

RULES OF THE AUSTRALIAN 16FT SKIFF
ASSOCIATION

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TABLE OF CONTENTS

RULE 1	NAME	3
RULE 2	DEFINITIONS AND INTERPRETATION	4
RULE 3	OBJECTS OF THE AUSTRALIAN ASSOCIATION.....	6
RULE 4	MEMBERSHIP	7
RULE 5	EXECUTIVE COMMITTEE.....	8
RULE 6	FUNCTIONS OF MEMBERS OF THE EXECUTIVE COMMITTEE	11
RULE 7	CONFERENCES	13
RULE 8	THE FINANCIAL MANAGEMENT OF THE ASSOCIATION.....	16
RULE 9	THE ADMINISTRATION OF SKIFF SAILING IN STATES AND TERRITORIES	18
RULE 11	THE AUSTRALIAN CHAMPIONSHIP	20
RULE 12	AMENDING THESE RULES, THE AUSTRALIAN CHAMPIONSHIP STANDARDS AND THE CLASS RULES	24
RULE 13	MISCELLANEOUS MATTERS.....	28
	ATTACHMENT A	29
	STANDING ORDERS	29

RULES OF THE AUSTRALIAN 16FT SKIFF ASSOCIATION

RULE 1 NAME

1.1 The name of the Association shall be the Australian 16ft Skiff Association.

RULE 2 DEFINITIONS AND INTERPRETATION

2.1 Unless the context otherwise requires, the following terms have these meanings:

Annual General Meeting means the conference held immediately prior to the Australian Championships under subrule 7.4.

Applicant means a sailing club seeking to become a member of the Australian Association under Rule 4.

Association and **Australian Association** means the Australian 16ft Skiff Association.

Australian Championship means the regatta organised by the Australian Association in conjunction with the hosting club under Rule 11.

Australian Standards mean the standards made under subrule 11.6 clubs must meet if they wish to hold an Australian Championship.

Class Rules means the rules governing the design of skiffs made under subrule 10.2.

Club means an incorporated entity that conducts the racing of yachts and dinghies that has been accepted as a member of the Australian Association under subrule 4.7.

Elected officers means;

- (a) the President; and
- (b) the Secretary/Treasurer; and
- (c) the Australian Commodore

Executive Committee means the officers of the Australian Association listed in subrule 5.1.

Post includes email, Skype or by facsimile.

Race Committee means the Committee appointed by the Executive to organise the Australian Championship.

Rules means these Rules.

Sailing club means a club registered with a State yachting authority recognised by Yachting Australia.

Secretary/Treasurer means a person elected at an Annual General Meeting to the position created by paragraph 5(1)(b).

Skiff means a 16ft skiff.

16ft skiff means a dinghy, its sails and equipment, which all comply with the Class Rules.

State includes the Australian Capital Territory and the Northern Territory.

State Association means an entity recognised by the Executive Committee regulating skiff sailing in a particular State under subrule 9.1.

- 2.2 The singular includes the plural, and *vice versa*.
- 2.3 Any gender includes all other genders.
- 2.4 Headings are inserted for convenience only, and do not form part of the Rules.
- 2.5 For the purposes of these Rules:
- (a) a notice is taken to have been given; or
 - (b) something is taken to have been sent
- if
- (c) given to a person personally, the day it was given to him; or
 - (d) if mailed, on the day it would have been delivered in the ordinary course of post; or
 - (e) in the case of e-mail or facsimile, at the time indicated by the machine sending the notice that it was sent.
- 2.6 Unless expressly excluded, the definitions and rules of interpretation contained in these Rules also apply to any document able to be made under the Rules of the Australian 16ft Skiff Association.

EXAMPLE: *Unless expressly excluded, the Class Rules made under Rule 10 would utilise the definitions and rules of interpretation set out in this Rule.*

RULE 3 OBJECTS OF THE AUSTRALIAN ASSOCIATION

3.1 The objects of the Australian Association are to:

- (a) establish Class Rules for 16ft skiffs, such as to create a dinghy of substantially uniform performance, with the emphasis in racing being placed in the team effort and skill of the skipper and crew; and
- (b) promote 16ft skiff sailing and racing in the Commonwealth of Australia; and
- (c) control all interstate 16ft skiff racing including, in particular the Australian Championships; and
- (d) affiliate or co-operate with any body or association having as its object the fostering and development of sailing.

RULE 4 MEMBERSHIP

4.1 Membership of the Australian Association is open to:

- (a) a sailing club; which is
- (b) an incorporated entity; that
- (a) conducts the racing of yachts and dinghies; who
- (d) satisfies; and
- (e) continues to satisfy

the conditions set out in subrule 4.3.

