

OF INTERNATIONAL ASSOCIATION OF CLASS 40 FOOT MONOHULLS

*(Approved at the Annual General Meeting on January 30th, 2016)***I- SUBSCRIPTIONS**

The Association is based on subscriptions.

A boat whose owner has not paid its subscription, or a skipper who is not a member of the Association, cannot participate in a competition on the Class40 circuit.

Only members of Class40 who are up to date with their subscription will receive the information published by the latter: class measurement documents, letters, newsletters, etc...

For double-handed or fully-crewed races over 800 miles long, the skipper and co-skipper must be members of the Association.

Where a boat is sold and the secretary of the Class40 has been made aware of this prior to the annual Ordinary General Meeting, the active member title is transferred to the new owner if s/he is already a member of the Association.

Buying a Class40 boat does not guarantee acceptance as a Class40 member. Becoming a member of the Class40 prior to purchasing a boat is recommended.

In conformity with the Constitution of the Class40, a member does not have the right to vote at the Ordinary General Meetings or Extraordinary General Meetings if s/he has not been a member for over 6 months.

II- CLASS RULES

A boat without a Class40 certificate approved by the Technical Committee, for whatever reason, shall not compete in a race as a Class40, even if this race is not included in the official Class40 race calendar.

Compliance with this rule shall be in accordance with Rule 78 of the World Sailing RRS. The skipper at fault could be excluded from Class40.

The measurement certificate must be obtained two full weeks prior to the start of racing. Dispensation may only be granted for reasons of *force majeure*, accepted by the Technical Committee. (See Appendix to Class Rules 1.5)

To ensure the long-term future of Class40:

- Race organisations must comply with the Class40 Constitution, Rules and Regulations;
- There must be a consistent programme of races for Class40, discussed and agreed by the Class40 Race and Events Committee.

Race organisations shall therefore:

- Include in the Notice of Race their commitment on this matter;
- Submit the Notice of Race to the Class40 Events Committee for validation;
- Have a separate class for Class40s, as long as there are at least 5 entries.

Members of the Association wishing to have a proposed race validated must inform the organiser that the latter needs to contact the Class40 secretariat.

Only races validated by the Class40 Race and Events Committee are allowed to advertise a “Class40” class and ranking.

The Class40 Association may take action, including legal action, against any race organisation which fails to comply with this clause. It is the duty of the members of the Association to ensure that race organisations comply with this requirement.

III – THE EXECUTIVE COMMITTEE

WORK OF THE EXECUTIVE COMMITTEE

The Executive Committee is invested with the most powers to act on behalf of the Association and take or authorise all acts and process the association is authorised to do, and which are not subject to the approval of the Ordinary General Meeting or the Extraordinary General Meeting.

The Executive Committee meets following written notice from the President, or at the request of at least half of its members. The frequency of these meetings will vary and will be a minimum of three times a year.

Attendance by at least half of the members is necessary for the Executive Committee to deliberate legitimately.

Decisions will be taken by the majority of the members present in person. In case of equal votes, the President’s vote is predominant. Proxies are not allowed.

For minor or emergency matters, the vote of the Executive Committee can be collected by phone, fax or email. The decisions taken thereof are binding. These opinions will be stated in minutes and must be recorded in the report of the following Executive Committee meeting.

Any member of the Executive Committee absent from two meetings where there is a vote, without a valid reason, might be excluded, and will not be allowed to stand as a candidate at the next election. The purpose of this rule is to fill the post as quickly as possible.

When a member of the Executive Committee resigns before the end of his/her office, for whatever reason, his/her replacement shall be co-opted by the current Executive Committee.

RESPONSIBILITIES

The members of the Executive Committee:

- Are collectors of opinions and grievances of the members of the Association;
- Must be careful in their exchanges outside the Executive Committee so as not to divulge their personal views;
- Are the representatives and the promoters of decisions and positions taken by the Executive Committee and therefore under no circumstances must they appear to be in disagreement with it;
- Must keep all their exchanges confidential, any stand they take, any drawing up or voting methods concerning the committees' or the Executive Committee's decisions;
- The report of the Executive Committee meeting is the sole permitted form of communication;
- Must engage any negotiation, study, and approach relating to partners for Class40, exclusively in the name of the Class40. They must have been commissioned beforehand and must not under any circumstances do it for personal reasons or for other interests. The person or persons involved should immediately draw up a written report;
- Must not generate interference outside the Executive Committee and any committees between the running of the Class40 and any personal matters;
- Must contribute through debate with the committees or the Executive Committee and constantly strive for a consensus enabling discussions and work to move forward. Each person can express their position by means of their vote;
- Must be present to be able to add their vote to the decisions made by the committees or the Executive Committee;
- Must contribute to the conviviality, openness, and success within the group, given that the Association's aim is to provide a framework where the enjoyment of sailing and being part of a sociable atmosphere is the primary goal;
- In the case of a conflict of interests, the member of the Executive Committee will not vote.

ORGANISATION OF THE EXECUTIVE COMMITTEE

The President:

- Is responsible for the ongoing administration of the Association ;
- Chairs the Executive Committee debates and organises voting on decisions;
- Organises the administrative and financial management of the Class40 through the implementation and management of the necessary structures in agreement with the secretary and the treasurer;
- Approves the Executive Committee's reports;
- Is the primary representative of the Class40 for internal and external communications;
- Shall ensure that commitments made in the name of Class40 are respected;
- Shall ensure that the regulations and ethic are respected.

