

## CONSTITUTION - NOVEMBER 2003

### NEW SOUTH WALES RADIO YACHTING ASSOCIATION INCORPORATED

1. Name.

The name of the Association is New South Wales Radio Yachting Association Incorporated referred to herein as the "Association".

2. Objects of the Association.

(a) To encourage and promote the sport of Radio Yachting and to organise and control the sport within New South Wales. If any part of this constitution conflicts with the constitution of the Australian Radio Yachting Association, then the Australian Radio Yachting Association constitution shall take precedence.

(b) In furtherance of these aims, the Association shall -

- i. Promote and recognise all classes of yachts for racing;
- ii. Liase with the National Authority in the co-ordination of measurement and registration of all such yachts;
- iii. Obtain and maintain membership of the Australian Radio Yachting Association and any State body having similar objectives;
- iv. To distribute rules and regulations governing racing and rating of radio yachts as issued by the International Sailing Federation - Radio Sailing Division (ISAF-RSD) or other international body of which the Association is a member. The Association shall adopt and abide by such rules and regulations;
- v. Organise, settle conditions, fix dates and venues for sailing of State Championships and approved State Regattas;
- vi. Publicise and act as a source of information on the sport of Radio Yachting.

3. Membership of the Association.

- (a) Membership of the Association shall be open to all members of all radio yacht clubs within the State of New South Wales; and
- (b) Affiliate membership shall be open to radio yacht clubs having a minimum financial membership of six and who conduct a regular program of racing.

- (c) Life Fellow - Honorary Life Fellowship may be conferred by the Association in recognition of valuable service rendered to the Association.

4. Subscriptions.

- (a) The amount of annual subscription shall be set at the preceding November General Meeting.
- (b) The annual subscription shall become due at the Annual General Meeting.
- (c) The subscription of members joining after the 1st April in any year will cover the period up to 30th June the following year.
- (d) Subscriptions shall be due on the first day of July each year.
- (e) If a member's subscription or any other dues are unpaid after the 31st July in any year then he may be deemed to be unfinancial and be struck off the register of members.

5. Register of Members.

- (a) The Secretary of the Association shall keep and maintain a register of members of the Association.
- (b) The name of any person that ceases to be a member shall be removed from the register.
- (c) Members' liabilities:

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

6. Resignation of Members.

A member who delivers notice in writing of his or her resignation from the Association to the Secretary or another Committee member ceases on delivery to be a member.

7. Expulsion of Members.

- (a) If the Committee considers that a member should be expelled from membership of the Association because of his or her conduct being detrimental to the interests of the Association, the Committee shall communicate, either orally or in writing, to the member-
  - i. Notice of the proposed expulsion and of the time, date and place of the Committee meeting at which the question of that expulsion will be decided; and-
  - ii. Particulars of that conduct,not less than 30 days before the date of the Committee meeting referred to in paragraph (i.).
- (b) At the Committee meeting, the member concerned will be afforded reasonable opportunity to be heard. Following the hearing the Committee shall expel or decline to expel that member from membership of the Association and shall forthwith communicate in writing to the member, the committee's decision.
- (c) A member who is expelled from membership of the Association shall if he or she wishes to appeal against that expulsion, give notice to the Secretary of his or her intention to do so within the period of 14 days of being notified of that expulsion (sub-rule b).
- (d) When a member appeals under sub-rule (c) -
  - i. The Association will call a special general meeting for the purpose of either upholding the Committee's decision or to overturn the Committee's decision to expel the member.
  - ii. The member who gave notice of appeal on the decision of the Committee shall maintain membership of the Association pending the decision of the special general meeting called to hear the appeal.

8. Officers of the Association.

- (a) The officers of the Association who shall hold honorary appointment are:
  - i. President
  - ii. Vice President
  - iii. Secretary
  - iv. Treasurer
  - v. Regatta Officer
  - vi. Publicity Officer

- (b) Officers, who must be financial members of an affiliated club shall be elected at the Annual General Meeting and shall hold office for the ensuing year. Officers are eligible for re-election.
- (c) The duties of Officers are;-
  - i. The president is a member of the Management Committee and shall preside at all meetings of the Committee and the Association at which he is present.
  - ii. The Vice-President is a member of the Management Committee and shall deputise for the President in his absence.
  - iii. The Secretary is a member of the Management Committee and shall call all meetings, issue required notices, Keep a register of attendance and record the minutes of meetings of the Association. He shall deal with correspondence and keep all officers and affiliated clubs informed on matters of the Association.
  - iv. The Treasurer is a member of the Management Committee and shall receive all monies and maintain the accounts for audit prior to the Annual General Meeting.
  - v. The Regatta Officer is a member of the Management Committee and shall maintain a record of dates and venues for State Championships and approved Regattas. Before a club issues any Notice of Race for a regatta approval must first be obtained from the Regatta Officer.
  - vi. The Publicity Officer is a member of the Management Committee and shall advise the Association on matters related to publicity and public relations.

