

Tempest Class

Association Rules 2019

1. GENERAL

The title of the Association shall be the International Tempest Association.
The official language of the Association shall be English.
The registered office of the Association is with the secretary.
The place of jurisdiction is the court generally competent for the registered office.

2. OBJECTS

The objects of the Association shall be:

- To manage the affairs of the Class.
- To promote national and international competition in the Class.
- To promote development of the Class throughout the world.
- To ensure new boats can be built and support builders accordingly
- To collaborate with the International Sailing Federation in preserving the one design character of the International Tempest yacht.
- To maintain close cooperation with other national and international bodies.

3. TERMS AND DEFINITIONS

Throughout the Association Rules the following defined terms shall be used:

- (a) The ‘Association’ shall mean the International Tempest Association.
- (b) The ‘Class’ shall mean the class of sailing yacht designed by Ian Proctor and made in accordance with his drawings and specifications and known under the name ‘International Tempest.’
- (c) The ‘National Tempest Association (NTA)’ shall mean the International Tempest Class Association organised by individual countries and recognized by the Association.
- (d) A ‘World Sailing Member National Authority (MNA)’ shall mean the officially recognized authority or organisation controlling and organising the sport of sailing on a national basis in any country.
- (e) The ‘Association Rules’ shall mean the rules governing the conduct of the Association.
- (f) The ‘Class Rules’ shall mean the rules relating to measurement, construction and racing conditions governing the official building of each International Tempest and its rating as a recognised boat within the Class for racing purposes.
- (g) A ‘registered boat’ is an International Tempest yacht whose owners’ membership dues for the prior calendar year have been paid in time and for which the information stipulated in the members and boats list form issued by the Executive Committee has been disclosed in time.

4. MEMBERSHIP AND DUES

4.1 Membership

- (a) Membership to the Association shall be open to all persons interested in the Class upon payment of dues from time to time in force.
- (b) Honorary Life Membership maybe awarded by the General Committee to any person deemed to have made a contribution of particular distinction to the Class.
- (c) Members shall be bound by the Class Rules and the Association Rules.

4.2 Duties

- (a) Membership dues for a particular calendar year shall be payable until the end of January of next calendar year.
- (b) Membership dues shall be paid to the Treasurer of the Association through the appropriate NTA where such exists. Where no NTA exists, membership dues shall be paid directly to the Treasurer of the Association.
- (c) A NTA or individual member whose dues have not been paid in time shall cease to be recognised by the Association and shall lose the rights and privileges of membership.
- (d) Upon payment of dues owing, recognition may be restored at the discretion of the Executive Committee.
- (e) Membership dues shall be fixed by the Executive Committee and ratified by the General Committee for membership through a NTA and these shall include a fee for the registration of one International Tempest yacht.
- (f) Where no NTA exists, dues for individual membership in the Association shall be fixed by the Executive Committee and ratified by the General Committee.
- (g) An additional payment fixed by the Executive Committee and ratified by the General Committee shall be required to register each additional International Tempest yacht by a member.
- (h) Fully paid up members will receive adhesive labels to be fixed to their International Tempest(s) and no International Tempest shall be permitted to take part in an officially sponsored race without a current label.

5. MANAGEMENT

The members of the Association shall delegate jurisdiction, policy and control over all proper Class activities to the General Committee of the Association. The General Committee shall in turn delegate the administration of the Association to the Executive Committee.

5.1 The General Committee

- (a) The General Committee shall consist of the representatives of each NTA, properly appointed in writing, and the Executive Committee.
- (b) Each NTA shall appoint or elect one member to the General Committee. Each NTA representing more than 25 registered International Tempests may appoint or elect one additional member to the General Committee. The term for such appointments shall be one year. The term starts with the Annual General Meeting.
- (c) Not more than two Members-at-Large may be co-opted by the General Committee to serve until the following Annual General Meeting with full voting powers.