The Secretary:

- Is responsible for the writing of the minutes of Executive Committee meetings and the Annual General Meetings;
- Ensures that the administrative work of the Class40 is correct;
- Draws up press releases in agreement with the Communications Committee;
- Ensures the legality of the Class40's administrative documents;
- Ensures the development of the website.

The Treasurer:

- Sets the budget and oversees it;
- Is responsible for the legality of the association's accounts.

3 permanent committees have been established to enhance the efficient work of the Executive Committee:

- Technical Committee;
- Race and Events Committee;
- Communications Committee.

The names of these committees' members will be displayed on the website of the Association.

Temporary committees can be established at any time for a subject requiring attention, based on the same system as the permanent committees.

ROLE OF THE HEADS OF COMMITTEES

(Members elected from the Executive Committee or members of the association co-opted by the Executive Committee obtaining a voting right for the subjects of his/her committee)

- Appoint a substitute, after consent of the Executive Committee. If the substitute is not a member of the Executive Committee, he/she can obtain the right to vote from the head of the committee;
- Appoint committee members ratified by the Executive Committee – individuals from outside the Association can be appointed;
- Chair their committee's discussions with the following structure: **Consultation – Debate – Summary - Proposal;**
- Inform the Executive Committee of their committee's agenda;
- Provide a monthly update of work in progress ;
- Submit their committee's agenda for Executive Committee meetings;
- Propose their conclusions and submit to vote to the Executive Committee.

Note: A member of the Executive Committee is not allowed to sit on more than 2 committees. The President will be invited to each committee. S/he may participate in discussions but has no right to vote.

ROLE OF THE PERMANENT COMMITTEES

Role of the Technical Committee:

- To establish proposals for modifications of the Rules;
- To verify the application of the Class40 Rules and interpretation of these in accordance with the Constitution;
- To organise the measurement sessions and definition of procedures;
- To approve trained class measurers;
- Application of non routing;
- Comply with World Sailing - FF Voile safety rules, for which amendments can be made during the sailing season;
- Weather training or other training for members.

Note: Accredited Class40 measurers will automatically be part of this committee.

Role of the Race and Events Committee

- To establish contacts with yacht clubs, cities or companies that might organise events for the Class40;
- To establish the race programme;
- To establish agreements and notice of race with race organisers;
- To implement and follow-up activities with race organisers;

- To follow-up the smooth running of events through close communication with race committees and organisers.

Note: Both of the aforementioned committees must operate in accordance with the FF Voile rules.

Role of the Communications Committee

- Definition of the values represented by the Class40;
- Definition of the lines of communication;
- Definition of the methods and means of communication;
- Drawing up of press releases.

The permanent committees meet at least three times a year at the request of the head of committee, sent at least 15 days before the meeting date.

IV- CODE OF CONDUCT

Each member of the Association is committed to behave both ashore and at sea in a manner which promotes the **best possible image of our Association**. This commitment must also be adopted by a member's shore crew and entourage.

In the case of a supposed infraction of the Rules or racing rules, the plaintiff must act in the same way as if protesting in a race situation, whereby he/she informs the person in question that he/she is protesting, and submits the protest in writing, either to the race committee, or the Technical Committee.

Members of the Association must do their utmost to stop any verbal implication of transgression or cheating, even going as far as denouncing anyone doing this, if necessary, in writing to the Executive Committee.

Each member of the Association will furthermore have a duty of restraint on any discord with the leaders and the members of the Class40, whatever the subject is and in particular with the media.

Each member of the Association must respect the administrators and committee members, as well as complying with their decisions.

Each member of the Association commits among other things to:

- Present a boat in conformity with the Class40 Class Rules;
- Consent to any intervention from the measurers regarding the Rules;
- Comply with the agreed logos of organisers/sponsors/FF Voile/Class40;
- Display the courtesy flags of foreign countries during stopovers;
- Behave in a courteous, sporting manner and respect the race rules;
- Attend briefings and meetings on time;

- Be present at official receptions dressed appropriately;
- Agree to go sailing for photo sessions, as well as any interviews to cover the event in the media as much as possible.

Members of the Executive Committee and/or committees are volunteers. Any request for information must be made to the Class40 secretary, who will coordinate and pass it on. It is judicious and practical to formulate this in writing by letter, fax or email.

At Annual General Meetings, promotional presentations by members who are race organisers, naval architects, equipment suppliers..., may be given by invitation only.

V – DISCIPLINARY COMMITTEE

- The Disciplinary Committee convenes when requested by the Executive Committee. The member of the Association being judged by the Disciplinary Committee has the right to be heard and / or make written submissions in front of the Disciplinary Committee.

The committee is comprised of 4 members chosen because of their neutrality with regard to the facts to be judged in order to ensure the objectivity of their decisions.

Members of the Disciplinary Committee are:

- Two members of the Executive Committee;
- A member of the regulatory authority (federation);
- A person whose authority is acknowledged, chosen by the President, from outside the sailing and Class40 worlds.

There shall be no appeal for decisions made by the Disciplinary Committee.

THESE INTERNAL REGULATIONS ARE IN ADDITION TO THE CONSTITUTION, AND ARE MANDATORY.

MEMBERS OF THE ASSOCIATION MUST COMPLY WITH THEM.

**THE TERMS USED IN CAPITAL LETTERS IN THESE INTERNAL REGULATIONS HAVE THE MEANING GIVEN TO THEM IN THE CONSTITUTION,
UNLESS OTHERWISE STATED IN THE PRESENT INTERNAL REGULATIONS.**

IN CASE OF DISAGREEMENT BETWEEN THE INTERNAL REGULATIONS AND THE CONSTITUTION, THE CONSTITUTION PREVAILS.