

THE CONSTITUTION OF THE AUSTRALIAN ARROW AND ARAFURA CADET ASSOCIATION

This Constitution is operative from 1 December 1990. Amended clauses since that date are listed at the end of this document.

Date of most recent amendment – 14 June 2016.

1. NAME

1.1 The name of the Association shall be the Australian Arrow and Arafura Cadet Association.

2. DEFINITIONS

2.1 In this Constitution the following expressions have the meanings assigned to them respectively, unless those meanings are repugnant to the context or subject matter.

2.1.01 “Arrow” means a boat built in accordance with the Arrow Class Restrictions as laid down by this Association from time to time.

2.1.02 “Arafura Cadet” means a boat built in accordance with the Arafura Cadet Class Restrictions as laid down by this Association from time to time.

2.1.03 “Australian Association” means the Australian Arrow and Arafura Cadet Class Association, this document being the Constitution for both Classes.

2.1.04 “Delegate” means a member of a State Association duly appointed by that Association as its representative.

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2.1.06 “Class Vote” means a plebescite in which all members of the member Associations are given the opportunity to cast a vote.

2.1.07 “Financial Guardian Association” means the State Association having the control of the bank accounts of the Australian Association in accordance with paragraph 9.1 hereof.

2.1.08 “Restrictions” means those rules and measurements governing construction, rigging and sails to which a boat must comply to qualify for Class membership.

2.1.09 “State Association” means an organisation of Arrow and Arafura Cadet members in any State or Territory of the Commonwealth of Australia.

3. OBJECTS

The objects of the Association shall be:-

3.1 To promote and encourage the building, sailing and racing of the Class throughout Australia.

3.2 To organise and control the racing of the Class throughout Australia.

3.3 To organise and promote an annual Australian Championship in both Classes.

3.4 To promote adherence to the Class Rules and Restrictions.

4. MEMBERSHIP

- 4.1 Membership is restricted to Associations formed at a State level whose objectives are to promote the Arrow and/or Arafura Cadet Catamaran. The founding Associations are:-
- | | |
|-----------------|------------|
| N.S.W. A.A.C.A. | S.A.A.C.A. |
| N.T.A.A.C.A. | V.A.A.C.A. |
| Q.A.A.C.A. | |
- 4.2 Other organisations wishing to join the Association and having the above objectives may be granted membership by a vote of delegates at an Annual General Meeting.
- 4.3 Interim recognition until the next Annual General Meeting may be given to any organisation considered by the Controlling Association to meet the above objectives but not yet admitted to membership.
- 4.4 A change in name by a State Association shall be automatically recognised by the Australian Association.

5. CONTROL OF THE ASSOCIATION

- 5.1 Control of the Australian Association shall be by the State Association in whose State or Territory the next Australian Championships are to be held (hereinafter called the Controlling Association).

6. MEETINGS

6.1 Conduct

- 6.1.01 All meetings shall be conducted in accordance with Joske's "The Law and Procedure of Meetings in Australia" as published from time to time.
- 6.1.02 The President of the Controlling Association shall be Chairman of all meetings. In the President's absence the Vice President shall be the Chairman. In the absence of the President and Vice President, a Chairman shall be elected by the members present.

6.2 Annual General Meeting

- 6.2.01 The Annual General Meeting shall be held at the time of the Australian Championships.
- 6.2.02 Each State Association may send up to four delegates with full voting rights and any number of members with all rights other than voting rights.
- 6.2.03 The business of the AGM shall comprise:-
1. The confirmation of Minutes of the previous AGM.
 2. The presentation of annual reports and the Statement of Receipts, Expenditures and Liabilities.
 3. Discussion and recommendations to the Controlling Association pertaining to the objects of the Association as referred to in Clause 3 hereof.

4. Confirmation by the State Association next due to host the championships of its acceptance of the responsibilities of Controlling Association, and the venue for the next championships.
5. The appointment of the State Association to act as the Financial Guardian Association.