4.2 An application to join the Australian Association must be in writing.

4.3 An application must contain evidence that the applicant:

- (i) has registered with it three or more skiffs; and
- (ii) regularly conducts sailing races for those skiffs during its sailing season.

4.4 An applicant is under a duty to find out whether a skiff registered with it is also registered with any other sailing club.

4.5 If a skiff is registered with:

- (a) the applicant; and
- (b) another sailing club

the application must be accompanied by a declaration from the owner of the skiff indicating which club is to be regarded as the skiff's home club.

4.6 When working out how many skiffs are registered with an applicant for the purposes of subparagraph 4.3(a)(i), the Executive Committee mustn't count skiffs that are:

- (a) registered with the applicant; but
- (b) have as their declared home club another sailing club.

4.7 Where the Executive Committee is satisfied a club satisfies the requirements contained in subrule 4.3, the committee must admit the club as a member of the Australian Association.

RULE 5 EXECUTIVE COMMITTEE

Members of the Executive Committee

5.1 The Executive Committee of the Australian Association shall consist of:

- (a) the President; and
- (b) the Secretary/Treasurer; and
- (c) the Australian Commodore; and
- (d) a person representing each State Association.

Qualifications of Executive Committee members

5.2 The:

- (a) President;
- (b) Secretary/Treasurer; and
- (c) Australian Commodore

known in these Rules as the **elected officers**

- (d) are to be elected at the Annual General Meeting each year;
and
- (e) hold office from the conclusion of one Australian Championship to the conclusion of the next Australian Championship; and
- (f) are eligible for reelection.

5.3 To be eligible to be an elected officer, a person must be a financial member of a club.

Representatives from State Associations

5.4 A representative from a State Association must be:

- (a) a financial member of a club located within the State in which skiff sailing is administered by that Association; and
- (b) a resident of that State; and
- (c) appointed by that Association.

5.5 To appoint a representative, the President or the Secretary of a State Association must provide to the Secretary of the Australian Association a letter on the letterhead of the State Association, indicating:

- (a) the name of the person who is to act as representative; and
- (b) declaring the person was appointed in the manner determined by the State Association.

5.6 A person shall be a representative for a State Association:

- (a) from the time the Secretary/Treasurer receives a letter from the President or Secretary of that Association advising of the person's appointment; until
- (b) the time the Secretary receives a letter from the President or Secretary of that Association indicating that someone else has been appointed as representative.

NOTE: *This means how a person is appointed as a State Representative to the Australian Association is a matter for each individual Association.*

Powers of the Executive Committee

5.7 Subject to subrule 5.8, the Executive Committee shall have the power to do anything which is not inconsistent with the Rules that is:

- (a) necessary and convenient to further the objects of the Association;
or
- (b) required to be done by these Rules.

5.8 Unless expressly permitted by the terms of these Rules, the Executive Committee shall not make decisions which affect decisions made by a State Association relating to the administration of Skiff sailing in that State or Territory relevant to that body.

Procedure of Executive Committee

5.9 The Executive Committee may meet whenever required to deal with business.

5.10 A meeting can be held, and decisions made, using electronic means.

5.11 A quorum for a meeting shall be 3 members.

5.12 A meeting shall be conducted using the standing orders contained in Attachment A to the Rules.

Casual Vacancies

5.13 Where an elected officer either:

- (a) resigns; or
- (b) dies; or
- (c) is a member of a club that has:
 - (i) ceased to exist; or
 - (ii) has left the Australian Association,

the Executive Committee must appoint a person to fill the vacancy until the next Annual General Meeting is held.

5.14 A person appointed to a vacant position under subrule 5.13 must be a financial member of a club.

RULE 6 FUNCTIONS OF MEMBERS OF THE EXECUTIVE COMMITTEE

The President

6.1 The President shall:

(a) preside at:

- (i) Executive Committee meetings; and
- (ii) conferences

at which he is present; and

(b) set the time and place at which such meetings are to be held.

The Secretary/Treasurer

6.2 The Secretary/Treasurer shall:

(a) keep the minutes of meetings of both:

- (i) the Executive Committee; and
- (ii) conferences; and

(b) circulate the minutes of:

- (i) conferences; and
- (ii) meetings of the Executive Committee

to members of the Executive Committee and to clubs; and

(c) advise:

- (i) clubs of the times and places of conferences; and
- (ii) members of the Executive Committee of meetings of the Committee; and

(d) deal with correspondence going to and from the Australian Association; and

(e) administer the funds of the Association in the manner set out in Rule 8; and

- (f) advise clubs in writing, as and when required by these Rules, of all motions submitted, giving full details of the motion and any relevant material required for its consideration, exactly as received by the Secretary from the club moving the motion.

