

Constitution of the New South Wales 12 Foot Sailing Skiff Association

August 2007

PART I: PRELIMINARY

1. Interpretation

(1) In these rules, except in so far as the context of subject matter otherwise indicates or requires,

"the Association" means the New South Wales 12 Foot Sailing Skiff Association Incorporated,

"delegate" means any person appointed by an affiliated club to be a delegate to the Association,

"secretary" means

(a) the person holding office under these rules as secretary of the Association; or

(b) where no such person hold that office - the public officer of the Association

"special general meeting" means a general meeting of the Association other than annual general meeting;

"12 Foot Skiff" means a sailing skiff complying with the measurement rules of the Association in force from time to time;

"the Act" means the Associations Incorporation Act 1984;

"the Regulation" means the Associations Incorporation Regulation 1985.

(2) In these rules -

(a) a reference to a function includes a reference to a power, authority and duty; and

(b) a reference to the exercise of a function includes, where the function is a duty, a reference to the performance of the duty.

(3) The provisions of the Interpretation Act 1987, apply to and in respect of these rules in the same manner as those provisions would so apply if these rules were an instrument made under the Act.

PART II: MEMBERSHIP

2: Membership Qualifications

A person is qualified to be a member of the Association if, but only if the person is a natural person who is -

(i) an owner, skipper or crew of a 12 Foot Skiff registered with the Association or such other person who is or has been involved in the sailing, administration or promotion of 12 Foot Skiffs and who has been approved by the committee to be a member of the Association;

(ii) has been nominated for membership of the Association as provided by rule 3; and

(iii) has been approved for membership of the Association by the committee of the Association.

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3: Nomination for Membership

- (1) A nomination of a person for membership of the Association - (a) shall be made by a member of the Association in writing in the form set out in Appendix 1 to the rules; and
- (b) shall be lodged with the secretary of the Association.
- (2) As soon as practicable after receiving a nomination for membership, the secretary shall refer the nomination to the committee which shall determine whether to approve or to reject the nomination.
- (3) Where the committee determines to approve a nomination for membership, the secretary shall, as soon as practicable after that determination, notify the nominee of that approval and request the nominee to pay within the period of 28 days after receipt by the nominee of that notification the sum payable under these rules by a member as entrance fee and annual subscription.
- (4) The secretary shall, on payment by the nominee of the amounts referred to in clause (3) within the period referred to in that clause, enter the nominee's name in the register of members and, upon the name being so entered, the nominee becomes a member of the Association.

4: Cessation of membership

A person ceases to be a member of the Association if the person -

- (a) dies;
- (b) resigns that membership;
- (c) is expelled from the Association; or
- (d) has not renewed his or her membership or paid the annual membership fee for a period of one year.

5: Membership entitlements not transferable

A right, privilege or obligation which a person has by reason of being a member of the Association -

- (a) is not capable of being transferred to transmitted to another person; and
- (b) terminates upon cessation of the person's membership.

6: Resignation of membership

- (1) A member of the Association is not entitled to resign that membership except in accordance with this rule.
- (2) A member of the Association who has paid all amounts payable by the member to the Association in respect of the member's membership may resign from membership of the Association by first giving notice (being not less than 1 month or not less than such other period as the committee may determine) in writing to the secretary of the member's intention to resign and, upon the expiration of the period of notice, the member ceases to be a member.
- (3) Where a member of the Association ceases to be a member pursuant to clause (2), and in every other case where a member ceases to hold membership, the secretary shall make an

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appropriate entry in the register of members recording the date on which the member ceased to be a member.

7: Register of members

(1) The public officer of the Association shall establish and maintain a register of members of the Association specifying the name and address of each person who is a member of the Association together with the date on which the person became a member.

(2) The register of members shall be kept at the principal place of administration of the Association and shall be open for inspection, free of charge, by any member of the Association at any reasonable hour.

8: Fees, subscriptions, etc.

(1) A member of the Association shall, upon admission to membership, pay to the Association such fee as shall be determined by the committee from time to time:

(2) In addition to any amount payable by the member under clause (1), a member of the Association shall pay to the Association such annual membership fee as shall be determined by the committee from time to time where some other amount is determined by the committee-

(a) except as provided by paragraph (b), before 1st October in each calendar year; or

(b) where the member becomes a member on or after 1st October in any calendar year - upon becoming a member and before 1st October in each succeeding calendar year.

9: Members liabilities

The liability of a member of the Association to contribute towards the payment of the debts and liabilities of the Association or the costs, charges and expenses of the winding up of the Association is limited to the amount, if any, unpaid by the member in respect of membership of the Association as required by rule 8.

10: Disciplining of members

(1) Where the committee is of the opinion that a member of the Association -

(a) has persistently refused or neglected to comply with a provision or provisions of these rules; or

(b) has persistently and wilfully acted in a manner prejudicial to the interests of the Association, the committee may, by resolution -

(c) expel the member from the Association; or

(d) suspend the member from membership of the Association for a specified period.

