

29er

The UK 29er Class Association

Constitution

Approved	Special General Meeting Rutland Sailing Club 26 th March 2011
Amended	Annual General Meeting- WPNSA 12 th August 2017
Amended	Annual General Meeting- Hayling Island Sailing club 6 th July 2019
Version	2.5

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Revision History

Version	Revision Date	Summary Of Changes
1.0	2004	Original Constitution
2.0	9 th February 2011	Major re-write from 2004 Constitution
2.1	9 th February 2011	Final version as presented to SGM
2.2	20 th August 2012	Amended, following a change to clause 10.2 to ensure at least one female representative amongst the sailor reps; change approved at 2012 AGM.
2.3	12 th August 2013	Amended, following a change to clause 4 (Subscriptions) to create a part year membership category for first time joiners to the class association; change approved at the 2013 AGM.
2.4	9 th August 2017	Constitution reviewed and updated. Approved at AGM 2017.
2.5	6 th July 2019	Constitution reviewed and updated. Approved at AGM 2019. Points 5.7 – 5.9 added

1. TITLE

The full title will be The UK 29er Class Association (the Association).

2. OBJECTIVE

The objective of the Association is to govern, promote and further the interests of the 29er Class including all rig variations e.g.: 29erXX, (the Class), throughout the UK. This will be achieved by:

(a) Encouraging individuals, notably at Youth Level, into the class, promoting the benefits of membership of the Association to new sailors, and delivering an active programme of promotion of the Class to its main UK feeder classes (RS Feva, Topper, Cadet, 420, Optimist, Laser).

(b) Improve the skills of members sailing in the Class through the organisation and provision of effective training and other complimentary development programmes for sailors of all ages and racing levels, both at a National and Regional level.

(c) Organising a competition programme at both National and Regional levels, and supporting and promoting active participation in competitions at International level.

(d) Encouraging a high standard of sailing and racing, whilst upholding fair and sportsmanlike conduct both on and off the water.

(e) Informing members of Association activities and technical developments relating to the Class.

(f) Create thriving, positive relationships at both UK Regional and International level (with the International Class Association) and with the RYA

(g) Liaise regularly on all relevant class matters and ensure that class rules are maintained.

3. MEMBERSHIP

The following five categories of membership of the Association are recognized:

- Full Member
- Temporary Member
- Honorary Member
- Group Member
- Stakeholder Member

These five categories of membership are further defined as follows:

- 3.1 A **Full Member** - defined as any individual who wishes to actively take part in both racing and training events organised by the Association, and who pays an Annual Subscription for that right.

There are four types of Full Member, defined as follows:

- (a) **Individual Adult Full Member** - Any individual aged 19 or over at the start of a membership year.
 - (b) **Individual Youth Full Member** - Any individual aged 18 or under at the start of a membership year.
 - (c) **Family Full Member** – Any named individual within a family, normally living at the same address, as long as at least one individual is aged 18 or under at the start of the membership year. All such Full Members as defined shall comprise a Family Membership.
 - (d) **Student Full Member** – Any individual aged 19 or over, and 24 or under at the start of a membership year, and in full time education.
- 3.2 A **Temporary Member** - defined as an individual who is a non-member, but who, on payment of a defined fee, may be granted membership to actively participate in either a racing or training event organised by the Association of no more than three days duration. Such members will not normally be eligible for temporary membership more than once in any calendar year. Temporary members will be eligible to be awarded prizes/trophies at an event, but will not enjoy any other benefits of a Full Member.
- 3.3 An **Honorary Member** - defined as any individual who, at the discretion of the Committee, is awarded Full Member Status for special service to the Association.
- 3.4 A **Group Member** - defined as an Organisation which owns two or more 29er boats, which are made available to members of that Organisation to use. There shall be no Full Members of the Association associated with group membership. Such membership will be available at the discretion of the Committee, and subscription fees will be defined on a case by case basis.
- 3.5 A **Stakeholder Member** - defined as an individual who is a parent or guardian of either an Individual Youth Full Member or a Family Full Member. There shall only be one Stakeholder Member per Individual Youth Full Member, and one Stakeholder Member within a Family Membership.
- 3.6 A Register of members will be maintained and updated as necessary.
- 3.7 Any person who serves on the Management Committee but does not sail in the Class shall be deemed to be a Full Member for the period they serve on the Committee.