6.3 Quorum

A quorum at the AGM or Special Meeting shall be six delegates from at least three contesting States with voting rights.

6.4 Voting

6.4.01 At all meetings, decisions shall be reached by a simple majority of the votes of delegates, the Chairman having the casting vote in addition to a deliberative vote.

6.4.02 Postal votes by delegates may be lodged with the secretary provided that:-

1. They reach the Secretary before the closing date set for such voting, or
2. They reach the Secretary prior to the commencement of the meeting at which the vote is to be taken if no closing date for voting has been set.

7. MANAGEMENT

7.1 The affairs of the Association shall be managed in all respects by the Committee of the Controlling Association, save and except with respect to amendments to the Constitution and Restrictions.

7.2 The passing of control shall take place 60 days after the date of the AGM. All relevant books and bank accounts shall be forwarded to reach the Secretary-elect not less than 7 days before the expiration of the 60 day period.

8. ALTERATIONS TO THE CONSTITUTION AND CLASS RESTRICTIONS

8.1 Alterations to the Constitution or Class Restrictions shall be by way of a Class Vote. The procedure shall be:-

8.1.01 Details of motions proposing amendments to the Constitution or Restrictions must be in writing and be in the hands of the State Secretary not less than 28 days prior to the meeting at which they are to be considered.

8.1.02 Any motion proposing to amend the Constitution or Restrictions shall be voted on by any method decided on by each State Association provided all members of that Association are given the opportunity to cast a vote.

8.1.03 A motion passed by a State Association shall be forwarded to the Australian Secretary, together with the result of voting.

8.1.04 Upon receipt of a motion proposing to amend the Constitution or Restrictions and passed by a State Association, the Australian Secretary shall present the motion to a Committee Meeting of the Controlling Association which shall be held within 28 days of receipt of the motion.

- 8.1.05 The Australian Secretary shall, within 28 days of the Committee Meeting, notify all State Secretaries of the motion and request a State Vote on the motion.
- 8.1.06 State Secretaries shall give written notice to all members at least 14 days prior to the meeting at which the motion is to be considered.
- 8.1.07 The final date for the return of voting by State Associations shall be 60 days after the date of posting of the motion by the Australian Secretary.
- 8.1.08 In order for a motion amending the Constitution or Restrictions to be passed there must be:
1. a majority of the total votes received from members of State Associations in favour, and
 2. a majority of State Associations approving the motion. In the event of there being an equal number of State Associations voting for and against the motion, the total vote tally shall determine the motion.
- 8.1.09 The Australian Secretary shall inform all State Secretaries of the result of voting within 10 days of the final date for returns.
- 8.1.10 Any amendment to the Restrictions shall not take effect at an Australian Championship unless passed six months prior to the Championship commencing.
- 8.1.11 In matters pertaining to Arrow or Arafura Cadet Class Restrictions, only boat and/or plan owners from both Classes shall be eligible to vote.
- 8.2 Each State Association shall have the right to amend or waive by State Vote, Restriction compliance to suit local conditions or circumstances, or for development purposes, in respect of State events only.

9. FINANCIAL MATTERS

9.1 Bank Accounts

- 9.1.01 The Association shall operate bank and/or society accounts as required. These accounts shall be separate from State Association accounts.
- 9.1.02 The Association bank account(s) shall be maintained by the Financial Guardian Association.

The signatories to the Association accounts shall be two of either the President, Secretary or Treasurer of the Financial Guardian Association.

At the Annual General Meeting the Treasurer (or an appointed nominee) shall table a full report and balance sheet of all transactions in respect of the Association accounts.

The Financial Guardian Association shall abide by the lawful directions of the Controlling Association in the expenditures to occur from the account. The

Financial Guardian Association shall not make or incur any expenditure of Association funds unless it is also the Controlling Association and only then in accordance with normal practice.