(2) A resolution of the committee under clause (1) is of no effect unless the committee, at a meeting held not earlier than 14 days and not later than 28 days after service on the member of a notice under clause (3), confirms the resolution in accordance with this rule.

(3) Where the committee passes a resolution under clause (1), the secretary shall, as soon as practicable, cause a notice in writing to be served on the member-

(a) setting out the resolution of the committee and the grounds on which it is based;

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(b) stating that the member may address the committee at a meeting to be held not earlier than 14 days and not later than 28 days after service of the notice;

(c) stating the date, place and time of that meeting; and

(d) informing the member that the member may do either or both of the following:-

(i) attend and speak at the meeting;

(ii) submit to the committee at or prior to the date of that meeting written representations relating to the resolution.

(4) At a meeting of the committee held as referred to in clause (3), the committee shall -

(a) give notice to the member an opportunity to make oral representations;

(b) give due consideration to any written representations submitted to the committee by the member at or prior to the meeting; and

(c) by resolution determine whether to confirm or to revoke the resolution.

(5) Where the committee confirms a resolution under clause (4), the secretary shall, within 7 days after that confirmation by notice in writing inform the member of the fact and of the member's right of appeal under rule 11.

(6) A resolution confirmed by the committee under clause (4) does not take effect -

(a) until the expiration of the period within which the member is entitled to appeal against the resolution where the member does not exercise the right of appeal within that period; or

(b) where within that period the member exercises the right of appeal, unless and until the Association confirms the resolution pursuant to rule 11(4).

11: Right of appeal of disciplined member

(1) A member may appeal to the Association in general meeting against a resolution of the committee which is confirmed under rule 10(4), within 7 days after notice of the resolution is served on the member, by lodging with the secretary a notice to the effect.

(2) Upon receipt of a notice from a member under clause (1), the secretary shall notify the committee which shall convene a general meeting of the Association to be held within 21 days after the date on which the secretary received the notice.

(3) At a general meeting of the Association convened under clause (2) -

(a) no business other than the question of the appeal shall be transacted;

(b) the committee and the member shall be given the opportunity to state their respective cases orally or in writing, or both; and

(c) the members present shall vote by secret ballot on the question of whether the resolution should be confirmed or revoked.

(4) If at the general meeting the Association passes a special resolution in favour of the confirmation of the resolution, the resolution is confirmed.

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PART III: THE COMMITTEE

12: Powers, etc., of committee

12. The committee shall be called the committee of management of the Association and, subject to the Act, the Regulation and these rules and to any resolution passed by the Association in general meeting -

- (a) shall control and manage the affairs of the Association;
- (b) may exercise all such functions as may be exercised by the Association other than those functions that are required by these rules to be exercised by a general meeting of members of the Association; and
- (c) has power to perform all such acts and do all such things as appear to the committee to be necessary or desirable for the proper management of the affairs of the Association.
- (d) has the power to formulate such sailing rules, measurement rules and management rules necessary or desirable for the proper management of the Association's activities.

13: Constitution and membership

(1) Subject in the case of the first members of the committee to section 21 of the Act, the committee shall consist of -

(a) the office-bearers of the Association, who shall be elected at the annual general meeting of the Association pursuant to Rule 14; and

(b) the delegates.

(2) The office-bearers of the Association shall be -

(a) the president;

(b) the deputy-president;

(c) the treasurer;

(d) the secretary;

(e) the assistant secretary; and

(f) the race secretary.

(3) Each member of the committee shall, subject to these rules, hold office until the conclusion of the annual general meeting following the date of the member's election, but is eligible for re-election.

(4) In the event of a casual vacancy occurring in the membership of the committee, the committee may appoint a member of the Association to fill the vacancy and the member so

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appointed shall hold office, subject to these rules, until the conclusion of the annual general meeting next following the date of the appointment.

14: Election of members

(1) Nominations of candidates for election as office-bearers of the Association -

(a) may be made in writing, signed by 2 members of the Association and accompanied by the written consent of the candidate (which may be endorsed on the form of nomination) such form to be delivered to the secretary of the Association not less than 7 days before the date fixed for the holding of the annual general meeting at which the election is to take place; or

(b) may be made orally from the floor of the annual general meeting at which the election shall take place in which case such nomination shall be made by a member of the Association and seconded by another member and in which case the candidate shall give his consent.

(2) If insufficient nominations are received to fill all vacancies on the committee, the candidates shall be deemed to be elected and further nominations shall be taken in respect of vacant positions.

(3) If insufficient further nominations are received, any vacant positions remaining on the committee shall be deemed to be casual vacancies.

(4) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated shall be deemed to be elected.

(5) If the number of nominations received exceeds the number of vacancies to be filled, a ballot shall be held.

(6) The ballot for the election of office-bearers shall be conducted at the annual general meeting in such usual and proper manner as the committee may direct.