4. SUBSCRIPTIONS

- 4.1 The Association's subscription year will run from 1st January to 31st December and annual subscriptions for full membership will become due on the 1st January of each year.
- (a) A part year membership is available for **first time** individual applications to the Association covering the period from 1st September to 31st December; this will accommodate sailors transitioning from Junior Classes who want to participate in the activities of the Association for that autumn. Such members will be categorised as Individual Youth Full Members.
- 4.2 The level of subscriptions will be decided at the Annual General Meeting (AGM) for the following year to cover the following types / categories of membership:
- (a) Individual Adult Full Member
(b) Individual Youth Full Member
 i. Full Year
 ii. Part Year
(c) Family Full Member
(d) Student Full Member
(e) Temporary Member
- 4.3 There will be no Registration Fee for either first time applicants to the Association, nor Subscription Renewals.
- 4.4 Subscriptions will be proposed on the basis that they do not include the required subscription to the International Class Association. Members wishing to compete in International Events will need to join the International Class Association.
- 4.5 Any member who has not paid their subscription by 1st January will not be entitled to the membership rights until their Subscription is paid. Subscriptions should normally be paid by the 31st of January to ensure continuity of membership. Following this date, a member may be re-instated, at the discretion of the Committee, on payment of the annual subscription.

5. MEMBERSHIP RIGHTS AND RESPONSIBILITIES

- 5.1 Where the Association is the organising authority of an event, only Full Members, Temporary Members, and individuals covered under a Group Membership will be eligible to participate in the event.
- 5.2 Only Full Members and Stakeholder Members are permitted to speak or vote at Annual and Special General Meetings, with the exception of those circumstances provided for under clause 12.9.
- 5.3 All members of the Association are required to conduct themselves in a sportsmanlike and honourable manner at all times and to comply with the Constitution of the Association, the

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rules of the International 29er Class Association, the Racing Rules of Sailing and any rules or standards applying to an event or venue at which the member is present.

5.4 No member(s) shall:

(a) Use bribery, coercion, intimidation or any other similar behaviour against another members(s) under any circumstance nor in any situation. Such clause shall also extend to include parents, guardians and / or any other relative of any member.

(b) Where an Officer of the Association becomes aware of any incident of bribery, coercion, intimidation or any other similar behaviour, then the Officers of the Association may refer such incident to the national authority under Rule 69 of the Racing Rules of Sailing for their consideration.

5.5 In all cases where a member gives the Association their email address, unless otherwise explicitly stated, email will be assumed to be an adequate method of contact (including for purposes of notification). The Association and the Committee shall not be held responsible for failure to notify resulting from technical or postal error.

5.6 All members must ensure that any 29er dinghy owned or sailed by them conforms to the current International 29er Class Measurement Rules and is adequately insured at all times.

5.7 The class will always comply with the General Data Protection Regulation (GDPR)

5.8 The Class adopts the RYA equality policy

5.9 The Class will operate its affairs, including running events, in a sustainable manner and will adopt green/blue event best practice.

6. SUSPENSION OR REMOVAL FROM MEMBERSHIP

6.1 Where required the Committee may convene a Formal Hearing Committee to investigate and hear an allegation against a member that may lead to a suspension or removal of that member.