- (d) Members of the General Committee shall have one vote each.
- (e) The General Committee shall meet at least once each year at the Annual General Meeting.
- (f) A special meeting of the General Committee shall be convened by the Executive Committee if requested in writing by three or more National Associations.
- (g) A quorum for meetings of the General Committee shall be seven.
- (h) In the event of there not being a quorum, the Executive Committee may perform the functions of the General Committee provided that at least three members of the Executive Committee are present, and provided that at least three nations are represented.

5.2 The Executive Committee

- (a) The Executive Committee shall consist of:
 - President
 - The Vice President
 - Secretary
 - Treasurer (The Secretary may fulfil the function of Treasurer.)
 - Technical Committee Representative
- (b) The officers comprising the Executive Committee shall be elected by the members of the Association every two years at its Annual General Meeting. The term starts with the Annual General Meeting. No President or Vice President may serve for more than four years unless agreed otherwise by the General Committee.
- (c) Members of the Executive Committee shall have one vote each. The quorum for meetings of the Executive Committee shall be three.
- (d) Members of the Executive Committee need not be appointees to the General Committee but shall be members of the Association.

5.3 The Technical Committee

- (a) The Technical Committee shall advise the General Committee and the members upon the interpretation of the Class Rules, shall consider requirements for amendments or additions to such Rules and shall propose to the International Sailing Federation such amendments and additions as have been previously approved by the Association.
- (b) The Technical Committee shall consist of not less than three members who shall be appointed by the Executive Committee.

5.4 Sub-Committees

The Executive Committee may appoint such sub-committees as it may think fit in order to assist or advise in relation to any aspect of management of the Association.

5.5 Vacancies

Vacancies arising in the membership of any committee or sub-committee may be filled by an appointment made by the Executive Committee.

6. VOTING PROCEDURES

6.1 At meetings of the General Committee and the Executive Committee, decisions shall be by a simple majority vote. In the event of a tie, the President shall have a casting vote.

6.2 Election of the Executive Committee shall be by those members of the General Committee present at the Annual General Meeting. The term starts with the Annual General Meeting

6.3 Changes in the Association Rules, Class Rules and Championship Rules shall be made only by International Ballot.

(a) International Ballot means the casting of votes by National Associations in accordance with the following provisions.

- 1 – 05 registered boats, 1 vote
- 06 – 10 registered boats, 2 votes
- 11 – 20 registered boats, 3 votes
- 21 – 30 registered boats, 4 votes
- 31 – 40 registered boats, 5 votes
- 41 – 60 registered boats, 6 votes
- 61 – 80 registered boats, 7 votes
- 81 – 100 registered boats, 8 votes

(b) Only those International Tempest yachts whose owners' membership dues for the prior calendar year have been paid and for which the information stipulated in the members and boats list form issued by the Executive Committee has been disclosed to the Association by end of January of the current calendar year shall be recognized as registered boats. Boats that are built during a year become eligible at once, when the membership dues are paid and the details required have been disclosed to the Association.

(c) International Ballot voting slips shall be sent to each National Association secretariats; also stating the number of registered boats and allocated votes of the respective NTA. The process, with which a National Association determines how to exercise its votes, is at its discretion. A National Association may also empower the Executive Committee to vote on its behalf. If any National Association fails to submit its votes within three months of receiving its voting slip, it shall be deemed to have abstained.

6.4 Changes to the Class Rules and Association Rules shall not be valid until they have been approved through International Ballot and approved by the International Sailing Federation.

7. THE ANNUAL GENERAL MEETING OF THE GENERAL COMMITTEE

1) An Annual General Meeting of the General Committee shall be held each year at a time and place to be determined by the Executive Committee and notified to the National Associations by the Secretary. All members of the Association shall be eligible to attend the Annual General Meeting of the General Committee.