9.2 Funds

9.2.01 The income and property of the Association, however derived, shall be applied solely towards the objects of the Association and no portion thereof shall be paid or transferred directly or indirectly to the members of the Association. However nothing shall prevent the payment in good faith of remuneration to any office-bearer or servant of the Association or to any member in return for services actually rendered to the Association, nor prevent any member who is a successful competitor in any competition held or organised by the Association from receiving any prize.

9.2.02 If upon the winding up of the Association there remains after the satisfaction of all its liabilities any property whatsoever, it shall be distributed to the member State Associations in direct proportion to the number of financial members in each Association at the time of dissolution.

9.3 Income

The Association shall derive income from the following sources:-

9.3.01 Capitation fee – at 1 November in each year, each State Secretary shall forward to the Financial Guardian Association the number of members in that State, and shall include a capitation fee of \$5.00 per each boat registered.

9.3.02 Other Income – the Association may generate other income from sponsorship or fund-raising activities.

10. CHAMPIONSHIP

10.1 Eligibility – all persons competing in the Championship conducted by the Association shall be financial members of a State Association.

10.2 Trophy – the Association shall maintain the right to present the Australian Championship Trophy, which shall be in the form decided upon by the Committee of the Controlling Association.

10.2.1 For the Arrow or the Arafura Cadet Championship Trophy to be awarded, there must be a minimum of four boats of the class competing in at least 50% of the completed races.

10.3 Sailing Rules – the sailing rules of the Association shall be those adopted by the Australian Yachting Federation, as amended to suit local conditions by the recognised State/Territory Yachting Association in the host state.

10.3.1 All competing boats shall carry the sail number corresponding with their unique hull number. Variations from this clause shall only be authorised by the Race Committee.

10.4 Duties of the Australian Measurer –

10.4.01 Production of a completed Measurement Certificate or copy thereof signed by a State Measurer, shall be prima facie evidence of compliance with the Restrictions. Any measurement not in accordance with the Restrictions must be clearly stated on the Measurement Certificate.

10.4.02 To compete in the Australian Championship, a skipper must lodge a signed Measurement Certificate or copy for his/her boat with the Australian

Measurer. The Australian Measurer shall make available for inspection all such Measurement Certificates to all competitors.

- 10.4.03 Notwithstanding clause 10.4.01, the Australian Measurer shall measure all sails to be used by competitors at an Australian Championship and sign or mark each complying sail.
- 10.4.04 The Australian Measurer may allow a non-complying boat to compete if in his/her opinion the discrepancy is of a minor nature and of no performance advantage. If the Australian Measurer is of the opinion that a performance advantage may result from a measurement not in accordance with the Restrictions he/she shall refer the matter to the Race Committee for decision.
- 10.4.05 No competitor shall be disqualified if the Australian Measurer has permitted a boat to sail and a protest in respect of any deviation recorded on the Measurement Certificate has not been lodged before the third race of the series.
- 10.4.06 A boat may be liable to protest and disqualification at any time if it does not measure in accordance with its Certificate after due allowance has been made for minor variations due to wear and tear.
- 10.4.07 The boats of the first three place-getters shall be subject to check measurement.
- 10.5.01 To qualify as a junior at an Australian championship, a skipper shall be under 18 years of age on the day of the first heat.
- 10.5.02 To qualify as a veteran at an Australian Arrow championship, a skipper shall be 40 years or older on the day of the first heat.
- 10.6 Prior to the first heat of an Australian championship, a Race Committee made up of the Principal Race Officer and one elected representative from each State competing in the Championship shall be formed. This Committee may meet at any time to decide whether to sail, postpone or abandon a race, or to modify the format of the event. Committee members shall consult widely with members whom they represent. Decisions shall be carried by a simple majority.

Amendments

June 1991	Clause 6.3 amended
July 1995	Clause 9.3.01 amended
June 1997	Clause 10.04.3 added
Sept 2002	CI 10.5.01, 02 & 10.6 added
Dec 2003	Clause 8.1.11 amended
Dec 2009	Clause 11 re-written
June 2015	Clauses 10.2.1, 10.3.1 added
June 2016	CI 9.3.01 amended; clause 11 deleted