6.2 A member may be suspended or removed from membership by the Committee following said hearing, which may be conducted in person, or through another mutually agreeable means, where the individual will be provided with a fair opportunity to present details relating to the matter, prior to the Committee making its decision

6.3 The Committee may suspend or remove any membership, if, following a hearing, the Committee concludes that a member has:

(a) Breached the Constitution of the Association, including committing an unlawful act in relation to the Association or one of its members, or

(b) Demonstrated unsportsmanlike conduct or unsocial behaviour, contrary to the interests of the members of the Association, or

- (c) Intentionally violated this Constitution, or
- (d) Acted in such a way as to bring the Association into disrepute.

- 6.4 Appeals against any such suspension may be made to the Committee as specified under Clause 7.
- 6.5 In the event that an Association event takes place whilst a suspension is pending appeal, the suspended member may compete, subject to the qualification that, if their appeal is unsuccessful, they will be deemed to have been disqualified from the event. All prizes, titles and rights to selection obtained during the period pending their appeal would then be forfeited.
- 6.6 A member will not be entitled to the return of any or part of their subscription in respect of the period for which they are suspended or removed from membership.
- 6.7 The Committee may revoke a suspension at any time.

7. APPEALS AGAINST SUSPENSION OR REMOVAL FROM MEMBERSHIP

- 7.1 If a suspended member wishes to appeal against their suspension or removal of membership, they must notify the Committee in writing within 7 days of their suspension.
- 7.2 The Committee shall form an Appeal Committee and hold an appeal hearing with the suspended member, which may be conducted in person, or through another mutually agreeable means, as soon as is practically possible (and ideally no longer than 7 days) after the appeal request.
- 7.3 All parties to the hearing shall be notified of the time and place of the hearing and they shall be allowed reasonable time to prepare for the hearing.
- 7.4 A member of the Appeal Committee who is an interested party shall not take any part in the hearing, but may appear as a witness. A party to the hearing who believes that a member of the Appeal Committee is an interested party shall object as soon as possible.
- 7.5 In the event that no member of the Appeal Committee is eligible to hear the appeal, a tribunal of three impartial individuals, agreeable to both the Committee and the suspended member, shall be convened.
- 7.6 The Appeal Committee shall be chaired by the Chairman (or their designated representative as under clause 10.11). All remarks shall be addressed through the Chair.
- 7.7 A suspended member may choose two representatives to attend in their support and, if the member wishes, to speak on their behalf. In the event that the suspended member is under eighteen years of age, at least one of the representatives must be a parent or guardian. With the exception of the parent or guardian, the suspended member has the right to dismiss their representatives at any time.

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- 7.8 The parties to the hearing have the right to be present throughout the hearing of all the evidence. Any witness, other than one of the parties, shall be excluded except when giving evidence. All parties are permitted to ask questions of the witnesses.
- 7.9 The Appeal Committee shall take the evidence of the parties to the hearing and of their witnesses and other evidence it considers necessary. A member of the Appeal Committee may give evidence. A party to the hearing may question any person who gives evidence. The Appeal Committee shall then find the facts and base its decision on them. The Appeal Committee has an obligation to hear any individual whose evidence they feel may contribute substantively to the outcome of the appeal. In the event a witness is unable to attend in person, they may submit a written statement to be read out by the Chair.
- 7.10 Once all the evidence has been heard, the suspended member and their representatives must withdraw and the Appeal Committee shall consider and make its decision.
- 7.11 After making its decision, the Appeal Committee shall promptly inform the parties of the facts found, the decision, and the reasons for it.
- 7.12 In the event that a member's appeal against their suspension is dismissed, the member shall retain the right of appeal to the national authority, whose decision shall be final.

8. RESIGNATION

- 8.1 Any member may resign their membership at any time by notifying the Committee in writing of their decision.
- 8.2 In the event of a resignation, a refund of the subscription will not normally be possible.

9. OFFICERS OF THE ASSOCIATION

9.1 The Officers of the Association shall be:

- The Chairman
- The Vice Chairman
- The Treasurer
- The Sailing Secretary
- The Training Officer
- The Safety Officer
- The General Secretary
- The Marketing Officer
- The Welfare Officer

9.2 The Officers of the Association shall be elected each year at the AGM.

9.3 Nominations for each position must be proposed and seconded by Full Members or Stakeholder Members of the Association, and such nominations must include agreement from the nominee that they are prepared to serve.