(7) A candidate may be nominated for more than one office at the same election but shall be elected to one office only.

15: Secretary/Assistant Secretary

(1) The secretary and the assistant secretary of the Association shall, as soon as practicable after being appointed to such office, lodge notice with the Association of his or her address.

(2) The duties of the secretary shall include;

(a) to forward and receive all correspondence on behalf of the Association;

(b) to notify all affiliated clubs in writing of the appointment of the office bearers of the Association;

(c) to notify all affiliated clubs in writing of all alterations to theses rules, sailing rules, measurement rules and management rules within 14days of the making of such change.

(3) It is the duty of the assistant secretary to keep minutes of -

(a) all appointments of office-bearers;

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(b) the names of member of the committee present at a committee meeting or a general meeting; and

(c) all proceedings at committee meetings and general meetings.

(4) Minutes of proceedings at a meeting shall be signed by the chairperson of the meeting or by the chairperson of the next succeeding meeting.

(5) The Secretary shall be the Public Officer of the Association

16: Treasurer

It is the duty of the treasurer of the Association to ensure that -

(a) all money due to the Association is collected and received and that all payments authorised by the Association are made; and

(b) correct books and accounts are kept showing the financial affairs of the Association including full details of all receipts and expenditure connected with the activities of the Association.

17: Casual vacancies

For the purposes of these rules, a casual vacancy in any office of the committee occurs if any member-

(a) dies;

(b) ceases to be a member of the Association;

(c) becomes an insolvent under administration within the meaning of the Companies (New South Wales) Code;

(d) resigns office by notice in writing given to the secretary;

(e) is removed from office under rule 18;

(f) becomes of unsound mind or a person whose person or estate is liable to be dealt with in any way under the law relating to mental health; or

(g) is absent without the consent of the committee from all meetings of the committee held during a period of 6 months.

18: Removal of a member

(1) The Association in general meeting may by resolution remove any office bearer from office before the expiration of the member's term of office and may by resolution appoint another person to hold office until the expiration of the term of office of the member so removed.

(2) Where an office bearer to whom a proposed resolution referred to in clause (1) relates makes representations in writing to the secretary or president (not exceeding a reasonable length) and requests that the representations be notified to the members of the Association, the secretary or the president may send a copy of the representations to each member of the Association, or if they are not so sent, the member is entitled to require that the representations be read out at the meeting at which the resolution is considered.

19: Meetings and quorum

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(1) The committee shall meet on the fourth Wednesday of each month at such place and time as the committee may determine.

(2) Additional meetings of the committee may be convened by the president or by the secretary.

(3) Oral or written notice of a meeting of the committee shall be given by the secretary to each member of the committee at least 48 hours (or such other period as may be unanimously agreed upon by the office bearers) before the time appointed for the holding of the meeting.

(4) The order of business at any meeting of the Association or any committee shall, unless otherwise determined, be as follows:

(i) reading and confirmation of minutes of previous meeting.

(ii) introduction of new delegates.

(iii) business arising from the minutes.

(iv) correspondence inwards and outwards.

(v) business arising out of the correspondence.

(vi) reports of officials, committees etc.

(vii) roll call of attendance of delegates from affiliated clubs.

(viii) finance.

(ix) nomination election of new members and or new office bearers.

(x) unfinished business.

(xi) motions of which notice has been given.

(xii) notices of motion.

(xiii) general business.

(xiv) announcement of date of next meeting.

(xv) closure of meeting.

(5) One third of delegates eligible to vote constitute a quorum for the transaction of the business of a meeting of the committee.

(6) No business shall be transacted by the committee unless a quorum is present and if within an hour of the time appointed for the meeting a quorum is not present the meeting stands adjourned to the same place and at the same hour of the same day in the following week.

(7) If at the adjourned meeting a quorum is not present within an hour of the time appointed for the meeting, the meeting shall be dissolved.

(8) At a meeting of the committee -

(a) the president or, in the president's absence, the deputy-president shall preside; or

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(b) if the president and the deputy-president are absent or unwilling to act such one of the remaining members of the committee as may be chosen by the members present at the meeting shall preside.

(c) the minutes shall be taken by the secretary but if the secretary is not present the minutes shall be taken by the assistant secretary. If the assistant secretary is also not present the minutes shall be taken by such member as may be chosen by the members present at the meeting.

20: Delegation by committee to sub-committee

(1) The committee may, by instrument in writing, delegate to one or more sub-committees (consisting of such member or members of the Association as the committee thinks fit) the exercise of such of the functions of the committee as are specified in the instrument, other than -

(a) this power of delegation; and

(b) a function which is a duty imposed on the committee by the Act or by any other law.

(2) A function the exercise of which has been delegated to a sub-committee under this rule may, while the delegation remains unrevoked, be exercised from time to time by the sub-committee in accordance with the terms of the delegation.

(3) A delegation under this section may be made subject to such conditions or limitations as to the exercise of any function of the subject thereof, or as to time or circumstances, as may be specified in the instrument of delegation.