6.3 So as to remove any doubt about the meaning of paragraph 6.2(f), the Secretary shall not:

- (a) add; or
- (b) delete

words contained in a motion received from a club; or

- (c) convey any personal comment on motions received in any way to any person from a club.

The Australian Commodore

6.4 The duty of the Australian Commodore is to assist the Australian Association committee and hosting club with the organisation of all Australian Association controlled skiff racing, including in particular the Australian Championships.

Representatives from State Associations

6.5 Representatives from a State Association shall:

- (a) act as a conduit for information between the Australian Association and clubs conducting skiff sailing within the state or territory administered by the State Association; and
- (b) represent the views of those clubs in matters dealt with by the Executive Committee.

RULE 7 CONFERENCES

- 7.1 Subject to subrule 7.2, the Association in conference shall have the power to do anything which is not inconsistent with the Rules that is:
- (a) necessary and convenient to further the objects of the Association; or
 - (b) required to be done by these Rules.
- 7.2 Unless expressly permitted by the terms of this Rules, the Australian Association in conference shall not act in any way which affect decisions made by a State Association in relation to the administration of skiff sailing in that State.

Ordinary Conferences

- 7.3 Two ordinary conferences of members of the Association must be held:
- (a) one held immediately before, or at the commencement of the Australian Championships; and
 - (b) one at the conclusion, or immediately after the Championships
- at times and places set by the President.

The Annual General Meeting

- 7.4 The conference held immediately before, or at the commencement of the Australian Championships to be the annual general meeting for the Association.
- 7.5 The President must set the time and place for the annual general meeting one month before the meeting is proposed to be held.
- 7.6 The Secretary/Treasurer must circulate a copy of the agenda to clubs no later than 21 days before the date of the proposed meeting.
- 7.7 The annual general meeting must:
- (a) consider the income and expenditure statement for the Association prepared by the Secretary/Treasurer; and
 - (b) determine where the Australian Championships are to be held, as required by subrule 11.6; and
 - (c) elect the elected officers of the Australian Association; and

- (d) set the honorarium payable (if any) to members of the Executive Committee for out-of-pocket expenses incurred whilst discharging responsibilities on behalf of the Australian Association; and
- (e) subject to the standing orders, consider any business raised at the meeting by either a delegate, or a member of the Executive Committee.

Voting at a conference

- 7.8 Each club may cast one vote in relation to any resolution or election conducted during a conference either through:
- (a) a delegate; or
 - (b) by proxy.
- 7.9 To appoint a delegate, the Commodore or Secretary of a club must provide to the Secretary/Treasurer of the Australian Association a letter on the letterhead of the club, containing the name of the person who is to act as delegate at least 24 hours before the commencement of the relevant conference.
- 7.10 To appoint a proxy, the Commodore or Secretary of a club must provide to the Secretary/Treasurer of the Australian Association a letter on the letterhead of the club containing the name of the person who is to act as proxy at least 24 hours before the commencement of the relevant conference.
- 7.11 A quorum for a conference shall be present when one half of clubs are represented either by a:
- (a) delegate; or
 - (b) proxy.
- 7.12 A meeting of the Association in conference must be conducted using the Standing Orders contained in attachment A to the Rules.
- 7.13 So as to remove any doubt, a member of the Executive Committee can participate in meetings of the Association in conference, but can't vote unless he is a delegate of a club.

Special Conferences

- 7.14 The President must convene, at a place and time determined by him, a special conference if the Executive Committee decides that a particular motion should be considered in conference.

NOTE: *If the motion to be considered is the winding up of the Australian Association, one month's notice must be given.*

7.15 The President must convene, at a place and time determined by him, a special conference if the Secretary/Treasurer advises he has received from two-thirds of clubs a letter:

- (a) written under the letterhead of the club; and
- (b) signed by either its Commodore or Secretary

indicating that a particular motion should be discussed by a special conference.

7.16 A motion for a special conference submitted by the clubs under subrule 7.15 must be in identical terms.

7.17 When working out whether two-thirds of Clubs have requested a special conference, the Secretary/Treasurer must only count motions from clubs which are in identical terms.

