

INTERNATIONAL ONE METRE  
NATIONAL CLASS ASSOCIATION

# IOM NCA CONSTITUTION FOR NEW ZEALAND

Version 1.2 December 15, 2019

## 1. ABBREVIATIONS

NZL	New Zealand
NZL IOM NCA	The International One Metre National Class Association of New Zealand
DNM	Designated National member of IRSA
ICA	International Class Association
IOM	International One Metre
IRSA	International Radio Sailing Association
MNA	Member National Authority of WS
NCA	National Class Association
NCS	National Class Secretary
WS	World Sailing

## 2. DEFINITIONS

Where the following words and phrases are used in their defined sense in this Constitution, they appear in an italic typeface.

<i>Boat</i>	A boat that may comply with the <i>IOM class rules</i> .
<i>Registered Boat</i>	A <i>Boat</i> issued with a hull number by the Certification Authority for NZL.
<i>Certificated Boat</i>	A <i>Registered Boat</i> with a current, valid certificate.
IOM	Where this refers to an actual boat, a <i>Certificated Boat</i> maintained in accordance with the <i>IOM Class Rules</i> .
<i>IOM Class Rules</i>	Rules of the IOM class, an IOM ICA International class of racing yacht recognised by WS, presented and maintained according to the WS format and standard for class rules.
<i>Owner</i>	A person who owns at least one <i>Registered Boat</i> in NZL.
<i>Registered Owner</i>	An <i>Owner</i> who is listed as being current and in good standing with the NZL IOM NCA and NZRYA.
<i>Certificated Owner</i>	A <i>Registered Owner</i> who owns at least one <i>Certificated Boat</i> .
<i>Officer</i>	One of the NZL IOM NCA <i>Management Committee</i> . The definition excludes any member of an NZL IOM NCA Subcommittee being defined as an <i>Officer</i> .
<i>Management Committee</i>	The governing body of the NZL IOM NCA.
<i>World Council</i>	The governing body of the IOM ICA.

<i>Electronic communication</i>	A means of exchanging information including but not limited to the World Wide Web, the Internet, e-mail, fax, telephone, Message Boards.
<i>Regulation</i>	Any rule, ruling, law, byelaw, regulation, directive, guideline, term, condition, instruction, or policy enacted by the <i>Management Committee</i> .
<i>Good Standing</i>	A member is in <i>good standing</i> when they have paid all applicable subscriptions, fees and levies and have not had their membership suspended or terminated.
shall/may	In this Constitution, the word "shall" specifies a mandatory action or procedure, while the word "may" is permissive.

### 3. NAME

- 3.1. The name of the Association shall be the "International One Metre National Class Association for New Zealand" which may be shortened to NZL IOM NCA.

### 4. OBJECTS

- 4.1. The objects of the NZL IOM NCA shall be:
- 4.1.1. To promote and develop IOM class racing throughout NZL.
  - 4.1.2. To provide a structure for class management and for the exchange of information among IOM sailors in NZL.
- 4.2. In furtherance of these objects the NZL IOM NCA shall:
- 4.2.1. Affiliate to the DM for NZL (or the MNA for NZL if no DM exists).
  - 4.2.2. Assist event organisers to hold IOM events in appropriate locations and to proper standards.
  - 4.2.3. Promulgate and review the *IOM Class Rules*, in association with the IOM ICA.
  - 4.2.4. Encourage the development and training of Class measurers, in association with the DM (or MNA if no DM exists) and the IOM ICA.
- 4.3. The NZL IOM NCA is a non-profit making association.

### 5. GOVERNANCE

- 5.1. The NZL IOM NCA shall be governed by and its affairs and property shall be managed and administered on an ongoing basis by its *Management Committee* in accordance with the provisions of this Constitution and the NZL IOM NCA *Regulations*.
- 5.2. The conduct of meetings of the *Management Committee* and of General and Special Meetings shall be according to the current edition of Roberts Rules of Order as varied by any provisions of the *Regulations*.