(4) Notwithstanding any delegation under this rule, the committee may continue to exercise any function delegated.

(5) Any act or thing done or suffered by a sub-committee acting in the exercise of a delegation under this rule has the same force and effect as it would have if it had been done or suffered by the committee.

(6) The committee may, by instrument in writing, revoke wholly or in part any delegation under this rule.

(7) A sub-committee may meet and adjourn as it thinks proper.

(8) Questions arising at a meeting of a sub-committee shall be determined by a majority of the votes of the members of the sub-committee present at the meeting.

21: Voting and decisions

(1) Questions arising at a meeting of the committee shall be determined by a majority of the votes of delegates eligible to vote present at the meeting.

(2) Each delegate present at a meeting of the committee (including the person presiding at the meeting, provided he is a delegate) is entitled to one vote provided however that no more than three delegates from each affiliated club may vote but, in the event of an equality of votes on any question, the person presiding may exercise a second or casting vote.

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(3) Subject to rule 19(5) the committee may act notwithstanding any vacancy on the committee.

(4) Any act or thing done or suffered, or purporting to have been done or suffered, by the committee or by a sub-committee appointed by the committee, is valid and effectual notwithstanding any defect that may afterwards be discovered in the appointment or qualification of any member of the committee or sub-committee.

PART IV: GENERAL MEETINGS

22: Annual general meetings - holding of

(1) With the exception of the first annual general meeting of the Association, the Association shall convene an annual general meeting of its members on the fourth Wednesday in July in each year or on such other date as the committee may determine but such other date shall be no later than the fourth Wednesday in August in such year.

(2) The Association shall hold its first annual general meeting within the period of 2 months after its incorporation under the Act.

(3) Clause (1) and (2) have effect subject to any extension or permission granted by the Commission under section 26(3) of the Act.

23: Annual General meetings - calling of and business at

(1) The annual general meeting of the Association shall, subject to the Act and to rule 22, be convened at such place and time as the committee thinks fit.

(2) In addition to any other business which may be transacted at an annual general meeting, the business of an annual general meeting shall be -

(a) to confirm the minutes of the last preceding annual general meeting and of any special general meeting held since that meeting;

(b) to receive from the committee reports upon the activities of the Association during the last preceding financial year;

(c) to elect office-bearers of the Association; and

(d) to receive and consider the statement which is required to be submitted to members pursuant to section 26(6) of the Act.

(3) an annual general meeting shall be specified as such in the notice convening it.

24: Special general meetings - calling of

(1) The committee may, whenever it thinks fit, convene a special general meeting of the Association.

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- (2) The committee shall, on the requisition in writing of not less than 5 per cent of the total number of members, convene a special general meeting of the Association.
- (3) A requisition of members for a special general meeting -
- (a) shall state the purpose or purposes of the meeting;
 - (b) shall be signed by the members making the requisitions;
 - (c) shall be lodged with the secretary; and
 - (d) may consist of several documents in a similar form, each signed by one or more of the members making the requisition.
- (4) If the committee fails to convene a special general meeting to be held within 1 month after the date on which a requisition of members for the meeting is lodged with the secretary, any one or more of the members who made the requisition may convene a special general meeting to be held not later than 3 months after that date.
- (5) A special general meeting convened by a member or members as referred to in clause (4) shall be convened as nearly as is practicable in the same manner as general meetings are convened by the committee and any member who thereby incurs expense is entitled to be reimbursed by the Association for any expense so incurred.

25: Notice

- (1) Except where the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Association, the secretary shall subject to clause (5), at least 14 days before the date fixed for the holding of the general meeting, cause to be sent by pre-paid post to each member at the member's address appearing in the register of members, a notice specifying the place, date and time of the meeting and the nature of the business proposed to be transacted at the meeting.
- (2) Where the nature of the business proposed to be dealt with at a general meeting requires a special resolution of the Association, the secretary shall, at least 21 days before the date fixed for the holding of the general meeting, cause notice to be sent to each member in the manner provided in clause (1) specifying, in addition to the matter required under clause (1), the intention to propose the resolution as a special resolution.
- (3) No business other than that specified in the notice convening a general meeting shall be transacted at the meeting except, in the case of an annual general meeting, business which may be transacted pursuant to rule 23(2).
- (4) A member desiring to bring any business before a general meeting may give notice in writing of that business to the secretary who shall include that business in the next notice calling a general meeting given after receipt of the notice from the member.
- (5) Any notice required to be given pursuant to this rule may be effected by the secretary causing such notice to be sent by pre-paid post to each of the affiliated clubs within the time required by the applicable part of this rule. In such case the secretary shall not be required to forward a notice to each member at the member's address.

26: Procedure

- (1) No item of business shall be transacted at a general meeting unless a quorum of members entitled under these rules to vote is present during the time the meeting is considering that item.

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(2) Ten (10) members present in person (being members entitled under these rules to vote at a general meeting) constitute a quorum for the transaction of the business of a general meeting.