2) At least one month before the meeting, the Secretary shall circulate to members of the General Committee and National Association Secretaries an Agenda which shall include:

- (a) Recognition status of National Tempest Associations as of this AGM
- (b) Recognition of the appointed NTA representatives as members of the General Committee
- (c) Report on the Accounts.
- (d) Election of the Executive Committee.
- (e) The Annual Report of the Technical Committee.
- (f) The fixing of membership dues for the ensuing year.
- (g) Appointment of an Auditor.
- (h) Venues and dates for Association Championships for the next calendar year.

3) Nominations in respect of the election of the Executive Committee may be accepted at any time up to the start of the meeting provided they are submitted in writing and accompanied by the written consent of the candidate.

4) Proposals for items to be included in the Agenda should reach the Secretary no later than three months prior to the meeting.

5) Additional items may be included in the Agenda under the heading "Any Other Business" only with the consent of the Executive Committee.

8. ACCOUNTS

1) The General Committee shall be finally responsible for the financial affairs of the Association.

2) The Executive Committee shall cause to be prepared and circulated to all National Associations an annual financial statement, duly audited.

3) All payments shall be made and monies received by the Treasurer (or his deputy as appointed by the Executive Committee) except that payments exceeding EUR800 shall require the signature of the President or Secretary, and the Treasurer.

9. OFFICERS OF HONOUR

1) The General Committee may, as a mark of respect or appreciation for past services to the Association, elect any member or former member to an Office of Honour. Offices of Honour may include that of Commodore, Vice Commodore or such other title as the General Committee may at the time of election prescribe

2) A member elected to an Office of Honour shall hold such office for life. Upon election to an Office of Honour he shall be deemed to have retired from any office or position previously held by him.

3) An Officer of Honour shall be entitled to receive notice of and to attend and to participate in the deliberations of all meetings of the General Committee, but shall not be entitled to vote.

10. NATIONAL ASSOCIATIONS

- 1) National Associations may be formed in individual countries and shall be recognised by the Association at the discretion of the Executive Committee. They shall be autonomous.
- 2) The Executive Committee shall lay down rules or guidelines for the recognition of the National Associations.
- 3) National Associations shall be responsible to the Association for the enforcement of the Class Rules and for promoting the Objects of the Association within their national boundaries.
- 4) National Associations shall be responsible for collecting Association dues from each of their boat owners and for remitting such dues together with a list of relevant names to the Treasurer of the Association.
- 5) National Associations shall be responsible for collecting the information stipulated in the members and boats list. The list shall be sent to the Secretary of the Association no later than the end of January of each year.
- 6) National Associations shall be responsible for casting their allotted votes in the international ballot on changes in the Class, Championship and Association Rules.

11 CHAMPIONSHIPS

- 1) The Executive Committee shall arrange an annual World Championship of the Class unless required otherwise by the International Sailing Federation.
- 2) The Executive Committee shall coordinate such regional championships as may be required and all matters pertaining to international championships shall be settled by the Executive Committee in consultation with the sponsoring club and/or relevant National Association or National Authority.
- 3) No yacht shall be permitted to race as an International Tempest unless it complies with Section B of the class rules.

12 MEMBERS INDEMNIFICATION OF COMMITTEE

In pursuance of the authority vested in the Executive Committee by members of the association, members of the Executive Committee are entitled to be indemnified by the members of the Association against any liabilities properly incurred by them or any one of them on behalf of the Association wherever the contract is of a duly authorised nature or could be assumed to be of a duly authorised nature and entered into on behalf of the Association.

The limit of any individual member's indemnity in this respect shall be a sum equal to one year's membership due including (if appropriate) the registration fee at the then current rate in pursuance of the authority vested in the Executive Committee unless the Executive Committee has been authorised to exceed such limit by an Annual General Meeting of the General Committee. The members of the Executive Committee have no vote in that regard.

13 DISSOLUTION

If, upon the winding up or dissolution of the International Tempest Association, there remains after the satisfaction of all its debts and liabilities any property whatsoever, the same shall not be paid to or distributed amongst the members of the International Tempest Association. The Committee shall dispose of the net assets remaining to one or more of the following:

- (i) to another organisation with similar sports purposes.
- (ii) to the sport's international governing body.