9.4 Officers of the Association may only serve in a single role for a maximum of three consecutive years. Individuals may however serve in different roles consecutively.

9.5 If a vacancy arises between one AGM and the next, the Committee may seek to fill that vacancy from within its own elected membership, or if they are unable to so fill the vacancy, they may also co-opt a replacement Officer as required.

10. MANAGEMENT OF THE ASSOCIATION

10.1 The affairs of the Association will be managed by the Committee subject to the provisions within this Constitution and in particular, to the objects of the Association, as expressed in Clause 2.

10.2 The Committee will be elected at the AGM and will be formed of

- The Officers of the Association, plus:
 - A maximum of 4 other elected individuals, plus:
 - Up to 8 sailor representatives with equal gender split and a minimum of 4 in total. Each sailor representative to be titled Vice Chairman. Ideally these representatives would reflect the diverse regions of the Association.
- (a) Any individual may stand for election to the committee, including Full Members and Stakeholder Members, except that:
- (b) Sailor Representatives must be Full Members of the Association.

- 10.3 The Committee will additionally include:
- A representative of the UK Licensed builder (the Builder's Representative), who will be invited to join the Committee by the Officers of the Association following the AGM;
 - A Class Measurer, who will be invited to join the Committee by the Officers of the Association following the AGM;
 - Both appointments shall be deemed to be Full Members for the period they serve on the Committee.
- 10.4 All members of the Committee shall enjoy full voting rights at Committee meetings.
- 10.5 In addition, an Independent Auditor will be appointed by vote at the Annual General Meeting to certify the Annual Financial Statement of Accounts.
- 10.6 The Committee may also co-opt other non-voting members to the Committee, whether a Full Member or a Stakeholder Member of the Association or not.
- 10.7 The Committee may formally appoint a Class Administrator to support the management of the Association. The Class Administrator, if appointed:
- (a) Shall not concurrently be an elected Committee member.
 - (b) Shall not be a Committee position.
 - (c) The appointed individual will not have a vote either at Committee Meetings or at General Meetings.
- 10.8 The General Secretary, or an appointed deputy, will provide at least one weeks' notice of the date, place or method of communication, which may include telephone conference, and agenda for any Committee Meeting other than for AGM's as provided for in Clause 12.3. The notice will be given in writing, which will be by email.
- 10.9 Minutes of Committee meetings incorporating names of members present, business discussed and any actions required will be recorded and circulated. Where meetings are conducted by electronic means from remote locations, the General Secretary, or an appointed deputy, will determine, acknowledge and record the presence of each member and where applicable, the point at which the member left the meeting prior to closure by the Chairman. Any member 'leaving' the meeting without notification and acknowledgement will be presumed to have been present throughout the meeting.
- 10.10 Any business conducted by correspondence will be circulated through the General Secretary, or an appointed deputy, by e-mail. A committee member not answering a motion communicated to them in writing within three weeks of the date of sending (or other date notified in the correspondence) will be deemed to have abstained from the motion.

- 10.11 Members of the Committee may, by mutual consent, and with the consent of the Committee, delegate specified responsibilities to each other for a specified time or purpose.
- 10.12 Any member of the Committee may resign at any time by informing the Chairman, in writing, of their decision. In the event that the Chairman wishes to resign, they shall inform the Treasurer and the Sailing Secretary in writing.
- 10.13 The Committee will be the only body to make recommendations to the International Association for changes to the Class Rules.
- 10.14 At meetings of the Committee, four of the elected members will form a quorum.
- 10.15 The Committee may make recommendations to Full Members and Stakeholder Members in a General Meeting, or by email or publication on the 29er Class Website, for proposed alteration, or proposed addition to the Class Rules. Any such amendment, if approved by the membership, shall then be submitted by the committee to the International Class Association for consideration. Any such proposal ultimately needs to be confirmed by the International Authority before it is incorporated into the Class Rules.