9. The Committee.

- (a) The affairs of the Association shall be managed by the Management Committee.
- (b) The Committee shall be comprised of the five elected officers of the Association.
- (c) The Committee may appoint a natural person to fill a casual vacancy, and such a Committee member shall hold office until the next Annual General Meeting of the Association and may be eligible for re-election.
- (d) A candidate for election as an officer of the Association must be nominated by an affiliated club.

- (e) If a Committee member fails to fulfil the duties as required by his/her office then a Special General Meeting will be called to replace that person. The newly elected person will retain office until the next Annual General Meeting.

10. Financial Year.

The financial year of the Association shall be from 1st day of June to the last day of May of the following year.

11. Rules.

- (a) Subject to the approval by a resolution of the members of the Association these rules may be altered (including alteration to name), or be rescinded and replaced by substitute rules.

- (b) The approved rules shall bind the Association and every member to the same extent.

12. Meetings.

- (a) The Committee may call a special general meeting of the Association at any time, and shall call an annual general meeting within two months of the end of the financial year.

- (b) A special general meeting shall be convened by the Committee upon the signed request by the Secretaries of two affiliated clubs. Such request to contain details of the business to be discussed at the special general meeting.

- (c) Notice of all general meetings shall be given to affiliated clubs at least twenty eight days prior to the date of the meeting. The notice shall contain details of the agenda, special notices, notices of motion and changes in constitution.

13. Proceedings at Meetings.

- (a) The quorum required for a general meeting of the Association shall be a delegate from each of three affiliated clubs plus 2 elected officers.

- (b) If a quorum is not reached, as per 13(a), then the meeting will be reconvened for 1 month later and held irrespective of the quorum being satisfied.

- (c) General meetings shall be chaired by the President or the Vice-President or in their absence by a committee member appointed by the delegates present.

- (d) At any general meeting, a resolution put to a vote shall be decided on a show of hands.
- (e) If a poll is demanded by the chairperson or by three or more delegates present, it shall be taken in such manner as the chairperson directs.

14. Minutes.

- (a) Proper minutes of all proceedings of meetings shall be kept.
- (b) The minutes shall be presented to the next meeting for approval and upon approval shall be signed by the chairperson.
- (c) Copies of the minutes shall be forwarded to Association Officers and affiliated clubs within one month of the date of the meeting.

15. Voting Rights.

- (a) General meetings shall be open to all members.
- (b) Association Officers shall be entitled to one vote on each resolution
- (c) Each affiliated club shall be entitled to two delegates to any general meeting of the Association each of whom may cast one vote on any matter.
- (d) In the event of a tied vote the Chairperson of the meeting may exercise a casting vote.

16. Accounts.

- (a) The Association shall keep such accounting records as are necessary to correctly record and explain the financial position of the Association.
- (b) All withdrawals shall be signed by the Treasurer and the President, or failing one of these, by the Vice-President.
- (c) The accounts of the Association shall be audited annually, or at any time the Committee or a general meeting of the Association may direct.

17. State Championships and Approved Regattas.

- (a) The organisation of State Championships for each registered class shall be allocated to an affiliated club at the General Meeting held during the month of November preceding the year of the Championships.

- (b) State Championships will be held for all classes recognised by the Association. To be classified as a recognised class, at least 6 registered yachts must currently be racing at NSWYA affiliated clubs and have a minimum of 6 entries for the championship to go ahead.
- (c) The club delegated the responsibility for the organising and running of championships may charge such entry fees as may be deemed appropriate and necessary. From the entry fees they will supply the appropriate prizes, trophies, publicity, mailing etc. The proposed entry fee shall be submitted to the Committee for approval prior to the issue of the Notice of Race.
- (d) After a championship event has been completed and all costs involved in the running of the championship have been made, any surplus amount will remain with the host club.
- (e) A report on the event is to be sent to the Association at the completion of the event. This report will set out such items as the amount of income from entry fees, costs involved, the number of entries received and the final results of racing.

18. Winding Up.

The Association may be voluntarily wound up by the following procedure;

- (a) A proposal for winding up of the Association shall be properly submitted to a special meeting called for this purpose and shall require a unanimous approval by that meeting.
- (b) If the proposal is approved in accordance with sub-rule (a) the proposal will be subject to a postal ballot of all financial members of the Association and shall require a majority of two-thirds of the members in favour of the proposal for winding up.

19. Application of Surplus Assets.

- (a) If; when the Association is wound up, some other State body exists which, in the opinion of the Association, has aims and objectives that would enable it to provide appropriate service to the Association members the Association may donate to it trophies and other property and net funds after the payment of all outstanding debts subject to such conditions as the Association shall determine.

- (b) Where no alternative successor is found the Association shall proceed in the following manner;
- i. All donated trophies shall be returned to the donor;
  - ii. All other trophies shall be presented to the person or body that has won the trophy the greatest number of times or, where a tie exists, to a person or body from those with equal scores selected by lot;
  - iii. Net funds after the payment of all outstanding debts shall be donated to a charitable institution or institutions to be determined by the Association at the time.

This Constitution was adopted at Incorporation on 1<sup>st</sup> August 2003 and amended 22<sup>nd</sup> November 2003 and 15th June 2019.