

BY-LAWS

ARTICLE I

PURPOSED POLICY

The Association provides a structure for class management and for the exchange of information among Canadian 29er sailors to enhance the enjoyment of these sailboats. Its mission is to promote, foster, encourage and sponsor 29er class racing in Canada, and is accomplished by, but not limited to:

- Publishing a master calendar of 29er sailing events.
- Establishing and sponsoring three regatta series of three or more races each throughout the year: the West Coast Regional 29er Championship series; the Central Region 29er Championship series; the Eastern Region 29er Championship series (each known in their region as the Grand Prix Series).
- Encourage the formation of regional 29er Class squads in all areas where boats are raced.
- Disseminating information regarding youth activities through regional representatives at Member Yacht Clubs.
- Setting up sailing instructor seminars.
- Coordinating and sponsoring 29er seminars.
- Stressing the importance of participation in Canadian Jr. Championships and communicating the methods to accomplish this.
- Awarding the Trophy for the top team at the Canadian Nationals.
- Awarding the Trophy for the top U18 team and top U18 girls team at the Canadian Nationals.
- Liaising with provincial associations and Sail Canada to promote youth activities.
- Acting as an “ombudsman” for junior 29er sailors and their provincial and federal racing associations.
- Creating a long range plan to revise and further the association goals.
- Liaise with continental counterparts to ensure Regional and Continental Championships are held in appropriate locations and to proper standards and shall oversee such events as appropriate.

ARTICLE II

PRINCIPAL OFFICE

The Principal Office of the Association shall be at such location and place as the Executive Committee of the Association may from time to time designate.

ARTICLE III

MEMBERSHIP

Section 1. Qualification. The members of this Association shall consist of any individual or entity who or that is current with the payment of the dues to the Association as established by the Executive Committee.

Section 2. Voting Rights. Members of the Association shall possess the right to a single vote at meetings held for the election of directors, for the purposes of amending the Association’s Constitution or Bylaws, and for any other proper purpose.

Section 3. Obligations of Membership. By becoming a Member of the Association, the member accepts that while sailing, his or her conduct while sailing is governed by the Racing Rules of Sailing, and that the Member otherwise agrees to be bound by these Bylaws and any amendments, the Class Rules, and the Class Construction Manual.

Section 4. Eligibility. A Member shall not be eligible to compete in an Association event until his or her Association dues and Regional dues, if any, have been paid in accordance with the provisions of these Bylaws. In order to participate in any Provincial, Regional or Canadian Championship Regatta, sailors must be a member of the Canadian 29er Class Association, or, if not residing in Canada, of another National 29er Class Association.

Section 5. Suspension or Removal. Any member may be suspended or removed from membership in this Association for conduct prejudicial to the objectives of this Association or inconsistent with the purposes for which it is formed, by a two-thirds vote of the Executive Committee.

Section 6. Compensation. No compensation or salary shall ever be paid by this Association to any member merely because they are a member. Nothing herein contained shall be construed to prevent compensation or salary from being paid to a person who is employed by or renders services for this Association if the compensation or salary paid such person is based upon the reasonable value of the work done or the services performed by such person, even though such person may be a member. The amount of compensation or salary paid any such person shall be determined by the Executive Committee, taking into consideration the time spent and the responsibility assumed by such person in doing the work or rendering the services for this Association.

ARTICLE IV

DUES

Membership dues for the 2023 year shall be as follows:

Junior Membership – \$75.00

Sustaining Membership – \$75.00

Membership dues are payable on January 1 annually

ARTICLE V

FISCAL YEAR

The fiscal year shall be from the Calendar year ending December 31st.

ARTICLE VI

EXECUTIVE COMMITTEE

Section x. Term of Office. The President, Vice Presidents, and Treasurer shall be members of the Association and be elected by the membership for a term of two years. The President and one Vice President shall be elected in odd numbered years. The Treasurer and Secretary shall be elected in even numbered years. Any officer shall be eligible for re-election provided that they have not served more than 8 consecutive years in that office.

Regional Vice-Presidents (Representatives).

There shall be one Vice-President (Representative) from each region as member of the Executive Committee of the Association. Representation on the executive shall be by approval of the Annual General Meeting. Each Region represented shall have at least 5 members in good standing of the Association.

The term of office for officers shall be two (2) years.

No officer shall hold the same position for more than four (4) consecutive years.

ARTICLE VII

MEETINGS

Section 1. Annual General Meeting. The order of Business at the Annual General Meeting shall proceed as follows:

Minutes of the previous general meeting

Business arising from the minutes.

Reports of the Executive.

Reports of the Committees.

Determination of location of the next 29er National Championships.

Nomination of the Executive.

Election of the Executive.

New business.

Adjournment.

Membership dues shall be set at each Annual General Meeting.