### 6. GENERAL AND SPECIAL MEETINGS

- 6.1. General and Special Meetings of the NZL IOM NCA may be conducted by *electronic communication*.
- 6.2. At least one General Meeting of the NZL IOM NCA shall be held annually.

- 6.3. A Special Meeting of the NZL IOM NCA may be called according to the provisions of the *Regulations*.
- 6.4. A *Registered Owner* may cast one vote in any ballot in General and Special Meetings of the NZL IOM NCA in accordance with the provisions of the *Regulations*.
- 6.5. **Resolutions**
  - 6.5.1. Proposals for amending this Constitution shall be by Special resolution to a General or Special Meeting of the NZL IOM NCA.
  - 6.5.2. All other resolutions in a General or Special Meeting of the NZL IOM NCA shall be ordinary resolutions.
  - 6.5.3. A Special resolution shall be passed only if 2/3rds or more of the votes cast are in its favour.
  - 6.5.4. Voting on ordinary resolutions shall be by simple majority of the votes cast.
- 6.6. Emergency decisions taken by the *Management Committee* shall be submitted as resolutions to the next General or Special Meeting of the NZL IOM NCA for ratification.
- 6.7. Preparation for and conduct of General and Special Meetings shall be according to the *Regulations*.

## 7. NZL IOM NCA OFFICERS

The *Officers* who may make up the *Management Committee* shall be a minimum of three (3) or maximum of seven (7). One or more of these roles may be combined at the discretion of the NCA.

- 7.1. The NZL IOM NCA shall have the following *Officers* as its *Management Committee*:
  - 7.1.1. Class Chairman
  - 7.1.2. Class Secretary
  - 7.1.3. Class Treasurer
  - 7.1.4. Class Technical Officer
  - 7.1.5. Class Measurer
  - 7.1.6. Class Registrar (if this role is not retained by the NZRYA)
  - 7.1.7. Class Racing Officer
- 7.2. The *Officers* shall be *Registered Owners*.
- 7.3. The *Regulations* provide for the method of election of *Officers* and for the allocation of NCA roles and responsibilities to *Officers*.

## 8. THE MANAGEMENT COMMITTEE

- 8.1. Any meeting of the *Management Committee* shall be chaired by the Class Chairman, or in his or her absence, by an *Officer* elected from amongst the *Officers* present.
- 8.2. Each *Officer* shall have one vote in any ballot that may take place in a meeting of the *Management Committee*.
- 8.3. Voting at *Management Committee* meetings shall be by simple majority of the votes cast. In the event of a tie vote, the chairman of the meeting shall have a casting vote in addition to his or her ordinary vote.
- 8.4. NZL IOM NCA *Management Committee* meetings shall be held by *electronic communication* on such occasions and times, or shall be held at such physical places, as are either called by the NZL IOM NCA Class Chairman or decided by previous meetings of the NZL IOM NCA *Management Committee*.

- 8.5. There shall be at least one NZL IOM NCA *Management Committee* meeting per calendar year.
- 8.6. The NZL IOM NCA *Management Committee* may establish such Sub-committees as it deems necessary.
- 8.7. The *Regulations* provide for the conduct of the *Management Committee* and for the filling of any casual vacancy on the *Management Committee*.

## 9. FINANCES

- 9.1. The NZL IOM NCA may be funded by, but not limited to:
  - 9.1.1. Subscriptions from *Owners*.
  - 9.1.2. A share of an approval fee for the National Championship and other events, negotiated between the NZL IOM NCA *Management Committee* and the organisers of the event.
  - 9.1.3. A share of the entrance fee for the National Championship and other events, negotiated between the NZL IOM NCA *Management Committee* and the organisers of the event.
  - 9.1.4. A share of the fee paid when a *Boat* is registered.
  - 9.1.5. A share of the fee paid when a *Boat* is measured.
  - 9.1.6. A share of the fee paid when a certificate is issued.
  - 9.1.7. Fees for services rendered at the National Championship and other events.
- 9.2. The IOM ICA Regulations provide for the amount of the share of any fee which may be payable to the IOM ICA.
- 9.3. The NZL IOM NCA *Management Committee* shall cause annual accounts to be prepared for each year which truly and fairly show the NZL IOM NCA's capital and its income and expenditure.
- 9.4. The *Regulations* provide for the conduct of NZL IOM NCA finances including the payment of expenses and the maintenance of accounts.