(3) If within half an hour after the appointed time for the commencement of a general meeting a quorum is not present, the meeting if convened upon the requisition of members shall be dissolved and in any other case shall stand adjourned to the same day in the following week at the time and (unless another place is specified at the time of the adjournment by the person presiding at the meeting or communicated by written notice to members given before the day to which the meeting is adjourned) at the same place.

(4) If at the adjourned meeting a quorum is not present within half an hour after the time appointed for the commencement of the meeting the members present (being not less than 3) shall constitute a quorum.

27: Presiding member

(1) The president or, in the president's absence, the deputy-president, shall preside as chairperson at each general meeting of the Association.

(2) If the president and the deputy-president are absent from a general meeting or unwilling to act, the members present shall elect one of their number to preside as chairperson at the meeting.

28: Adjournment

(1) The chairperson of a general meeting at which a quorum is present may, with the consent of the majority of members present at the meeting, adjourn the meeting from time to time and place to place, but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.

(2) Where a general meeting is adjourned for 14 days or more, the secretary shall give written or oral notice of the adjourned meeting to each member of the Association stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.

(3) Except as provided in clauses (1) and (2) notice of an adjournment of a general meeting or of the business to be transacted at an adjourned meeting is not required to be given.

29: Making of decisions

(1) A question arising at a general meeting of the Association shall be determined on a show of hands and, unless before or on the declaration of the show of hands a poll is demanded, a declaration by the chairperson that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, or an entry to that effect in the minute book of the Association, is evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution.

(2) At a general meeting of the Association, a poll may be demanded by the chairperson or by not less than 3 members present in person at the meeting.

(3) Where a poll is demanded at a general meeting, the poll shall be taken -

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(a) immediately in the case of a poll which relates to the election of the chairperson of the meeting or to the question of an adjournment; or

(b) in any other case, in such manner and at such time before the close of the meeting as the chairperson directs, and the resolution of the poll on the matter shall be deemed to be the resolution of the meeting on that matter.

30: Special resolution

A resolution is a special resolution if -

(a) it is passed by a majority which comprises not less than three-quarters of such members of the Association or the committee as the case shall be as, being entitled under these rules so to do, vote in person at a general meeting of which not less than 21 days' written notice specifying the intention to propose the resolution as a special resolution was given in accordance with these rules; or

(b) where it is made to appear to the Commission that it is not possible or practicable for the resolution to be passed in the manner specified by the Commission.

31: Voting

(1) Upon any question arising at a general meeting of the Association a member has one vote only.

(2) All votes shall be given personally.

(3) In the case of an equality of votes on a question at a general meeting, the chairperson of the meeting is entitled to exercise a second or casting vote.

(4) A member is not entitled to vote at any general meeting of the Association unless all money due and payable by the member to the Association has been paid, other than the amount of the annual subscription payable in respect of the then current year.

PART V: MISCELLANEOUS

33: Insurance

(1) The Association shall effect and maintain insurance pursuant to section 44 of the Act.

(2) In addition to the insurance required under clause (1), the Association may effect and maintain other insurance.

34: Funds - source

(1) The funds of the Association shall be derived from entrance fees and annual subscriptions of members, donations and such other sources as the committee determines.

(2) All money received by the Association shall be deposited as soon as practicable and without deduction to the credit of the Association's bank account.

(3) The Association shall, as soon as practicable after receiving any money, issue an appropriate receipt.

35: Funds - management

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(1) Subject to any resolution passed by the Association in general meeting, the funds of the Association shall be used in pursuance of the objects of the Association in such manner as the committee determines.

36: Alteration of objects and rules

The statement of objects and these rules, the measurement rules, racing rules, sailing rules or management rules may be altered, rescinded or added to only by a special resolution of the committee. Notice of proposed alteration, rescision or addition shall be given in writing by a delegate to the secretary and to the secretary of each affiliated club at least 14 days before the committee meeting at which the proposed alteration, rescision or addition is to be considered.

37: Common seal

(1) The common seal of the Association shall be kept in the custody of the public officer.

(2) The common seal shall not be affixed to any instrument except by the authority of the committee and the affixing of the common seal shall be attested by the signatures either of 2 members of the committee or of 1 member of the committee and of the public officer or secretary.

38: Custody of books, etc

Except as otherwise provided by these rules, the public officer shall keep in his or her custody or under his or her control all records, books and other documents relating to the Association.

39: Inspection of books, etc

The records, books and other documents of the Association shall be open to inspection, free of charge, by a member of the Association at any reasonable hour.

40: Service of notices

(1) For the purpose of these rules, a notice may be served by or on behalf of the Association upon any member either personally or by sending it by post to the member's address shown in the register of members.

(2) Where a document is sent to a person by properly addressing, prepaying and posting to the person a letter containing the document, the document shall, unless the contrary is proved, be deemed for the purposes of these rules to have been served on the person at the time at which the letter would have been delivered in the ordinary course of post.