7.18 The voting provisions of subrules 7.8 to 7.13 inclusive apply to special conferences.

RULE 8 THE FINANCIAL MANAGEMENT OF THE ASSOCIATION

Management

- 8.1 The funds and property of the Australian Association can only be used to further the objects of the Association.
- 8.2 No club or person associated with the Australian Association is to profit from the funds and property of the Association, unless it is:
- (a) interest payable as a condition to a loan given to the Australian Association; or
 - (b) an honorarium paid to a member of the Executive Committee, as approved by a resolution of an annual general meeting of the Australian Association under paragraph 7.7(e); or
 - (c) a *bona fide* business transaction, in which the Australian Association:
 - (iii) receives goods and services; and
 - (iv) is required to pay for those goods and services under ordinary commercial terms and conditions.
- 8.3 The funds of the association are to be derived from:
- (a) nomination fees payable by skiffs to participate in interstate racing controlled by the Australian Association including, in particular, the Australian Championships, as set by the Executive Committee; and
 - (b) donations; and
 - (c) sponsorships acquired for the purposes of defraying the costs of conducting interstate racing; and
 - (d) subject to any resolution passed by the association at a conference, such other sources as the Executive Committee determines.
- 8.4 All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments issued by the Australian Association must be signed by any 2 members of the Executive Committee.
- 8.5 The Secretary/Treasurer must:
- (a) keep a ledger of monies going into and out of the Australian Association; and

- (b) ensure that all monies received on behalf of the Australian Association are deposited into an approved bank account in the name of the Association within a reasonable time of their receipt; and
- (c) prepare an income and expenditure statement for consideration of members at the annual general meeting.

Fees

8.6 *Deleted 25/2/14.*

8.7 *Deleted 25/2/14.*

8.8 *Deleted 25/2/14.*

RULE 9 **THE ADMINISTRATION OF SKIFF SAILING IN STATES AND TERRITORIES**

- 9.1 The Executive Committee may recognise an incorporated entity in each State of Australia as a State Association regulating 16ft skiff sailing in that State.
- 9.2 For the purposes of subrule 9.1, only one Skiff Association for each State can be recognised.
- 9.3 It is a condition of continued recognition of a Skiff Association that it must never approve variation of the Class Rules for local use.
- 9.4 If the Executive Committee is of the opinion a State Association has approved a variation of the Class Rules for local use, it must derecognise the Association as the entity regulating 16ft skiff sailing in that State.
- 9.5 Nothing in this Rule prevents a class rule being made under Rule 10, only affecting:
- (a) skiffs sailing in races conducted by a State Association; for
 - (b) a period specified in the Rule.

NOTE: *This removes any doubt that experimental rules can be made to test new ideas, thus ensuring continued development of the class.*

RULE 10

CLASS RULES

- 10.1 The Australian Association is responsible for developing the Class Rules for the 16ft skiff.
- 10.2 For this purpose, the Australian Association must publish a document called the *Class Rules*.
- 10.3 All skiffs sailing in events organised by:
- (a) the Australian Association; or
 - (b) a State Association; or
 - (c) a club; or
 - (d) any other regatta in which skiffs are recognised as a class
- must comply with the Class Rules.
- 10.4 A State Association must comply with any duties of a State Association set out in the Class Rules.

RULE 11 THE AUSTRALIAN CHAMPIONSHIP

11.1 The Australian Association will assist the hosting club or State Association in organising the Australian 16ft Skiff Championships each sailing season.

Timing and Eligibility of the Australian Championships

11.2 The Australian 16ft Skiff Championships shall be held over a maximum eight (8) day period with the dates as close to the first (1st) day of the calendar year as possible.

11.3 The Australian Championship is open to:

- (a) skiffs registered with a club crewed by
- (b) people who are financial members of a club and hold a current silver card; and who
- (c) pay the regatta entry fee set by the Australian Association in the Notice of Race.

11.4 A person eligible to enter a skiff in the Australian Championships must comply with the terms of the Notice of Race prepared by the Australian Association and Race Committee for that regatta.

11.5 The Australian Championships will be sailed according to the Yachting Australia *Racing Rules of Sailing*, as amended by Sailing Instructions made by the Race Committee.

Location of the Championships

11.6 The Australian Championships will be held at a nominated club or an alternative location chosen from expressions of interest received by the Australian Association Secretary in writing on a club or state association letterhead signed by the relevant commodore or president, at least four (4) weeks prior to the Annual General Meeting. Location of the Championships will be set three (3) years in advance. The location can be decided on:

- (a) at the Annual General Meeting by way of a two-thirds (2/3rd) majority vote in favour (for the purpose of an outcome of Rule 11.6(a), 2/3rd of clubs currently sailing 16ft skiffs must have representation at this meeting); or
- (b) if two-thirds (2/3rd) majority vote is not achieved for reasons that the location may not be suitable or in the interest of the Class, the Australian Association may defer the matter. In this case, within two (2) months of the Annual General Meeting, a ballot to vote under Rule 12.9 will be sent to the clubs which may contain an alternative venue along with the location in question. Clubs will have six (6) weeks to return a YES or NO vote. Approval will be given where two-thirds (2/3rd) of clubs who

- (c) if the Australian Association Secretary receives two or more expressions of interest for the same year from clubs to host an Australian Championships, the guidelines set in Rule 11.6(a) and (b) will apply.

