

# **MANLY JUNIOR SAILING ASSOCIATION OF NEW SOUTH WALES Inc**

## **C O N S T I T U T I O N**

**As amended 29<sup>th</sup> September 2010**

### **1. NAME AND BURGEE**

- a) The full name of the Association shall be "The Manly Junior Sailing Association of New South Wales Incorporated".
- b) The Association Burgee shall consist of a red, Manly Junior sail insignia, on a white triangular shape.

### **2. OBJECTS**

- a) The objects of the Association are to promote and further the interest of the Manly Junior Class throughout the State of New South Wales and Australian Capital Territory; to encourage and foster the sailing and training of children in Manly Junior skiffs; and to represent the interest of owners of Manly Juniors in this State as follows:
  - i) To keep member clubs and owners informed of developments concerning the Class and any proposals concerning Class Restrictions.
  - ii) To organise N.S.W. State Championships and to coordinate the program for other races of this Class in the State.
  - iii) To encourage state and interstate competition for the Class.
- b) The Association method of achieving its objectives will be by the participation of children in organised competition where success will be achieved by the skill of the helmsman and crew and never by intentional variations of design or construction of the boat.

### **3. AFFILIATIONS**

- a) This Association shall be a member of the Manly Junior Sailing Association of Australia.
- b) This Association shall affiliate with the Yachting Association of New South Wales.
- c) This Association may be affiliated with any organisation or Association which will assist in the promotion or advancement of the objects of this Association and of sailing generally.

### **4. MEMBERSHIP**

- a) Only a Club or Body having at least three Manly Juniors, capable of registration with the National and State Associations, shall be eligible for admission as members.
- b) Any Club or Body desirous of admission as a member of the Association shall:
  - i) Make written application to that effect to the Hon. Secretary of the Association.
  - ii) If so requested by the Association, lodge with the Hon. Secretary two (2) copies of its current Constitution and Bylaws.
  - iii) Accompany such application with the prescribed Joining and Annual Affiliation Fees.
- c) Application for membership lodged in accordance with Sub Clauses (a) and (b) shall be considered for approval at the next Association meeting following receipt of same. A 2/3 majority of Club delegates present and entitled to vote shall be necessary for approval.

## **5. AFFILIATION AND ANNUAL RENEWAL FEES**

- a) The joining and Annual Affiliation Fees, which shall be determined by the Association at the Annual General Meeting, shall accompany an application for membership and shall be refunded should such application be refused.
- b) Each and every member of the Association shall pay an annual affiliation fee, which shall be determined by the Association at the Annual General Meeting, and shall be due and payable on the 1st September of each year.
- c) Any member failing to pay such annual affiliation fee by the 1st December of the year in which the fee is due and payable, shall cease to be a Member of the association; but may be readmitted upon payment of all arrears by a resolution of the delegates of the association without the necessity of complying with Clause 4.

## **6. RESIGNATION**

Any member may terminate membership by forwarding a written resignation to the Hon. Secretary of the Association.

## **7. BOAT REGISTRATION AND BOAT REGISTRATION FEES**

- a) It shall be necessary for all owners of Manly Juniors who intend to compete in Association events in the State of New South Wales and Australian Capital Territory to ensure their boats are registered annually with this Association.
- b) Each year completed registration details, together with the prescribed registration fee (which shall be set by the Association at the Annual General Meeting) shall be forwarded by the Clubs to the Association before the boat is deemed to be registered for that year.
- c) A Manly Junior shall not be deemed a registered boat until the requirements of Clause 7(b) have been satisfied.
- d) Notwithstanding Clauses (b) and (c), no "Manly Junior" shall be eligible for registration unless it conforms with the Objects and Class Restrictions of the National Association, i.e. the boat must possess a current Association Measurement Certificate prior to registration.
- e) A Manly Junior shall only register with this Association from one Club and during such time as she is so registered she shall only be eligible to compete in Association events as representative of that Club.
- f) An individual owner, not having reasonable access to an affiliated Club or Body, may have his or her boat registered with the Association upon written application to the Hon. Secretary. Such application shall require the approval of the Association in General Meeting.

## **8. ASSOCIATION AND OFFICE BEARERS**

- a) The Association shall comprise at least one (1) but no more than two (2) delegates from each member Club or Body.
- b) The Association shall have the following Office Bearers, who shall be elected at the Annual General Meeting of the Association:

President  
Vice President  
Hon. Secretary  
Hon. Treasurer  
Hon. Association State Measurer  
Hon. Publicity Officer  
Hon. State Handicapper

Hon. Auditor  
Honorary Registrar

The President and Vice President shall be elected from amongst the delegates and shall hold office until the following Annual General Meeting even though they may cease to be a delegate during their term of office.

## **9. EXECUTIVE COMMITTEE AND POWERS**

The Executive Committee shall comprise the President, Vice President, together with the Hon. Secretary or Hon. Treasurer and shall have power to:

- a) Accept, deal with, and answer urgent correspondence.
- b) Empower the Hon. Treasurer to make payout of monies not exceeding \$500.00 for any single item.