(3) Any notice required to be given pursuant to these rules may be effected by the secretary causing such notice to be sent to each of the affiliated clubs within the time required by the applicable part of the rules. In such case the secretary shall not be required to forward a notice to each member at the member's address.

41: Surplus property

(1) At the first general meeting of the Association, the Association shall pass a special resolution nominating an incorporated Association as the Association in which is to vest its surplus property pursuant to section 53(2) of the Act in the event of the winding up or the cancellation of the incorporation of the Association.

(2) The incorporated Association so nominated shall be one which fulfils the requirements specified in section 53(2)(a)-(c) of the Act.

42: Association Colours

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The Association colours shall be a sky blue burgee carrying the lettering NSW 12 Ft SSA in dark blue.

43: Affiliated Clubs

(a) The clubs affiliated with the Association are:

Abbotsford 12 Foot Flying Squadron Incorporated.

Greenwich Flying Squadron Incorporated

Lane Cove 12 Foot Sailing Skiff Club Incorporated.

Saratoga Sailing Club Incorporated.

Sydney Flying Squadron Limited.

(b) The Association may approve such other club to be affiliated with the Association and any application for affiliation shall be made in writing and be considered at a meeting of the committee and passed by a three quarters majority of the delegates present.

44: Resignation of Affiliated Club

(1) Any affiliated club which wishes to cease to be affiliated shall give one month's notice in writing of its intention to do so.

(2) The club shall, at the time of its resignation, pay to the Association any moneys due.

45: Expulsion of Affiliated Club

The Association shall have the power to expel any affiliated club at any general or special meeting and notice of such proposed expulsion shall be given at and recorded in the minutes of the previous meeting. A copy thereof shall be sent to each affiliated club at least six days prior to the meeting. A three quarters majority of the delegates present shall be necessary for the club to be expelled.

46: Delegates

An affiliated club shall notify the Association in writing of the appointment and removal from office of any of its delegates within 14 days of such appointment or removal.

47: Other officers

(1) In addition to those office bearers set out in rule 13 the Association may appoint the following further officers:

Patron

Two Honorary Auditors

Vice President or Vice Presidents

Publicity Officer or Officers

Registrar

Measurers

Race Official

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(2) Election of such other officers shall take place at the same time and in the same manner as set out in rule 14.

(3) The Association shall from time to time determine the functions of such other officers.

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BYLAW 1 SAILING RULES

1. RACE REPORTS

At the completion of any Association Race the starters, timekeepers, race secretary and judges shall report in writing on their respective duties to the Association at its next meeting.

2. STATE CHAMPIONSHIP AND TEST RACES

The State Championship and Test races shall be sailed annually in a minimum of four heats on the Association courses. Points shall be allotted as per Appendix A - Scoring Bonus Point System of the current ISAF Racing Rules of Sailing. The first prize for the State Championship being the Morna Trophy and replicas plus such prize money as the Association may allot.

State representatives shall be skiffs, skippers and crew as nominated by the selection committee from the contestants in the Inter-Dominion selection series. They may be selected in order of points scored in the selection series.

A skiff selected for the state Inter-Dominion Team may only compete in the Inter-Dominion contest with the same hull, skipper and crew that competed in the Inter-Dominion selection series. The only exception shall be that the crew only, specifically not the skipper or hull may be changed with the permission of the Association.

3. AUSTRALIAN CHAMPIONSHIPS

The Australian Championships shall be conducted by the New South Wales 12 Ft Sailing Skiff Association and the Brisbane 18ft Sailing Club 12 Ft Division in accordance with the constitution agreed by the two bodies, and at such time and places as are mutually acceptable.

4. STATUTORY CHAMPIONSHIPS

The Affiliated Clubs may conduct for the Association the following Statutory Championships:

- a) Upper Harbour Championship and combined Handicap - Lane Cove 12' Sailing Skiff Club
- b) Parramatta River Championship and combined Handicap - Abbotsford 12' Flying Squadron
- c) Greenwich Championship and combined Handicap - Greenwich Flying Squadron
- e) Brisbane Water Championship and combined Handicap - Saratoga Sailing Club
- f) Sydney Harbour Championship and combined Handicap - Sydney Flying Squadron Limited

Prior to the beginning of each season and by a date set by the Association, Affiliated Clubs may apply to the Association to conduct statutory championships. Affiliated Clubs applying to conduct a Statutory Championship shall submit to the Association a copy of the course(s) description and map(s) to be used in the Statutory Championships with the application. The Association will set the statutory races and championships at a general meeting.

These championships shall be sailed under the Association's rules and shall be conducted by each club nominated by the Association.

The club hosting the Championship shall provide the Association and each Affiliated Club with a complete copy of the results.

5. JUNIOR STATE CHAMPIONSHIP

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A Junior State Championship, restricted to skippers and crews under 21 years of age as at the 1st of September prior to the start of the season for which the championship is contested, shall be sailed in conjunction with and under the same conditions as the State Title.