For the purpose of calling a general meeting according to Art. 9 of the constitution, a quorum shall be ten (10%) of the current membership. Between January 1 and March 31 of each year for the purposes of calling a general meeting, current membership is defined as the membership as of December 31 of

the previous year. Notice of time, place and agenda of a general meeting shall be given twenty (20) days in advance. Email can be used, using the current membership registry. The Annual General Meeting should be held at the time and location of the Canadian Championship or Cork. The address of the secretariat shall be determined at the Annual General Meeting.

Section 2. Executive Meetings. Three (3) officers of the executive shall constitute a quorum for an executive meeting. Notice of time, place and agenda of executive meetings shall be given to executive members five (5) days in advance.

ARTICLE VIII

FINANCIAL MATTERS

8.1 The association shall be funded by:

- (a) Subscriptions from individual members.
- (b) Donations, sponsorships and grants as available.
- (c) A share of the Entrance fee paid on some Championship (Regional, Provincial, National) events, as negotiated between the Executive Committee and the Organizers of the event.
- (d) Any other revenue negotiated and accepted by the Executive Committee.

8.2 The Association's subscription years shall run from 1 January to 31 December.

8.3 All other fees, such as those for approval of events, professional or other, or for services provided at events, shall be decided by the Executive Committee.

8.4 EXPENSES A budget for expenses shall be agreed each year by the Executive Committee, and expenses shall be reported under a separate heading in the Annual Accounts. The reasonable expenses of the Officers and other members of the Executive Committee in complying with their obligations and exercising their powers under these rules may be payable out of the funds of the Association on application to the Executive committee.

8.5 ACCOUNTS. The Executive Committee shall cause annual accounts to be prepared for each year which truly and fairly show the Association's capital and its income and expenditure. The fiscal period of the Association shall be 1 January to 31 December each year unless changed by resolution. A copy of the accounts for the latest complete fiscal period shall be sent by the Treasurer to the Executive Committee with the notice of the Annual meeting of the Association.

ARTICLE IX

NOTICE

9.1 Where under this Constitution notice is required to be given to any person or body, such notice shall be deemed for the purpose of this Constitution to have been given if it is given by written electronic communication and so that If it is given by written electronic communication it shall be deemed to have been given 24 hours after the sender has successfully dispatched the written electronic communication whereto or not it shall in fact have been received by the person or body concerned within that time or at all. Provided that the Association shall only be entitled to give notice to a person or body by way of written electronic communication, if that person or body shall have provided (and not withdrawn) the address or number for the electronic communication to the Association. Whenever possible, the Association shall keep a record of such notices, which shall include evidence that the notice has been sent.

ARTIVLE X

SUSPENSION AND REMOVAL FROM MEMBERSHIP

10.1 A member, or individual of the Association, may be suspended from membership by the Executive Committee only after a hearing protecting his rights to due process including a mutual exchange of evidence prior to the hearing.

10.2 A member may be suspended for the following:

- (a) Committing an unlawful act in relation to the Association or one of its members, or
- (b) For any unsportsmanlike conduct contrary to the interest of the members of the association, or
- (c) For intentional violation of Class Rules.

10.3 A member National Class Association and/or the International Class Association may apply any such suspension to any of its individual members so suspended

16.4 A member shall not be entitled to any return of any or any part of their subscription in respect of any period for which they shall be suspended or removed from membership.

ARTICLE XI

AMENDMENTS

11.1 The Constitution may only be amended by a special resolution for which notice has been duly given and which is duly proposed and passed at the class' Annual General Meeting meeting pursuant to the terms and conditions of this Constitution. Mail-out ballots will be permitted for the purpose of changing By-laws. A 1/3 vote will be required with a minimum of 10 percent of the membership.

ARTICLE XII

LIMITATIONS

12.1 The Executive Committee shall not be obliged to do any of things required of them by these rules if the Association shall not reasonably be expected to be in funds sufficient to pay their reasonable cost and expenses by the time these costs and expenses are estimated to come due.

12.2 In the execution of their powers and duties under this constitution no member of the Executive Committee shall be liable for any loss to any of the members or former members of the Association or any affiliated organization to the assets of the Association by reason of any mistake or omission made in good faith by a member or member of the Executive Committee or for any other matter other than willful and individual wrongdoing omission or fraud on the part of the person who is sought to be made liable.

ARTICLE XIII

PROPER LAW AND JURISDICTION

13.1 The proper law of the Canadian 29er Class Association shall be Ontario law and this Constitution shall be construed, take effect and be enforced accordingly.

13.2 The decision of the Executive Committee shall be final in matters of the management of the Association. Only if the actions or decisions of the Executive Committee are disputed formally in writing by any member or group of members to the International Class Association would the decision possibly be subject to the judgment of a court of proper jurisdiction in the circumstances applying Ontario law as provided in Article 13.1.

ARTIVLE XIII

POLICIES

14.1 The Association shall adopt such Policies as shall be determined by the Executive Committee, each of which shall have the force and effect of these Bylaws. The interpretation, effectuation and enforcement of all adopted policies shall be at the discretion of the Executive Committee, or a designated Committee, as appropriate.