11. FINANCIAL MANAGEMENT

- 11.1 The Association will be funded through subscriptions, surplus income from events, donations and any other revenue negotiated by the Committee.
- 11.2 The Committee will ensure that true records are maintained, covering:
- (a) All monies received and expended by the Association and the reason for such receipts and expenditure.
 - (b) All monies, assets and liabilities of the Association.
- 11.3 An Annual Financial Statement of Accounts will be prepared for the 12 months to 31st August. These must be audited by the appointed Auditor and presented at the next AGM for acceptance by the membership. A copy of the Annual Financial Statement, audited and accepted by the AGM, will be forwarded to the International Association within 14 days of its acceptance.

12. GENERAL MEETINGS

- 12.1 The Annual General Meeting (AGM) of the Association will be held annually at a place, date and time determined by the Committee.
- 12.2 A Special General Meeting may be called by the Committee, or upon receipt by the General Secretary of a written request signed by no fewer than fifteen Full Members of the Association.

- 12.3 At least six weeks' notice will be given to members of any General Meeting.
- 12.4 At any General Meeting, fifteen Full Members will form a quorum.
- 12.5 The Chairman shall chair all General Meetings. In the event that the Chairman is unable to attend a General Meeting, the Chairman shall cede the Chair to another member of the Committee as permitted under clause 10.11.
- 12.6 All remarks at a General Meeting must be addressed through the Chair, and the authority of the Chair must be respected.
- 12.7 The General Secretary will record the minutes of the meeting, the results of voting, and assist the Chair.
- 12.8 At General Meetings, decisions will be limited to matters on the agenda and will be carried by majority of the Full and Stakeholder Members in attendance, except that any decision to change the Constitution or Class Rules will require a two thirds majority of those Members present.
- 12.9 Any Full Member or Stakeholder member, provided that they have a seconder, may propose that a non-member may be a guest speaker at a General Meeting. The Guest's right to speak shall be put to a simple majority vote.
- 12.10-Voting will be managed in the following way:
- (a) By a show of hands, using coloured cards which will be distributed to all Full Members and Stakeholder Members present prior to the start of the meeting.
 - (b) By a Secret Ballot, if this is requested by not fewer than three of the Full Members or Stakeholder Members present. A Secret Ballot will be conducted as follows:
 - It will be held in a separate voting room to the General Meeting;
 - Using coloured cards as distributed to all Full Members and Stakeholder Members prior to the start of the meeting.
 - There will be two secure voting boxes, one marked For the Motion, and one marked Against the Motion.
 - All those eligible to vote shall do so one at a time.
 - This voting process, and subsequent count, shall be managed by two adult Returning Officers, one of whom may be the Class Administrator, who will be appointed by the Chair for this purpose. Returning Officers are not eligible to vote.
 - The results will be communicated to the Chair, for announcement to the General Meeting as quickly as possible.
 - (c) By Electronic or Web based Ballot, if this is requested by not fewer than ten Full Members or Stakeholder Members present at a General Meeting.
- 12.11 At any General Meeting, the Chairman will have the casting vote, and the General Secretary, or an appointed deputy, will be responsible for minuting the results of voting.