## **10. DUTIES OF THE OFFICE BEARERS**

- a) President:

The President shall preside at all General Meetings and meetings of the Executive Committee. They shall not have a casting vote.

- b) Vice President:

The Vice President shall carry out the duties of the President in the event of the latter's absence.

- c) Honorary Secretary:

The Hon. Secretary shall, amongst their other duties:

- i) Keep minutes of all Meetings of the Association, and circulate copies of same to the delegates and Office Bearers within three (3) weeks of such meeting.
- ii) Advise delegates of meeting dates, urgent correspondence, posting of information on the Manly Junior website such as Notice of Race and Sailing Instructions and any other matters requiring prompt attention.
- iii) Maintain a list of the Members of the Association together with an up to date record of the delegates from each Member Club or Body.
- iv) Shall forward to all Member Clubs or Bodies on or about 1st September each year an account setting out annual affiliation fee deemed due and payable at that date, and shall forward a second and final account dated 1st November if any such fees remain unpaid at the 31st October of the same year.
- v) Advise all delegates of the boat registration fees required to be paid by each boat entering Association State or National Championship events.

- d) Honorary Treasurer:

The Hon. Treasurer shall:

- i) Maintain proper books of account giving full particulars of all monies, assets, equipment, liabilities and commitments of the State Association; and of all monies received and expended by the State Association and the reasons for such receipts and expenditures.
- ii) Collect all monies due to the State Association and deposit them in the Association's Bank Account within 21 days of their receipt. This includes payments made to the Association using a third party such as Paypal.
- iii) Present at each State Association Meeting a proper statement of the financial

position of the Association together with any books or documents which may be required. The delegates in attendance at each meeting shall vote to ratify the receipts and expenditure for the period.

- iv) At the first general meeting after the 1<sup>st</sup> May present a budget for the financial year.

e) Honorary Association State Measurer:

The Hon. Association State Measurer shall:

- i) Appoint and instruct Hon. Association Club Measurers who shall be responsible for the satisfactory measurement of Manly Junior skiffs within his or her Club or Body only.
- ii) Approve measurements made by the Hon. Association Club Measurers in accordance with the provisions of the National Association Constitution and Class Restrictions.
- iii) Interpret the National Class Restrictions within the State of N.S.W. or A.C.T. and refer any matter they see fit to the Hon. National Measurer.

f) Honorary Publicity Officer:

The Hon. Publicity Officer, shall endeavour to collect all information pertaining to Association events and other activities of its members, and shall do their utmost to secure publication of such information as wisely as possible, and shall submit to the Executive Committee a written copy of all such material prior to publication.

g) Honorary State Handicapper:

The Hon. State Handicapper shall:

- i) Maintain a complete record of all State Association events.
- ii) Determine the handicaps for State Association Championship heats by reference to the results of the first 3 heats. This result is to be expressed as a time correction factor (TCF) and applied to the first heat. Handicaps for subsequent heats may be adjusted by reference to results achieved in previous heats.
- iii) Determine handicaps for State Association events, other than State Championships, on a basis appropriate for the event. The decision of the Hon. State Handicapper in regard to subclauses (ii) and (iii) shall be final and shall not be subject to the overriding determination of the State Association.

h) Honorary Auditor:

The Hon. Auditor shall audit the books of account of the Association and report to the Association in respect of their being a true and correct statement of the Association's financial dealings during the immediate year.

i) Honorary Registrar:

The Hon. Registrar shall:

- Be responsible for the Association Registration Records.
- i) In conjunction with the Treasurer, keep a record of boats registered with the Association.
- iii) Send a Notice of Race and Sailing Instructions to the owner of each registered boat. The preferred method is by posting these documents on the Association web site.

## 11. FINANCIAL ARRANGEMENTS

- a) The State Association funds shall be held in a bank account to be titled like "The Manly Junior Sailing Association of New South Wales Inc".
- b) Signatories to cheques and/or withdrawals from such account shall be any two of the following: President, Hon. Treasurer, Hon. Secretary.
- c) The financial year of the State Association shall be twelve (12) months commencing 1st May and ending 30th April.
- d) No commitments for expenditure or payments on behalf of the Association in excess of \$500.00 are to be made unless agreed by the majority of delegates at a general meeting.

## **12. ASSOCIATION MEETINGS**

- a) Meetings of the State Association shall be called by the Hon. Secretary; at least seven (7) days notice of such Meetings shall be given in writing.
- b) There shall be a minimum of six (6) Meetings in each calendar year, one of which shall be the Annual General which shall be held in the month of May.
- c) Quorum: A minimum of at least half of the Member Clubs or Bodies and one (1) Member of the Executive Committee shall constitute a quorum.
- d) Voting Rights: Each Member Club or Body is entitled to one (1) vote at Association Meetings. Proxy votes are permitted and shall be in the possession of the Hon. Secretary prior to the commencement of the Meeting.
- e) Majority: Motions, except as provided for in clause 4 (c), shall be carried by simple majority. In the event of a deadlock, the motion shall lapse.

