



## RG65 INTERNATIONAL CLASS ASSOCIATION

# CONSTITUTION

Version 1.1

26 March 2022

### PREAMBLE

#### Class Ethos

**The Intent of the RG65 class is to promote friendly radio sailing competition in the Corinthian Spirit and innovation in the design and construction of small radio yachts. In order to achieve this intent, the Policy of the RG65 class is to have a rule set that is sufficiently simple to be understood by novice radio sailing enthusiasts, broad enough to promote innovation and resist type forming, and supported by procedures and policies that are based on trust and fairness between all stakeholders.**

### ABBREVIATIONS

ICA	International Class Association
RG	RG65 Class
NCA	National Class Association
NCS	National Class Secretary

## 1 DEFINITIONS

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

*Boat* A boat that shall comply with the RG65 *class rules*.

*Class Ethos* The preamble statement in this constitution.



<i>Electronic communication</i>	A means of exchanging information including but not limited to the World Wide Web, the Internet, e-mail, telephone, Social Media Message Boards.
<i>Executive Committee</i>	The Officers of the RG65 ICA
<i>Member NCA or NCS</i>	A NCA or NCS which has been granted membership of the <i>World Council</i> .
<i>NCA Constitution</i>	A constitution of the NCA.
<i>NCA Memorandum</i>	A Memorandum of Understanding drawn up between a NCA and the <i>Executive Committee</i> which defines the duties of the NCA with regard to its representation of the <i>Owners</i> in its country, in regard to RG65 ICA matters.
<i>NCS Memorandum</i>	A Memorandum of Understanding drawn up between a NCS and the <i>Executive Committee</i> which defines the duties of the NCS with regard to its representation of the <i>Owners</i> in its country, in regard to RG65 ICA matters.
<i>Officer</i>	Officers are defined in Article 7 and are members of the <i>Executive Committee</i> pursuant to Article 8.1.
<i>Owner</i>	A person who owns at least one <i>Registered Boat</i> .
<i>Registered Boat</i>	A <i>Boat</i> issued with a sail/hull number.
<i>Registered Owner</i>	An <i>Owner</i> who is listed as being current and in good standing with their NCA or NCS (if one exists).
<i>Regulations</i>	The RG65 ICA Regulations.
<i>RG</i>	Collectively refers to an actual RG65 class boat as defined in the <i>Regulations</i> , a <i>Registered Boat</i> maintained in accordance with the <i>RG65 Class Rules</i> .
<i>RG65 Class Rules</i>	Rules of the RG65 class.
<i>shall/may</i>	In this Constitution, the word “shall” specifies a mandatory action or procedure, while the word “may” is permissive.



<i>World Council</i>	The governing body of the RG65 ICA.
<i>World Council Member</i>	An <i>Officer</i> , a Representative of a <i>Member NCA</i> , or a <i>Member NCS</i> .

## **2 NAME**

- 2.1 The name of the Association shall be the "RG65 International Class Association".

## **3 OBJECTS**

- 3.1 The objects of the governing body of RG65 ICA shall be:
- 3.1.1 To promote and develop RG65 class racing under uniform rules throughout the world.
  - 3.1.2 To provide a structure for class management and for the exchange of information among RG65 sailors.
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  - 3.1.3 To encourage the adherence to the principles outlined in *Class Ethos*.
  - 3.1.4 To encourage the formation of RG65 National Class Associations in all countries where *Boats* are raced.
  - 3.1.5 To facilitate and share best practices between NCAs.
  - 3.1.6 Assist event organisers to hold RG65 International Events
  - 3.1.7 Promulgate and review the *RG65 Class Rules*.

## **4 GOVERNANCE**

- 4.1 The RG65 ICA shall be governed by the *World Council* and its affairs and property shall be managed and administered on an ongoing basis by its *Executive Committee* in accordance with the provisions of this Constitution and the *RG65 ICA Regulations*.

## **5 WORLD COUNCIL MEMBERSHIP**

- 5.1 Any country may, upon application to the RG65 ICA Secretary, be granted membership of the *World Council*:
- 5.1.1 As a *Member NCA* provided that:

- 5.1.1.1 Its NCA Constitution has been accepted by the *Executive Committee* in compliance with any applicable *Regulations*.
  - 5.1.1.2 It has formed a duly constituted RG65 NCA with a duly elected committee, for the development of RG65 racing within the country.
  - 5.1.1.3 Their *NCA Memorandum* has been accepted by the *Executive Committee*
  - 5.1.1.4 There are not less than (5) five RG65 *Registered Boats* who are members of the RG65 NCA in that country.
  - 5.1.1.5 There is no other RG65 NCA or NCS in their country already accredited to the *World Council*.
  - 5.1.1.6 Any person or organization, previously granted membership in the *World Council* for the country in question, has agreed to withdraw their membership.
- 5.1.2 As a *Member NCS* provided that:
- 5.1.2.1 His/her *NCS Memorandum* has been accepted by the *Executive Committee*.
  - 5.1.2.2 There are not less than (5) five RG65 Registered Boats who are listed with the RG65 NCS in that country.
  - 5.1.2.3 There is no other RG65 NCA or NCS in his/her country already accredited to the World Council.
  - 5.1.2.4 Any person or organization, previously granted membership in the *World Council* for the country in question, has agreed to withdraw their membership.