## 10. NOTICE

- 10.1. Where under the *Regulations* or this Constitution the NZL IOM NCA Class Secretary is required to give written notice to any person or body, such notice shall be deemed to have been given according to the provisions of the relevant *Regulations*.
- 10.2. The NZL IOM NCA Class Secretary shall keep a register of such notices, which shall include evidence that the notice has been sent.

## 11. MEMBERSHIP

- 11.1. Any NZRYA Member who is the Owner of a least one Registered IOM boat is automatically a Member of the NZL IOM NCA.

## 12. REMOVAL FROM MEMBERSHIP

- 12.1. A *Registered Owner* shall be removed from membership of the NZL IOM NCA by the *Management Committee* only after a hearing protecting his or her rights to due process including a mutual exchange of evidence prior to the hearing.
- 12.2. A *Registered Owner* may be removed for the following reasons:
  - 12.2.1. Committing an unlawful act in relation to the NZL IOM NCA, the *World Council*, the IOM ICA, or another *Owner*.
  - 12.2.2. For any unsportsmanlike conduct contrary to the interest of the NZL IOM NCA, the *World Council*, the IOM ICA, or another *Owner*.
  - 12.2.3. For intentional violation of the *IOM Class Rules*.
  - 12.2.4. Any failure to uphold or follow the prescriptions of the NZL IOM NCA Constitution or the *Regulations*.
- 12.3. A *Registered Owner* shall be removed from membership of the NZL IOM NCA
  - 12.3.1. During any period in respect of which he or she has not paid his or her subscription or other monies due to the NZL IOM NCA or NZRYA. Such membership may be renewed with immediate effect by payment of outstanding dues or other monies owing.
  - 12.3.2. Upon receipt of notice of his or her resignation by the NZL IOM NCA *Management Committee*.
- 12.4. An *Owner* shall not be entitled to any return of any or any part of his or her subscription in respect of any period for which he or she is removed from membership.

## 13. AMENDMENTS

- 13.1. This Constitution shall only be amended by a Special resolution of a General or Special Meeting of the NZL IOM NCA.

## 14. LIMITATIONS

- 14.1. In the execution of their powers and duties under this Constitution and the provisions of the *Regulations* no *Officer* or other Sub-committee member of the NZL IOM NCA *Management Committee* shall be liable for any loss to any of the members or former members of the *Management Committee* or to the assets of the NZL IOM NCA by reason of any mistake or omission made in good faith by him or any other *Officer* or sub-committee member of the *Management 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.

## 15. DISSOLVING THE ASSOCIATION

- 15.1. If the total membership falls below 5 *Registered Owners* the NZL IOM NMCA shall be dissolved.
- 15.2. In such circumstances the nett funds of the NZL IOM NCA after payment of all outstanding amounts shall pass to the NZRYA.

**16. PROPER LAW AND JURISDICTION**

- 16.1. This Constitution shall be governed by, construed in accordance with, and be enforced by the laws of New Zealand, and all parties consent to the jurisdiction of the courts of New Zealand.
- 16.2. The decisions of the *Management Committee* shall be final, subject to the judgement of a court of proper jurisdiction as provided in Article 16 LIMITATIONS.

This Constitution of the NZL IOM NCA has been accepted by resolution at the Annual General Meeting of the NZL IOM NCA held on \_\_\_\_\_ and is effective as of that date.

Signed on behalf of NZL IOM NCA

Chairman  
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Secretary  
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