NOTE: *On the basis of only one club submitting an expression of interest and a two-thirds (2/3rd) majority in favour of the location cannot be reached, the Australian Association may assist the club or state with sourcing an alternative location.*

11.7 The cycle in which State the Australian Championship may be sailed:

2013 – 2014	New South Wales (Drummoyne)
2014 – 2015	Western Australia (Belmont)
2015 – 2016	Queensland
2016 – 2017	New South Wales
2017 – 2018	New South Wales
2018 – 2019	Queensland

and so forth.

The cycle can be changed at any Annual General Meeting following an agreement and a two-thirds (2/3rd) majority vote under Rule 12.9 is reached in favour of a change.

A hosting state has the right to forfeit their turn for an alternative location. For this, agreement must be sought from the Australian Association.

11.8 A state without representation at two (2) consecutive Championships prior to its turn will forfeit the right to hold the Championship the next time it is scheduled to be held in that state.

11.9 If the Association recognises a skiff Association in a State other than one in:

- (a) New South Wales; or
- (b) Queensland

the Association will have to restructure the championship structure.

11.10 For the purposes of Rule 11, where:

- (a) a skipper and crew who are members of a club registered in one State; and
- (b) charter a skiff registered with a club in another State; and
- (c) sail the chartered skiff in a heat of an Australian Championship outside their home State; then

there is taken to be a skiff registered in the home State of the skipper and crew competing in the relevant Australian Championship.

NOTE: *This means a State can be represented by three people who are members of a club from that State, who have chartered a skiff registered in another State.*

Championship Standards

11.11 The Association must publish a document called the *Australian Championship Standards*.

11.12 An Australian Championship must be conducted in accordance with the Championship standards.

11.13 A sailing club seeking to conduct an Australian Championship must undertake to conduct the championship according to the championship standards.

Role of the Executive Committee, Race Committee and Principal Race Officer

11.14 The Executive Committee must collaborate with the hosting state and club to appoint the Race Committee for the Australian Championship.

11.15 The Race Committee has the general responsibility for the conduct of the Championships.

11.16 The Executive Committee, with the assistance of the hosting state and club shall:

- (a) set the entry fee payable to sail in the Australian Championships; and
- (b) write and distribute a notice of race to clubs, which are consistent with the Class Rules and these rules; and
- (c) write and distribute Sailing Instructions for the Australian Championships, which are consistent with the Class Rules and these rules; and
- (d) appoint a person to be the Principal Race Officer for the Championships.

11.17 The person appointed to be the Principal Race Officer under paragraph 11.16(d) must be qualified as a State Race Officer by a State yachting authority recognised by Yachting Australia.

11.18 The Race Committee can delegate to a sailing club or state association hosting an Australian Championship in a particular year the responsibility of doing all things necessary and convenient to ensure the efficient conduct of

the Championship, including the functions of the Race Committee specified in subrule 11.16.

Declaration the Australian Association can conduct other interstate races

11.19 Nothing in Rule 11 precludes the Australian Association from organising interstate races other than the Australian Championship.

RULE 12 AMENDING THESE RULES, THE AUSTRALIAN CHAMPIONSHIP STANDARDS AND THE CLASS RULES

NOTE: *To assist the reader, terms specially defined for the purposes of this rule are in bold/italics.*

Introduction

12.1 The:

- (a) Rules; or
- (b) Australian Championship Standards; or
- (c) Class Rules

called in this Rule the **core documents**, can only be amended by the way set out in this Rule.

Who can Propose Amendments to the Core Documents

12.2 Either:

- (a) a club; or
- (b) the Executive Committee

can amend the core documents by sending:

- (c) a motion containing the proposed amendment to the core documents, called in this Rule an **original amendment**, and
- (d) a statement of reasons, indicating the reasons for change

to the Secretary/Treasurer, under the letterhead of the club or the Australian Association (as the case requires).

Starting the Amendment Process

12.3 Subject to subrule 12.4, the Secretary/Treasurer must send the documents received under subrule 12.2 to clubs within 14 days of them being received.

12.4 The Secretary/Treasurer mustn't send an **original amendment** to Clubs that:

- (a) lack a statement of reasons; or

- (b) in the case of an amendment to the Class Rules, where no commencement date is proposed.

NOTE: *It is compulsory for a change to the Class Rules to set out a commencement date on which the proposed change is to start.*

Considering the Proposed Amendment

12.5 To allow for discussion and debate, there will be a 5 week period (called in this rule the **consideration period**) starting on the day the Secretary/Treasurer sent the relevant documents to clubs.

12.6 During the *consideration period*, clubs may make an amendment to any *original amendment* (called in this Rule a **subsequent amendment**) by sending the Secretary/Treasurer, under the letterhead of the club and signed by either the Club President or Commodore a document setting out:

- (a) the **subsequent amendment**, and
- (b) a statement of reasons indicating the reasons for the amendment.