## **13. POWERS OF THE ASSOCIATION**

Subject to the provisions of this Constitution, the Association shall have the power to:

- a) Make legislation to govern Statewide Manly Junior racing and to repeal, alter, or add to any such legislation.
- b) Admit and remove Members in accordance with the provision of this Constitution.
- c) At the Annual General Meeting set or alter the annual affiliation fee, joining fee, and boat registration fee for the ensuing year.
- d) Regulate their own proceedings; provide for services of notices and credentials of delegates.
- e) Provide trophies for the N.S.W. State Championship and fix the dates and venues for the same.
- f) Appoint a Race Committee which shall control all State Association events.
- g) Amend the Constitution, Sailing Instructions and Notice of Race of the State Association in a manner hereby provided.
- h) Be the Organising Authority under the provision of The Racing Rules of Sailing and issue Notice of Race and Sailing Instructions.

## **14. ALTERATION TO CONSTITUTION**

The Constitution of the Association may only be amended, repealed, or added to in the following manner:

- a) A Notice of Motion shall be lodged in writing to the Hon. Secretary. Only Member Clubs or Bodies may propose such motions which shall not require a Secunder.

- b) The Notice of Motion shall be tabled and recorded in the Minutes of the next Association Meeting following its receipt by the Hon. Secretary. No discussion of the proposed motion shall take place at this meeting.
- c) At the next Association Meeting following tabling of such Notice of Motion, discussion shall be permitted and any amendments to the proposed motion accepted. If the notice of Motion has been tabled for a period of two (2) calendar months then voting shall take place at the same meeting, otherwise it shall remain unresolved until the next Association Meeting at which voting shall take place without further discussion or amendments being allowed.

## **15. MEASUREMENT OF BOATS**

- a) Each boat which conforms to the Class Restrictions of the National Association shall be issued with an Association Measurement Certificate.
- b) Each item of the boat which has been measured and found to confirm shall be stamped or clearly identified in accordance with the National Class Restrictions.
- c) Subsequent to subclauses (a) and (b) above any modification to, or replacement of such items must be referred to the appropriate Hon. Association Club Measurer for approval and stamping in accordance with the National Class Restrictions. The satisfactory measurement of any such alteration or replacement shall validate the measurement of the boat provided a measurement change advice is forwarded to the Hon. Association State Measurer within seven (7) days of the date of such measurement.
- d) Hon. Association Club Measurers must maintain records which shall contain the dates on which any boat measurements are made together with the results of such measurements and shall make the same available to the Hon. Association State Measurer upon request.

## **16. CLASS RESTRICTIONS**

- a) The State Association Class Restrictions shall be the National Association Manly Junior Class Restrictions.
- b) Proposals for recommended alterations to the Class Restrictions shall be subject to the same procedure outlined in clause 13 Alteration to Constitution.

## **17. SAILING RULES**

- a) All races conducted by or on behalf of the Manly Junior Sailing Association of New South Wales shall be conducted under the current Racing Rules of Sailing and Safety Regulations of the Yachting Association of New South Wales.
- b) The Race Committee of the Association shall comprise:  
Race Committee Chairman and a Committee not exceeding five (5) members who shall be elected from amongst the delegates at the Annual General Meeting.
- c) The Race Committee shall have power to:
  - i) Control all races conducted by or on behalf of the Association which may include the N.S.W. State Championship series, two (2) Association Invitation Days, and the Manly Junior Challenge Trophy teams race series.
  - ii) Delegate to a Club Race Committee the authority to conduct any of the above events on behalf of the Association.
- d) A Manly Junior shall have its entry accepted for an Association event only if it complies with the following conditions:
  - i) The boat holds a current Association Measurement Certificate and is registered with the State Association in accordance with Clause 7 of this Constitution.

- ii) The crew of any boat shall be two (2) in number.
  - iii) The age of any Helmsman or Crew shall not exceed (16) years at any stage of the State Championships.
- e) Protests:
  - i) The time limit and method of lodging Protests shall be clearly defined in the Sailing Instructions.
  - ii) Protest flags shall be clearly defined in the Sailing Instructions.
  - iii) A mediation hearing shall be conducted for all protests lodged in accordance with the Racing Rules of Sailing. The mediation procedure shall be clearly defined in the Sailing Instructions.
- f) Courses:
  - i) The State Championship or Association event courses shall be clearly defined in the Sailing Instructions. The broad intention is that the length of the course for the prevailing conditions should enable the first boat to finish within a target time of 75 minutes.
  - ii) Where practicable, the final round of the State Championship shall be sailed on neutral water.
- g) Safety Regulations:

The Safety Regulations of the Associations shall be those set out in the Yachting Association of New South Wales Safety Regulations, Notice of Race and Sailing Instructions.

## **18. CHILD PROTECTION AND MEMBER PROTECTION**

- a) The Association shall recognise its obligations in relation to Child Protection.
- b) The Association supports and enforces a Member Protection Policy.