13. RESOLUTIONS

- 13.1 A Resolution shall be defined as any formal policy which the Association wishes to adopt, and which shall be binding upon both the Committee, and all members of the Association, and which may control the definition of certain Policies, decisions or actions of the Committee or the members.
- 13.2 A Resolution proposed by a member of the Association must be given to the General Secretary in writing at least one month before the AGM, or where appropriate, an SGM called for the purpose.
- 13.3 All such proposed Resolutions, and any such amendments to them, which must be proposed and seconded must be put to a vote at an AGM, or SGM called for the purpose.
- (a) Using the voting procedures as defined in Clause 12.10, and providing that a majority of two-thirds of the votes of those Full Members and Stakeholder Members present and voting are cast in favour of any proposed Resolution, and any such amendments to them, then the same shall be deemed to be adopted by the Association.
- 13.4 Any member of the Association may, upon giving notice in writing to the General Secretary at least one month before an AGM, or where appropriate, an SGM called for the purpose, propose a vote to nullify a previously approved Resolution. Any such proposal to nullify a Resolution, which must be proposed and seconded, must be put to a vote at an AGM, or SGM called for the purpose.
- (a) Using the voting procedures as defined in Clause 12.10, and providing that a majority of two-thirds of the votes of those Full Members and Stakeholder Members present and voting are cast in favour of nullifying a Resolution, then the same shall be deemed to be nullified by the Association.
- 13.5 All approved Resolutions shall be published on the Class Website alongside the Constitution, detailing the date on which the resolution was approved at the earliest reasonable opportunity of the Resolution being approved.
- 13.6 All nullified Resolutions shall be published on the Class Website alongside the Constitution, detailing the date on which the resolution was nullified at the earliest reasonable opportunity of the Resolution being approved.

14. CLASS RULES

- 14.1 The 29er (including the 29erXX and any other rig variation) is a 'One Design Class' designed by Julian Bethwaite and made by licensed builders from official moulds.
- 14.2 The Class Rules are those approved and published by the International Association, but these may be amended or "interpreted" for UK application, as long as:
- (a) they do not threaten the spirit of the 'One Design' principle; and

- (b) reasonable notice is provided by the committee to allow members to apply the changes prior to the event at which they become effective.

Note: An assumption that members will have identified any changes on the UK or International web site will not be regarded as reasonable notice.

- (c) Reasonable notice will have been deemed to have been provided by emailing members of the class who have provided a valid email address at least 14 days prior to any event at which they become effective or by inclusion within the Sailing Instructions (SI's) for that event provided such SI's are published at least 14 days prior to that event.

14.3 The Association will support the International Association in maintaining the one design character of the 29er (including the 29erXX and any other rig variation) and will report to the International Association, any matter which may appear to violate or threaten the spirit of the Class Rules.

14.4 The role of the Class Measurer appointed by the Committee is to:

- (a) Advise on any technical matters relevant to the Class.
- (b) Ensure that the one design control of the Class is properly exercised by the builders and suppliers in accordance with the Manufacturing Specifications and Handbook.
- (c) Investigate any query by a member or boat owner regarding the one design or specification of the boat, and to report to the Committee on the outcome.
- (d) Consult with the builders on any development of the boat or equipment deemed to be desirable as a result of sailing experience.
- (e) Ensure that boats used in major championships and regattas comply with the Class Rules.

14.5 Any changes to the Class Rules affecting the manufacturing of the 29er (including the 29erXX and any other rig variation) may only be approved after consultation with and agreement of the builder.

15. AMENDMENTS TO THE CONSTITUTION

15.1 This Constitution may only be amended at an AGM or Special General Meeting.

16. LIMITATIONS AND OTHER REQUIREMENTS

16.1 In the execution of their responsibilities under this constitution, Committee members will not be liable for any loss to members or former members or to the assets of the Association, by reason of any mistake or omission made in good faith by them or any other officer or member of the Committee or for any other matter other than wilful and

individual wrongdoing, omission or fraud on the part of the person who is sought to be made liable.

- 16.2 The Association may be dissolved by a resolution passed by a two-thirds majority of those Full Members present at a Special General Meeting convened for this purpose. The resolution may include proposals for the disposal of any assets held by or in the name of the Association, following the satisfaction of all debts and liabilities. Such assets will not be paid to or distributed among the members, but given or transferred to such other charitable organisations or institutions having objects similar to some or all of those of the Association, as the members may determine.
- 16.3 The Association will ensure that adequate insurance cover is provided for public and employer's liability.