NOTE: *The way core documents are amended where a subsequent amendment is received are dealt with by subrules 12.13 - 12.24 inclusive*

Approving an Amendment Where no Changes to the Original Amendment are Proposed During the Consideration Period

12.7 If no *subsequent amendment* to an **original amendment** is received, clubs must decide whether or not to approve of the **original amendment**.

12.8 As soon as practicable after the **consideration period**, the Secretary/Treasurer must send to clubs a notice:

- (a) containing the date the notice was prepared and telling them:
- (b) there have been no **subsequent amendments** to the **original amendment**, and
- (c) they have 28 days from the day indicated in the notice to vote on the **original amendment**.

12.9 A club must vote either:

- (a) yes; or
- (b) no; or
- (c) abstain

from voting on the **original amendment**.

- 12.9 (d) **Procedure to vote** is as follows: Voting clubs must accept only one (1) vote per skiff registered with their club at that given time to conclude their YES or NO vote it returns to the Australian Secretary.

NOTE: *This means a club with four (4) registered skiffs has the same voting rights as a club with 20 registered skiffs, one (1) YES or NO vote the club submits to the Australian Secretary.*

12.10 So as to remove any doubt, any vote purporting to vote "yes" or "no" with a qualification shall be counted as an abstention.

12.11 An amendment to a core document is approved where two-thirds of clubs who return their vote within the prescribed time vote in favour of it.

12.12 The Secretary/Treasurer mustn't count votes received 28 days after the day contained in the notice sent under subrule 12.8.

Amending Core Documents Where Subsequent Amendments are Received During the Consideration Period

12.13 Subject to subrule 12.14, as soon as practicable after the conclusion of the **consideration period**, the Secretary/Treasurer must send a notice to clubs:

- (a) containing the date the notice was prepared; and setting out:
- (b) the **original amendment** (for the purposes of completeness only); and
- (c) any **subsequent amendments** to the *original amendment*; and
- (d) their accompanying statement of reasons; and
- (e) telling them that they have 28 days from the day indicated in the notice to vote on the **subsequent amendments**.

12.14 The Secretary/Treasurer mustn't send **subsequent amendments** to clubs that either:

- (a) lack a statement of reasons; or
- (b) directly negates the spirit and intent of the **original amendment**.

EXAMPLE OF PARAGRAPH 12.14(b): *If a club moves an amendment to say that something must be done, it would be out of order for another club to move an amendment saying the thing must not be done. In that case, the appropriate thing for the dissenting club to do would be to vote against the amendment.*

12.15 A club must vote either:

- (a) yes; or

- (b) no; or
- (c) abstain

on each **subsequent amendment** to an **original amendment**.

12.16 So as to remove any doubt, any vote purporting to vote "yes" or "no" with a qualification shall be treated as an abstention.

12.17 A **subsequent amendment** to a **proposed amendment** is approved where two-thirds of clubs who return their vote within the prescribed time vote in favour of it.

12.18 The Secretary/Treasurer mustn't count votes received 28 days after the day specified in the notice sent under subrule 12.13.

Voting on the Final Amendment

12.19 As soon as practicable, the Secretary/Treasurer must amend the original motion (called in this rule the **altered amendment**) to take regard to subsequent amendments agreed to by clubs, if any.

12.20 The Secretary/Treasurer must then send a notice to clubs:

- (a) containing the date the notice was prepared; and
- (b) setting out the **altered amendment**; and
- (c) telling them that they have 28 days from the day indicated in the notice to vote on the **altered amendment**.

12.21 A club must vote either:

- (a) yes; or
- (b) no; or
- (c) abstain

from voting on the **altered amendment**.

12.22 So as to remove any doubt, any vote purporting to vote "yes" or "no" with a qualification shall be treated as an abstention.

12.23 An altered amendment to a core document is approved where two-thirds of clubs who return their vote within the prescribed time vote in favour of it.

12.24 The Secretary/Treasurer mustn't count votes received 28 days after the day specified in the notice sent under subrule 12.20.

RULE 13 MISCELLANEOUS MATTERS

Custody and Inspection of Books

- 13.1 The Secretary/Treasurer must retain in his possession or control all records, books and other documents relating to the Australian Association.
- 13.2 The Secretary/Treasurer must allow a representative of a club the right to examine the records held by the Secretary/Treasurer at any reasonable time.

Winding-up, and Distribution of Surplus Property

- 13.3 The Australian Association may only be wound up if
- (a) a motion to do so is moved at a conference (including a special conference); and
 - (b) one month's notice has been given of the motion to all members; and
 - (c) three-quarters of clubs agree.
- 13.4 If a decision to wind-up is made to the Australian Association, any surplus property is to be distributed to such person or organisation agreed to by three-quarters of the clubs at the meeting at which the decision to wind-up the Australian Association is made which promotes the sport of sailing in Australia.

