



AUSTRALIAN FORMULA 18 CATAMARAN ASSOCIATION

APPROVED CONSTITUTION NOV 05 2003

AMENDED 13 August 2005 Item 9.9 – National AGM

1 TITLE

The full title of the Association shall be the Australian Formula 18 Catamaran Association .

2 OBJECT

The object of the Australian Formula 18 Catamaran Association is to promote the interest of the F18 Class throughout the Australia, i.e. :

2.1 - To coordinate and manage the affairs and rules of the class in cooperation with the International Formula 18 Catamaran Association, the Australian Yachting Federation and registered builders.

2.2 - To maintain the level rating character of the Formula 18 catamarans.

2.3 - To promote and develop competition in the F18 Class.

2.4 - To comply with objects and decisions of the International Formula 18 Catamaran Association.

2.5 - To generally encourage and foster enjoyment of the sporting and recreational aspects of sailing.

3 JURISDICTION AND ORGANISATION

The Australian Class Association shall have authority over any matter of any nature affecting F18 Catamarans throughout Australia, and its power shall be vested in and carried out by the elected officers of the Association as provided in this Constitution and By-Laws, but subject to and in accordance with the General Rules and By-Laws of the Australian Yachting Federation.

4 NATIONAL EXECUTIVE (MANAGEMENT COMMITTEE)

4.1 - The National Executive shall consist of the following elected officers elected at an annual general meeting : the president, vice president, secretary, treasurer, and three general executive members. F18 manufacturers and their employees, are not entitled to hold the position of president or vice-president.

4.2 – The national executive shall meet from time to time at the request of the President and in any case not less than once every twelve months at a venue to be agreed by the President. No meeting shall be valid unless a quorum shall be present and that at least fourteen days notice of the meeting and the business to be conducted thereat shall have been given to all members of the executive, unless all members shall have waived this notice period.

4.3 - At meetings of the National Executive, one half of the elected members shall form a quorum and decisions shall be reached by a majority of votes of those present, each elected member having one vote and the President a casting vote in the event of there being no majority.

4.4 – The executive may appoint additional officers to perform duties or carry out special projects as may from time to time be determined and they shall hold office for such term as is necessary.

4.5-At each annual general meeting of the association,the members of the management committee must retire from office, but are eligible on nomination, for re-election.

5. ELECTING THE MANAGEMENT COMMITTEE

5.1Any two members of the association may nominate another member (the candidate) to serve as a member on the management committee.

5.2 each member at the annual general meeting may vote for any number of candidates not more than the number of vacancies.

6 RESIGNATION OR REMOVAL FROM OFFICE OF MANAGEMENT COMMITTEE MEMBER

6.1 A management committee member may resign from the committee by giving written notice of resignation to the secretary.

6.2 A member may be removed from office at a general meeting of the association if a majority of the members present vote in favour of removing the member.

6.3 Before a vote is taken about removing a member from office, the member must be given a

full and fair opportunity to show cause why he or she should not be removed from office.

6.4 A member has no right of appeal against the member's removal from office

7 VACANCIES ON THE MANAGEMENT COMMITTEE

If a casual vacancy happens on the management committee, the continuing members on the committee may appoint another member to fill the vacancy until the next annual general meeting

8 MEASURERS

8.1 Measurers who are members of the Class Association shall be elected by the elected members of the National Executive. They shall hold office for such term and upon such conditions as the national executive shall decide.

8.2 The **Chief Measurer** shall rule on all questions and challenges relating to the Class Measurement Rules and shall issue interpretations thereof deemed necessary by him, in consultation with the international F18 Association Chief Measurer. All such interpretations shall be binding until approved, rejected or modified by decision of the World Council, duly published to members of the Class Association.

8.3 **Assistant measurers** will assist the chief measurer in carrying out measurement inspections and issuing measurement certification.

9 MEMBERSHIP AND VOTING RIGHTS

9.1 - The following types of ordinary membership shall be recognised :

- a) Full Membership ;
- b) Associate Membership.
- b) Manufacturer Membership

9.2 - Full Membership of the Class Association shall, upon payment of the prescribed annual subscription, be open to any owner of an F18 Catamaran with a current measurement certificate.

9.3 - Associate Membership shall, upon payment of the prescribed annual subscription, be open to any individuals or organisations interested in Formula 18 Catamarans.

9.4 – Full, Associate, and Manufacturer Members shall be bound by this constitution.

9.5 - Each **Full Member** shall be entitled to one vote at any General Meeting of this National F18 Association.

9.6 - **Associate Members** shall be entitled to attend and speak at any meeting, but shall not to vote.

9.7- **Manufacturers** who build or supply class legal Formula 18 Catamarans in Australia, are entitled to apply for **Manufacturer Membership**. Manufacturer Members are entitled to one vote . One employee of the manufacturer is entitled to apply for full membership. All other manufacturer employees are entitled to apply for associate membership.

9.8 there shall be no limit to ordinary memberships.

9.9 All crew members of any competing boat in an official F18 event (National Titles and State Titles) , must be no less than Associate Members.

