee in respect of the year following election.

11. Every member shall furnish the Secretary with an up-to-date address which shall be recorded in the register of members of the Association and any notice sent to such address as shall be deemed to have been duly delivered.

12. An application for membership shall be in the form from time to time prescribed by the Committee, and shall include the name, address, and occupation of the candidate and, in the case of Honorary Members, the signatures of the Proposer and the Seconder.

13. The election of all classes of members is vested in the Committee and shall be a simple majority vote of those of the Committee. The Secretary shall inform each candidate in writing of the candidate's election or non-election. He shall furnish an elected candidate with a copy of the Association Rules and make request for such payments as are necessary.

14. Upon election, a candidate shall pay, within one calendar month, such Entrance Fee and Subscription Fee as shall be required. In default of such payment, the election shall be void unless sufficient cause for delay be shown.

16. A member desirous of retiring from membership shall give notice in writing to the Secretary before the last day of November and shall not then be liable to pay the subscription for the following year. Upon re-application by a past member the Committee may, at its discretion, excuse payment of an Entrance Fee.

17. The Committee may cancel, without notice being given, the membership of any member whose annual subscription and other annual fees are more than three months in arrears provided that the Committee may, at its discretion, re-instate such member upon payment of arrears. No member whose annual payment is in arrears may enter any Association event or regatta or vote at any meeting.

18. Every member, upon election and thereafter, is deemed to have notice of, and impliedly undertakes to comply with, the Association Rules.

19. Any breach of Rule 18 or any conduct which, in the opinion of the Committee, is either unworthy of a member or otherwise injurious to the interests of the Association, shall render a member liable to disciplinary action by the Committee, which may include expulsion or non-renewal of membership.

Before taking such disciplinary action against a member, the Committee shall call upon such member for a written explanation of the member's conduct and shall give the member full opportunity of making explanation to the Committee, or of resigning.

A Resolution to apply any sanction shall be carried by a simple majority vote by those members of the Committee present and voting on the Resolution.

Upon expulsion the former member shall not be entitled to have any part of the annual membership fee refunded and must return any Association or external body's trophies held forthwith.

20. A member shall not knowingly remove, injure, destroy or damage any property of the Association and shall make restitution for the same if called upon to do so by the Committee or by the Secretary upon the instructions of the Committee.

21. Membership of the Association and acceptance of these Rules by the member will be deemed to constitute consent to the holding of relevant personal data for the purposes of the Data Protection Acts.

## **SECTION 5 - MANAGEMENT COMMITTEE**

22. The affairs of the Association shall be managed by the Committee. The Committee shall consist of the Officers, ex officio, and not less than [four] nor more than [eight] Full Members (who have attained the age of eighteen years) elected at the Annual General Meeting each year to hold office until the termination of the next following Annual General Meeting.

23. Not used

24. Not used

25. If the number of candidates for election is greater than the number of vacancies to be filled then there shall be a ballot.

26. If the number of candidates for election is equal to or less than the number of vacancies to be filled then all candidates shall be deemed to be elected if two thirds of those present at the Annual General Meeting, and entitled to vote, vote in favour of such election.

27. In the event of the ballot failing to determine the members of the Committee because of an equality of votes the candidate or candidates to be elected from those having an equal number of votes shall be determined by lot.

28. If, for any reason, a casual vacancy shall occur, the Committee may co-opt a Full Member to fill such a vacancy until the next following Annual General Meeting.

29. The Committee shall meet at least every three months making such arrangements as the conduct, place of assembly and holding of such meetings as it may wish. The Chairman or in his absence a chairman elected by those present shall preside.

Voting at Committee

30. Voting (except in the case of a resolution relating to the expulsion of a member) shall be by show of hands. In the case of equality of votes the Chairman shall have a second and casting vote.

31. Four members personally present shall form a quorum at a meeting of the Committee.

32. The Committee, or any person or sub-committee delegated by the Committee to act as agent for the Association or its members, shall enter into contract only as far as expressly authorised, or authorised by implication, by the members. No one shall, without the express authority of the membership in general meeting, pledge the credit of the membership.

33. In pursuance of the authority vested in the Committee by members of the Association, members of the Committee are entitled to be indemnified by the members of the Association against any liabilities properly incurred by them or any one of them on behalf of the Association wherever the contract is of a duly authorised nature or could be assumed to be of a duly authorised nature and entered into on behalf of the Association.

The limit of any individual member's indemnity in this respect shall be a sum equal to one year's subscription at the then current rate of that category of membership unless the Committee has been authorised to exceed such limit by a general meeting of the

## **SECTION 6 - MEETINGS OF THE NATIONAL ASSOCIATION**

34. An Annual General Meeting of the Association shall be held each year in the month of December on a date to be fixed by the Committee. The Secretary shall at least fourteen days before the date of such meeting post or deliver to each member notice hereof and of the business to be brought forward thereat.

35. No business, except the passing of the Accounts and the election of the Officers, Committee and Honorary Auditors, and any business that the Committee may order to be inserted in the notice convening the meeting shall be discussed at such meeting unless notice thereof be given in writing by a member entitled to vote to the Secretary at least forty two days before the date of the Annual General Meeting.

36. The Committee may at any time, upon giving twenty one days notice in writing, call a Special General Meeting of the Association for any special business, the nature of which shall be stated in the summons convening the meeting, and the discussion at such meeting shall be confined to the business stated in the notice sent to members.

37. The Committee shall call a Special General Meeting upon a written request addressed to the Secretary by at least 4 members. The Committee shall give twenty one days notice in writing of any

such Special General Meeting. The discussion at such meeting shall be confined to the business stated in the notice sent to members.

38. At every meeting of the Association the Chairman (or, in their absence, a chairman elected by those present) shall preside.

39. Only Full Members shall vote at any meeting of the Association. Other members may attend and speak but are not entitled to vote.

40. Voting, except upon the election of members of the Committee, shall be by show of hands.