ATTACHMENT A
STANDING ORDERS

Commencement of Meeting

- 1(1) If a quorum is not present half an hour after the commencement time of the meeting appearing in the notice of the meeting sent to members, the meeting shall be terminated.
- 1(2) Meetings shall commence promptly at the time set out on the notice paper, or when a quorum is present, and shall continue until all business shown on the agenda has been dealt with or the meeting adjourns, or is otherwise closed pursuant to any other provision in the Standing Orders.
- 1(3) A meeting shall be chaired by:
 - (a) the President; or, in his absence;
 - (b) the Secretary/Treasurer; or, in the absence of both these officers
 - (c) the Australian Commodore.

Application of Standing Orders

- 2(1) Standing Orders pertaining to:
 - (a) a quorum; or
 - (b) how elected officer positions are filledcannot be suspended.
- 2(2) A member may move, at any time when another member does not have the floor, a motion to suspend any other Standing Order(s) on grounds of necessity.
- 2(3) The member proposing to move such a motion shall first state the ambit of the suspension and move that it is a matter of necessity that such motion be forthwith considered.
- 2(4) He shall be allowed 3 minutes to explain the necessity. The question shall then be put forthwith by the Chairman.
- 2(5) If three-quarters of those present and eligible to vote agree to the suspension of standing orders, the relevant orders are suspended.

Order of Business

- 3(1) The agenda shall be considered in the order in which it is set out, unless altered by agreement of the meeting.

- 3(2) The agenda for any meeting shall include, or shall be deemed to include, the item "any other business".
- 3(3) However:
- (a) any motion dealing with a matter for which notice is required may not be moved in "any other business"; and
 - (b) three quarters of those present at the meeting and eligible to vote must agree to discuss the proposed new business.

Motions to be Moved and Seconded

- 4(1) All motions (other than procedural motions) and amendments to motions shall be submitted to the Chairman in writing.
- 4(2) When a listed motion is reached and there is no person present prepared to propose the motion, the motion shall be deemed to have lapsed.
- 4(3) All motions shall be duly proposed and seconded. A motion lacking a seconder shall immediately lapse.
- 4(4) A member seconding a motion may reserve his right to speak to the motion later in the debate.

Objections

- 5 The Chairman, after calling the motion, shall then ask if there is any objection to the motion and, if no member objects, the motion shall be declared carried. If there is an objection, the Chairman shall call on the mover and the seconder to speak to the motion.

Speaking Time Limits

- 6(1) The proposer of the original motion shall be allowed 5 minutes to introduce the motion and 3 minutes to reply to the debate. Other speakers shall be limited to 5 minutes. The meeting may, by resolution, extend the time during which any speaker may be allowed to continue.
- 6(2) Where, on a written agenda, a report to the meeting is to be considered, a period not exceeding 15 minutes shall be allowed for the asking of questions.
- 6(3) Unless otherwise resolved, each member shall have the right to speak:
- (a) once on any motion before the Chair,
 - (b) once on any amendment
 - (c) if the proposer of the motion, in reply in order to wind up the debate.
- 6(4) Not more than 30 minutes shall be allowed for the discussion of any subject (unless extended by the consent of the meeting) and, when such time has expired, the motion shall be put.

Questions

- 7 No questions may be asked of any speaker who has participated in a debate, except for the mover of the motion being debated. Such questions shall only be asked immediately after the mover has spoken. Questions will be limited to clarification of the motion and will not be used to make debating points. Question time for each shall be limited to 5 minutes.

Minimum Debate Requirements

- 8 When a motion or amendment has been moved and seconded, no further speech in support of such motion or amendment shall be heard until after someone has spoken in opposition.

Amendments to Motions

- 9(1) Any member may move to amend a motion before the Chair. A proposed amendment shall be consistent with the subject matter of the original motion and will be deemed "out-of-order" if it negates the general intent of the original motion. Such amendment shall be seconded and, if not seconded, shall lapse.
- 9(2) When an amendment is before the Chair, no further amendments shall be decided until the first amendment has been disposed of.
- 9(3) Debate on all amendments shall take place during the discussion on the original motion and before the mover of a motion replies.

Powers and Responsibilities of the Chairman

- 10(1) The Chairman may conduct the meeting in an informal fashion, subject to the concurrence of the meeting.
- 10(2) When the Chairman rises to speak, any member on his feet shall resume his seat.
- 10(3) A member desiring to speak shall rise in his place and address the Chair. If two or more members desire to address the Chair at the same time, the Chairman shall nominate the next member to speak.
- 10(4) The Chairman shall vacate the Chair if he has a conflict of interests. The Chairman shall vacate the Chair to participate in the debate on any particular subject, and shall appoint a Chairman pro tem who shall be the next most senior member of the Executive.
- 10(5) The Chairman may call upon any person who is responsible for noise or disturbance to withdraw from the meeting. In the event of intractable noise or disturbance, the Chairman may adjourn the meeting.