## 6 WORLD COUNCIL

- 6.1 The *World Council* shall consist of the *Officers and* one representative of each *Member NCA or NCS*.
- 6.2 The members of the *World Council* shall be bound by this Constitution and shall comply with all resolutions and *Regulations* made in accordance with this Constitution. *Member NCAs* or *NCSs* shall use their best endeavours to ensure that their *Owners* also comply with such resolutions and *Regulations*.
- 6.3 The work of the *World Council* may be conducted by *Electronic communication*.
- 6.4 At least one meeting of the *World Council* shall be held annually.
- 6.5 A special meeting of the *World Council* may be called according to the provisions of the *Regulations*.
- 6.6 The number of votes to be cast by a *Member NCA or NCS* representative in any vote in meetings of the *World Council* shall be in accordance with the provisions of the *Regulations*.
- 6.7 *World Council Resolutions*
  - 6.7.1 Proposals for amending this Constitution or the *RG65 Class Rules* shall be by special resolution of the *World Council*. No *Executive Committee* members may vote on a special resolution in their capacity as *Executive Committee* members. All other resolutions to the *World Council* shall be ordinary resolutions.

- 6.7.2 A special resolution shall be passed only if 2/3rds or more of the votes cast are in its favour.
- 6.7.3 An ordinary resolution shall be passed if greater than 50% of the votes cast are in its favour.
- 6.7.4 A special resolution at the *World Council* requires each *Member NCA* or *Member NCS* to ballot their *Registered Owners* on that resolution. A *Member NCA* or *Member NCS* who is not able to demonstrate the results of their *Owner* ballot on a special resolution shall abstain from voting on that resolution.
- 6.7.5 The RG65 ICA *Regulations* may make provision for a ballot of *Registered Owners* to be required for certain classes of ordinary resolution. *Member NCAs* or *Member NCSs* may otherwise put ordinary resolutions to a ballot of their *Registered Owners* at their discretion.
- 6.8 Emergency decisions taken by the *Executive Committee* shall be submitted as resolutions to the next meeting of the *World Council* for ratification.

## **7 RG65 ICA OFFICERS**

- 7.1 The RG65 ICA shall have the following *Officers*:
- 7.1.1 Chairperson
- 7.1.2 Secretary and Treasurer
- 7.1.3 No more than four other Committee members
- 7.2 The *Officers* shall be *Registered Owners* but need not be *World Council* members.
- 7.3 The *Regulations* provide for the method of election of *Officers*.

## **8 THE EXECUTIVE COMMITTEE**

- 8.1 *The Executive Committee* shall comprise the *Officers* of the RG65 ICA.
- 8.2 Each *Officer* shall have one vote in any ballot that may take place in a meeting of the *Executive Committee*.
- 8.3 The *Regulations* provide for the conduct of the *Executive Committee*.

## **9 CLASS RULES & TECHNICAL SUB-COMMITTEE**

- 9.1 The *World Council* shall elect a Technical Sub-Committee Chairperson. The RG65 ICA Technical Sub-Committee shall consist of at least one *Officer* and at least 2 and no more than 3 other *Registered Owners* appointed by the *Executive Committee*.

- 9.2 The function of the RG65 ICA Technical Sub-Committee may involve, but is not limited to:
- 9.2.1 Recommending any interpretation of the *RG65 Class Rules*.
  - 9.2.2 Considering and advising on any change in the *RG65 Class Rules* proposed to the *World Council*.
  - 9.2.3 Proposing any change in the *RG65 Class Rules* to the *World Council* and explain how they apply to the spirit of the *Class Ethos*.
  - 9.2.4 Helping to ensure that the *Boats* used in International regattas comply with the *RG65 Class Rules* by providing technical assistance as required to the organising authority.
  - 9.2.5 Investigating any query by a *Member NCA or NCS* regarding the specifications of *Boats*.
  - 9.2.6 Assisting suppliers with regard to the *RG65 Class Rules*.
- 9.3 The *Regulations* provide for the conduct of the Technical Sub-committee.

## 10 OTHER SUB-COMMITTEES

- 10.1 The *Executive Committee* may establish such other Sub-committees as it deems necessary. Any such Sub-committee shall consist of an *Officer* as its Chairperson plus at least 2 and no more than 4 other *Registered Owners* appointed by the *Executive Committee*.
- 10.2 The *Executive Committee* may dissolve a Sub-Committee.
- 10.3 The *Regulations* provide for the conduct of other Sub-committees.