10 MEMBERSHIP FEES

10.1- The membership fee for each class of membership

(a) is the amount decided by the members from time to time at a general meeting and

(b) is payable when and in the way that the management committee decides

11 ADMISSION OF MEMBERS

The association will accept an application for membership when it receives the application form and the appropriate fee.

12 WHEN MEMBERSHIP ENDS

12.1 The management committee may terminate a member's membership if the member-

(a) does not comply with any of the provisions of these rules or

(b) has membership fees in arrears for more than three months or

(c) conducts himself or herself in a way considered to be injurious or prejudicial to the character or interests of the association.

13 APPEAL AGAINST TERMINATION OF MEMBERSHIP

13.1 A person whose membership has been terminated, may give the secretary written notice of the person's intention to appeal against the decision.

13.2 A notice of intention to appeal must be given to the secretary within one month after the person receives written notice of the decision.

13.3 If the secretary receives a notice of intention to appeal, the secretary must, within three months after the day of receipt, call a general meeting to decide the appeal.

13.4 At the meeting, the applicant must be given a full and fair opportunity to show why the membership should not be terminated.

13.5 Also, the management committee who terminated the membership must be given opportunity to show why the membership should be terminated.

13.6 An appeal must be decided by a vote of members present at the meeting.

14 PROCEDURE AT A GENERAL MEETING

14.1

(a) Each question, matter or resolution must be decided by a majority of votes of the members present and

(b) Each member present and entitled to vote is entitled to one vote only and, if the votes are equal, the chairperson has a casting vote as well as a primary vote ; and

(c) A member is not entitled to vote at a general meeting if the member's annual subscription is in arrears at the date of the meeting ;and

(d) A person may vote in person or by proxy

14.2a The secretary must ensure full and accurate minutes of all questions, matters, resolutions and other proceedings of each management committee meeting and general meeting are entered in a minute book ; and

14.2 b the secretary must ensure the minute book for each general meeting is open for inspection at all reasonable times by any financial member who previously applies to the secretary for the inspection.

14.2 c The minutes of each meeting must be signed by the chairperson of the

meeting , verifying their accuracy.

15 ANNUAL GENERAL MEETING

An annual general meeting shall be held every calendar year at a venue to be decided by the National Executive. The quorum for such a meeting shall be six financial voting members.

16 REGISTER OF MEMBERS

16.1 The management committee must keep a register of members

16.2 A member may apply to the secretary to inspect the membership register.

17 APPEALS TO THE WORLD COUNCIL

Any dispute arising in relation to the National Association, eligibility to race, the interpretation of this constitution and By-Laws or similar matter, other than any dispute as to the interpretation of the International Sailing Rules or any protest within the jurisdiction or a race committee, may be referred, together with all relevant facts, to the World Council whose decision shall be final and binding.

18 ALTERATION OF RULES

18.2 Subject to the associations incorporation act 1981, these rules may be ammended, repealed or added to by a special resolution carried at a general meeting

18.3 Such changes only be amended at a general meeting, where at least two thirds of the eligible voting members in attendance have approved the proposed amendment, providing not less than fourteen days notice of such proposed amendment has been given in each case and the national executive have approved the amendment.

19 COMMON SEAL

19.1 The management committee must ensure that the association has a common seal.

19.2 The common seal must be –

(a) kept securely by the management committee

(b) used only under the authority of the management committee

20 FUNDS AND ACCOUNTS

- 20.1 The funds of the association must be kept in an account in the name of an association in a financial institution decided by the management committee.
- 20.2 Records and accounts must be kept showing full and accurate particulars of the financial affairs of the association.
- 20.3 All amounts must be deposited in the financial institution account as soon as practicable after receipt.
- 20.4 Cheques must be signed by any two of the following
- (a) President,
 - (b) Secretary,
 - (c) treasurer
 - (d) another member authorized by the management committee for the purpose.
- 20.5 All expenditure must be approved or ratified by consensus of the management committee meeting.
- 20.6 The treasurer must, as soon as practicable, after the end of each financial year, ensure that a statement containing the following particulars is prepared-
- (a) the income and expenditure for the financial year just ended
 - (b) the association's assets and liabilities at the close of the year
 - (c) the mortgages, charges and securities affecting the property of the association at the close of the year.
- 20.7 The auditor must examine the statement prepared under subsection (6) and present a report about it to the secretary before the next annual general meeting following the financial year for which the audit was made.
- 20.8 The income and property of the association must be used solely in promoting the association's objects and exercising the association's powers.

21 DOCUMENTS

The management committee must ensure the safe custody of books, documents, instruments of title and securities of the association.

22 FINANCIAL YEAR

The financial year of the association closes on June 30 each year.

23 DISTRIBUTION OF SURPLUS ASSETS TO ANOTHER ENTITY

23.1 This section applies if the association

- (a) is wound-up under part 10 of the act and
- (b) it has surplus assets

23.2 The surplus assets must not be distributed among the association members

23.3 The surplus assets must be given to another entity

- (a) having objects similar to the association's objects and
- (b) the rules of which prohibit the distribution of the entities income and assets to its members.

23.4 In this section- « surplus assets » has the meaning given by section 92(3) of the act