Personal Explanation

- 11 Any member may at any time make a personal explanation, although there may be no question before the Chair or if he has already spoken to a motion before the Chair, to explain himself in regard to any matter in which he has been quoted or misunderstood but in such case, he shall not introduce any new matter nor interrupt any member addressing the Chair, nor speak for longer than two minutes.

Point of Order

- 12 Any member during a debate may raise a point of order and the speaker called to order shall sit down. The member rising to order shall state concisely, within two minutes, the point of order. The Chairman shall give his ruling without further discussion and, subject to that ruling, the person speaking when the point of order was raised shall be allowed to proceed.

Dissent in the Chairman's Ruling

- 13 A member may move a motion of dissent in the ruling of the Chairman. Should the motion be seconded, the member moving the motion shall have 2 minutes to state the reasons for dissent. The Chairman shall then state within 2 minutes the reason why he made the ruling. The motion shall then be put without further debate.

Moving "The Motion Now Be Put"

- 14(1) A member of the meeting may move at any stage that "the motion now be put". However, it shall not be in order to move that "the motion now be put" until at least two people, in addition to the proposer and seconder, shall have had an opportunity to speak on the question.
- 14(2) It shall not be in order to move that "the motion be not put".

Withdrawing or Adjourning Motions

- 15(1) Once accepted by the Chairman, a motion shall be withdrawn only by leave of the meeting, but may be adjourned to lie on the table for a future meeting.
- 15(2) A member may at any stage of the debate, unless some other member has the floor, move the adjournment of the debate. The Chairman shall, if the motion is seconded, put the motion to adjourn debate with discussion.

Counting the Votes - Ordinary Votes

- 16(1) In submitting the motion before the Chair to the meeting, the Chairman shall state the motion in clear and audible tones. The motion shall be decided by a showing of hands. The Chairman shall declare the motion carried or lost and in the absence of a demand for a recount, the

Chairman's declaration shall be final and conclusive and shall be recorded in the minutes.

16(2) Unless otherwise provided for in these Rules, a motion shall be deemed carried if a majority of those voting vote in favour of it.

16(3) On an equality of votes for any motion, the motion will be taken to have been lost.

Recounts

17 Any member may require a recount. The Chairman shall then again call for showing of hands for and against the motion. The Chairman shall then declare the result of the further vote and such a declaration shall be final and conclusive and shall be recorded by the Secretary of the meeting, along with the number of ayes and noes, in the minutes.

Close of Meeting

18(1) Any member may at any time, when another member does not have the floor, move the adjournment of the meeting. Such motion shall thereupon supersede the business before the Chairman and shall immediately be put to the meeting. If it be carried, the meeting shall stand adjourned to a time and place to be decided at the meeting. If the motion be lost the meeting shall continue.

18(2) If, while no other member is still speaking to a motion, at least three members call for a quorum count, the Chairman shall arrange an immediate count. A call for quorum shall take precedence over all members seeking the call to speak. If the count ascertains that the quorum is not present, then the meeting shall be deemed to close upon the announcement of the count.

Agenda Items Carried Over to Subsequent Meetings

19(1) Where at a meeting, there remain agenda items not dealt with by the meeting, those agenda items shall be placed on the agenda of the next meeting.

19(2) No resolution dealt with at a meeting shall be debated again at the same meeting.

Counting the Votes - Filling Elected Officers Positions at the Annual General Meeting

20(1) Elected officers shall be elected in this order:

- (a) President; then
- (b) Secretary/Treasurer; then
- (c) Australian Commodore

- 20(2) Any person eligible to vote may nominate a person who is eligible to serve as an elected officer to a position.
- 20(3) If only one person is nominated for an elected position, the Chairman shall declare the nominee elected.
- 20(4) If more than one person is nominated, the meeting shall appoint one of its number as a returning officer.
- 20(5) The Returning Officer can't be one of the people standing for election.
- 20(6) The Returning Officer must give each person eligible to vote a blank piece of paper.
- 20(7) The voter must either:
- (a) write the name of one of the nominees; or
 - (b) abstain.
- 20(8) The Returning Officer must then count the votes.
- 20(9) The Returning Officer will declare the nominee with the most votes elected.
- 20(10) If there is a tie, the Returning Officer will place the names of the nominees who have tied in a hat.
- 20(11) The person elected shall be the person whose name is drawn from a hat.