## 11 FINANCES

- 11.1 The RG65 ICA may be funded by, but not limited to:
- 11.1.1 An approval fee for International Championships and other International events, negotiated between the *Executive Committee* and the organisers of the event.
  - 11.1.2 A share of the entrance fee of International Championships, negotiated between the *Executive Committee* and the organisers of the event.
  - 11.1.3 Commercial sponsorship and donations.
  - 11.1.4 Fees for services rendered at International and Continental Championships and other International events.
- 11.2 The *Regulations* provide for the conduct of RG65 finances including the payment of expenses and the maintenance of accounts.



## 12 ACCOUNTS

- 12.1 The *Executive Committee* shall annually prepare financial statements for presentation to the *World Council* at the AGM, that consist, at minimum, of a balance sheet as at the previous year end and a statement of income and expenditure for the year then ended. The financial statements shall be approved by the *Executive Committee* before publication and their approval shall be evidenced by the signature of the Chairperson on the balance sheet.
- 12.2 The fiscal period of the *World Council* shall be 1 January to 31 December each year unless changed by resolution of the *World Council*.
- 12.3 A single copy of the accounts for the latest complete fiscal period shall be sent by the *Executive Committee* to each *World Council Member* with the notice of the Annual meeting of the *World Council*.
- 12.4 A digital copy of the accounts shall be published on the ICA Website.

## 13 REMOVAL FROM MEMBERSHIP

- 13.1 A *World Council Member* shall be removed from membership of the *World Council* by the Executive Committee only after a hearing protecting their rights to due process including a mutual exchange of evidence prior to the hearing.
- 13.2 A *World Council Member* may be removed for the following reasons:
- 13.2.1 Committing an unlawful act in relation to the RG65 ICA, the *World Council*, any NCA, NCS, or *Owner*.
- 13.2.2 For any unsportsmanlike conduct contrary to the interest of the RG65 ICA, the *World Council*, any NCA, NCS, or *Owner*.
- 13.2.3 For intentional violation of the *RG65 Class Rules*.
- 13.2.4 For intentional violation of the RG65 Classes Online Community Code of Conduct as defined in the *Regulations*.
- 13.2.5 Any failure to uphold or follow the prescriptions of the RG65 ICA Constitution or the *Regulations*, or in the case of a NCS their *NCS Memorandum*, or in the case of a NCA their Constitution and *NCA Memorandum*.
- 13.3 A *World Council Member* shall be removed from membership
- 13.3.1 During any period in respect of which it has not paid monies due to the RG65 ICA. Such membership may be renewed with immediate effect by payment of outstanding monies owing.
- 13.3.2 Upon receipt of notice of its resignation by the *Executive Committee*.



- 13.3.3 Due to an inability to regularly participate in *World Council* or *Executive Committee* or Sub-committee meetings conducted by *Electronic communications*.

## **14 AMENDMENTS**

- 14.1 This Constitution shall only be amended by a special resolution of the *World Council*.

## **15 LIMITATIONS**

- 15.1 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 *Executive Committee* shall be liable for any loss to any of the members or former members of the *World Council* or to the assets of the *World Council* by reason of any mistake or omission made in good faith by him or any other *Officer* or sub-committee member of the *Executive 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 DISSOLVING THE ASSOCIATION**

- 16.1 If the total membership falls below 100 *Registered Owners* spread between any number of *Member NCAs* or *NCSs*, the RG65 ICA may be dissolved on a majority vote by the *World Council* acting alone.
- 16.2 In such circumstances the net funds of the RG65 ICA after payment of all outstanding amounts shall be donated to a charity linked to sailing. The Charity shall be decided on by the *Executive Committee* at the time.

## **17 TRANSLATION OF DOCUMENTS**

- 17.1 All documents issued by the ICA may be translated into a local language unless expressly prohibited within the document.
- 17.2 In the event of a discrepancy between the local language translation and the original English document issued by the ICA, the original English version of the document shall take priority.

## **18 PROPER LAW AND JURISDICTION**

- 18.1 If a provision of this document is or becomes illegal, invalid or unenforceable in any jurisdiction, that shall not affect:
- 18.1.1 the validity or enforceability in that jurisdiction of any other provision of this document; or



- 18.1.2 the validity or enforceability in other jurisdictions of that or any other provision of this document.
- 18.2 Any decisions of the *Executive Committee* shall be final in matters of the management of the RG65 ICA only if the actions or decisions of the *Executive Committee* are not disputed formally in writing by any member or group of members of the *World Council*. The decision of the *World Council* shall be final, subject to the judgement of a court of proper jurisdiction in the circumstances applying English law as provided in Article 15 LIMITATIONS.