6. INTER-DOMINION CHAMPIONSHIPS

The Inter-Dominion Championship for the "Silasec" trophy shall be conducted by the Association and the New Zealand 12' Skiff Association in accordance with the Constitution agreed to by the two Associations, and at such times and places as are mutually acceptable. If a New Zealand competitor charters, hires or borrows an Australian skiff to sail for New Zealand in the Inter-Dominion, then the skiff chartered, hired or borrowed must sail under Australian measurement rules.

7. PRIZES

The prize money in any event conducted by or for the Association shall be determined by the Association from time to time.

8. COURSES

All courses to be sailed in Association events shall be decided and varied from time to time by the Association.

9. HANDICAPS

(i) At the start of each season and prior to each Association event, or at any time the Association feels it necessary, the Association or the Association Handicap Committee shall determine each registered skiffs Association handicap.

(ii) Association Handicaps shall be assigned in whole minutes to a maximum of 40 minutes. These Association Handicaps shall apply to all the Association Statutory Championships and the heats of the State Titles.

(iii) A skiffs Association handicap shall be performance based and shall be an average of the skiffs six(6) of its last seven (7) Association race elapsed times between its finishing time and that of the winning skiff for each Association race.

(iv) For the purpose of the calculation the Association races to count cannot be older than the previous season, nor can the average be calculated with less than three out of four race results.

(v) The Association handicap committee may reject one or more of the eligible races, if in the opinion of the handicap committee, the result of that race would produce handicaps that would be unfair to the majority of the fleet.

(vi) If there is no skiff with a handicap of zero (Scratch Skiff), calculated by this method, then only those skiffs with a fastest time result in their results that count will have their handicap reduced by the amount necessary to make the lowest handicap skiff a scratch skiff.

(vii) If a registered skiff replaces its hull, the Association handicap will be half of its previously derived handicap.

(viii) If a skiff has a new skipper, the Association handicap will be an average of its previous Association handicap and the skippers previous Association handicap.

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(ix) For skiffs whose Association Handicap cannot be assessed by the above method, the handicap committee may use any method it sees fit, without disadvantaging the fleet within the scope of this by-law.

(x) Any skiff may seek in writing a reassessment of their Association handicap no later than the close of entries for the Association race they wish to enter.

(xi) Association Handicaps for all registered skiffs should be posted on the regatta notice board nominated in the race program two (2) hours prior to each association race start.

10. THE MILLER SHIELD

Each year the Association will conduct the Miller Shield competition. At each statutory championship points will be awarded to the best three placed registered skiffs from each affiliated Club on handicap. The points will be awarded on the basis of the highest placed skiff on handicap receives points equal to three times the number of affiliated clubs, the next skiff placed on handicap receives this number minus one and so forth.

11. STATUTORY CHAMPIONSHIP POINTSCORE

Each season the Association will conduct a Fastest Time and/or Handicap pointscore competition known as the East Coast Championship. It will comprise the results from each statutory race held during the season not counting the State Championship. Points will be allocated to each registered skiff equal to its finishing position in each race on Championship and handicap. The skiff with the least number of points at the end of the last Statutory championship for the season will be declared the East Coast Champion or the East Coast Handicap Champion. There will be no discard.

12. OTHER

a) The abandonment of plastic bags and rubbish from skiffs is not permitted.

b) For any statutory championship if a skiff is going to change sail signs the starter must be notified before the start in writing.

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BYLAW 2 APPROVED SKIFFS

The Association is the final interpreter and arbitrator of this rule.

PART 1

Approved skiffs and Restricted 12ft Skiffs shall comply with the following requirements in order to be first registered.

a) Length:

Length to be measured between two vertical marks positioned at each end of the skiff. These marks to reflect comments under (i) & (ii) below.

The horizontal distance between these verticals is not to exceed 3.700 m and must not be less than 3.650 m. No fittings, whether fixed or removable may extend the overall 'waterline' length beyond 3.700m. The skiff must be set up on a floor in such a way that the height of spring or keel rocker is equidistant from the floor at each end. (See Fig.1)

All fittings and spars extending the overall length must be removable for measuring except for:

(i) integrated bow structures that may extend the 'out of water' length by 700mm. The structure can extend below the top edge of the gunwale 100mm with a width of 370mm. Web members may extend below this to within 100mm height of the forefoot with maximum total cross-sectional dimensions of 80mm by 15mm width. (see fig 2).

(ii) integrated stern outrigger structures that may extend the 'out of water' length by 550mm. Buoyant compartments, included within these structures to have a maximum width of 600mm.

b) Planking:

The maximum thickness of the planking below the gunwales shall be 25mm.
(See Fig. 3)

c) Beam:

(i) Maximum Beam Overall 1.800 m

INTERPRETATION:The maximum beam overall shall be measured from the outside edge of one gunwale to the outside edge of the other gunwale at the widest point and at right angles to the centreline of the skiff.

d) Spare:

e) Trapezing Extensions:

Trapezes on skiffs are permitted. No extension, device or fitting that projects beyond the maximum beam overall measurements will be permitted if such extension, device or fitting enables the crew to obtain additional leverage from their trapeze.

f) Weight:

The minimum weight shall be 45kg when dry. The minimum weight shall include all fittings except spinnaker pole, rudder box, boom, centreboard, rudder, mast, sails, jib main and spinnaker sheets.

g) Buoyancy:

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Buoyancy must be contained within the buoyancy measurements given below.

(i) The skiff must have a minimum of two sealed compartments of adequate combined volume to support a rigged boat and two crew when capsized.

(ii) The forward buoyancy compartment must be a minimum 1.100m in length and must not exceed 2.600 m in length measured from the outside of the stem to the aft edge of the buoyancy compartment. Alternatively the skiff must have one watertight bulkhead down the entire length of the centreline.

(iii) The Vertical distance between the top edge of the gunwales and the top of any buoyancy compartment must be greater than 300mm between the front edge of the centreboard case and 700mm forward of the transom measured on the centreline.

INTERPRETATION: Planking, gunwales and other structures as defined by these rules will not be classed as buoyancy. The length of buoyancy will be measured horizontally parallel to the centre-line.

h) **Spare:**

i) **Hull form:**

The skiff have the deepest part of its hull on the centreline.

j) **Appendages:**

Hydrofoils, sponsons or other devices designed to provide vertical lift are not permitted. The maximum thickness of any foil shall be 100mm, measured at right angles to the centreline of the skiff.

k) **Spare:**

l) **Spare:**

m) **Name:**

The registered name of the skiff must be placed externally on the transom in no less than 50mm high durable letter. No other writing but the registered name and the skiffs club may be placed on the transom. Writings and logos on other parts of the hull are unrestricted.

n) **Registered design:**

Each skiff must have a distinguishing number or colored design attached to both sides of each mainsail it uses. No two skiffs shall have the same name or registered design. Such a name or registered design shall measure at least 600mm in length in any direction.

o) **Sails and spars:**

Other than for the Restricted 12ft Skiff (refer PART 4) sail areas, designs and configuration is completely unrestricted except for registered design, Rule 4 n).

PART 2

A skiff, including hull and spars, may not be altered or changed after initial registration so as to become illegal under the measurement rules for new boats in force at the time of alteration. Otherwise, a skiff will be an approved skiff and may be re-registered provided that it complied with the measurement rules in force when it was first registered.

PART 3

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A skiff may not sail in an Association, interclub or Inter-Dominion race unless:-

- (i) It is registered
- (ii) It displays a registered name and design,
- (iii) It is sailed by at least two persons
- (iv) Spare
- (v) All skiffs using a "fixed pole" system must have an Association Approved "safety orange" stripe at least 100mm long affixed to the pole within 350mm of the outward end.
- (vi) Arrangements have been made for Marine Third Party Liability Insurance and acknowledgment of it has been made on the Association registration form.

PART 4

Approved Restricted 12ft Skiffs shall comply with the following additional requirements in order to be first registered.

One mast

Maximum of five (5) sails to be registered

Maximum of three (3) sails to be carried at any one time

One centreboard

One spinnaker pole

Registered design (refer Part 1 Rule 4 n)

- a) Mast height restricted to a maximum of 6.8 metres from the gunwale line.
- b) Hound height restricted to a maximum of 5.4 metres from the gunwale line
- c) Mainsail foot length restricted to a maximum of 2.4 metres
- d) Mainsail roach restricted to a maximum of 700mm measured from a straight line taken from the top of the boltrope to the clew.
- e) Jib foot length restricted to a maximum of 2.0 metres
- f) Jib to be fastened not more than 150mm forward from the stem
- g) Fixed spinnaker pole to extend a maximum of 2.5 metres from the stem

PART 5

In addition to the rules of PART 1 defining hull, hulls that measure to the CHERUB CLASS INTERNATIONAL ASSOCIATION Rules as at 23rd March 1998 and restrictions part 5 - HULL nos. 1 - X1V (see annexe) may also register and race as a 12 foot skiff in any and all 12 foot skiff events. Minimum weight for Cherub hulls racing as 12 foot skiff shall be 45 kg as per PART 1(f) The Measurement rules of the cherub class are attached as an "annexe".

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BYLAW 3

RACING RULES

All races conducted by or on behalf of the NSW 12 Foot Sailing Skiff Association will be conducted under the current ISAF Racing Rules of Sailing with AYF prescriptions and the following ammendments.

Definitions - Mark

Addition to end of definition "but shall include any ship attached to it."

RRS Part 3 - Conduct of a Race

Rule 26 Starting Systems:

Races will be started using Systems 1.

RRS Part 4 - Other Requirements When Racing

Rule 50.2, Delete following

"When in use, it shall be attached to the foremost mast."