

**INTERNATIONAL  
FLYING TIGER 10 M  
CLASS CONSTITUTION**

**2005**



## **1 NAME**

The name of the Association shall be The Flying Tiger 10 M International Class Association ("The Association").

## **2 OBJECTIVES**

The objectives of the Association are:

(a) To promote affordable and competitive club-level Flying Tiger 10 M One Design class racing internationally.

(b) To maintain and protect the one-design integrity of the Class and its rules World-wide in cooperation with international and national sailing authorities and Hiptrader LLC, the "Copyright Holder".

(c) In accordance with the Constitution, Rules and Regulations of the International Sailing Federation, to provide a structure for class management and for exchange of information among Flying Tiger 10 M One Design boat owners and sailors.

(d) To co-ordinate the calendar of events and to organize, or appoint organizers for national, international, continental and world championships where appropriate.

(e) Maintain a "not for profit" status

## **3 HEADQUARTERS & OFFICIAL LANGUAGE**

3.1 The headquarters of the Association shall be in a location most convenient for the President or the Secretary and shall be determined by the Executive Committee.

3.2 The official language of the class is English. In the event of a dispute over translation, the English text shall prevail.

3.3 The word "shall" is mandatory, the word "may" is permissive.

## **4 MEMBERSHIP**

4.1 Flying Tiger 10 M One Design owners, including co-owners, who hold a valid Flying Tiger 10 M measurement certificate and who have paid the prescribed annual Membership Dues to their Regional Class Association ("Fleet") or National Class Association ("NCA") shall be members of the Association. Members may vote and hold office, one vote per boat.

4.1a Associate members are members who are registered as crew and whose dues have been paid. Associate members do not have voting rights and shall not hold any official positions regarding fleets or the Class.

4.1b A Regional Class Association or Fleet is a local territorial unit that is self-governed in matters not conflicting with this Constitution and chartered by the Class upon application by the legal owners of six or more FT10s.

4.2 The Members shall be bound by this Constitution, and any properly made amendments thereto.

4.3 Membership, along with all rights and privileges shall be discontinued during any period of unpaid membership dues or other delinquent payments due to the Association.

4.4 Membership may be suspended by the Executive Committee for

(a) committing an unlawful act in relation to the Association or one of its members;  
or

(b) for any un-sportsman-like conduct contrary to the interest of the members of the association; or

(c) for intentional violation of the Class Rules.

## **5 MANAGEMENT**

5.1 The Members delegate responsibility for the day-to-day management and administration of the affairs, activities and property of the Association to the Executive Committee in accordance with the objects of the Association and policy decisions made by the Members at General Meetings.

5.2 The Executive Committee may delegate to any one or more of its number such powers and duties as it shall determine.

## **6 Executive Committee**

6.1 The Executive Committee shall consist of the following:

(a) The Fleet Captain of each Fleet

(b) A representative from the Management Group, chosen by it.

(c) A non-voting member who shall serve the Council as Secretary and Treasurer

\* The Management Group is made up of members from HipTrader LLC and Robert Perry Yacht Designers, Inc.

6.3 The Secretary/Treasurer shall be appointed by the Executive Committee at such time and on terms and conditions determined by it, and need not be a member of the Association.

6.4 The Executive Committee shall elect, from among its member, the International Class President, and the Vice President. Elections will normally occur at a Council meeting held at the time of the Annual General Meeting (AGM) in odd number years, but in case of a vacancy, the Council may elect a replacement at other times. Newly elected officers will take office at the end of the meeting in which they

are elected. The Council shall, in electing its officers, take into account the need for regional rotation in the offices. No President or Vice President shall serve more than four consecutive two year terms in one office.

6.5 The Secretary/Treasurer shall:

(a) carry out the duties imposed by this Constitution.

(b) carry out all tasks as reasonably required by the Executive Committee such as but not limited to administration of the Association's activities, maintenance of subscription records and register of members.

(c) keep minutes of meetings and give notice to members of meetings. The Secretary/Treasurer will communicate the decisions of the Executive Committee to the members and such other persons as the Executive Committee shall direct.

(d) control the funds of the Association and shall make disbursements authorized by the Executive Committee. The Treasurer shall present a budget for the coming year at the AGM.

## **7 EXECUTIVE COMMITTEE MEETINGS**

7.1 Executive Committee meetings shall be held on such occasions and at such places as shall be appropriate to efficiently carry out the business of the Association and as:

(a) are called by the President; or

(b) as decided by a previous meeting of the Executive Committee.

7.2 The Secretary shall give at least two weeks notice of such meetings, but by written agreement of all Executive Committee members, notice may be waived and a meeting may be conducted at their discretion.

Meetings may be held by teleconference or equivalent technology.

7.3 Four members of the Executive Committee, of whom at least three are boat owners, shall constitute a quorum.

7.4 The President shall chair all meetings at which he is present. In his absence, the Vice President shall chair. If neither is present the members present shall elect from amongst themselves a chairman.

7.5 Each member of the Executive Committee shall be entitled to one vote with the following exception:

(a) The President shall have a second and casting vote should there be a tie.

7.6 Taking into consideration 7.5 above, resolutions of the Executive Committee shall be passed by a simple majority except for changes to this Constitution.. Each fleet captain may cast one vote for every six boats in his/her fleet.

## **8 FLYING TIGER 10 M CLASS INTERNATIONAL TECHNICAL COMMITTEE (ITC)**

8.1 The ITC shall be comprised of:

(a) One member chosen by each Fleet (b) A member chosen by the Management Group

These members shall serve on the ITC at the pleasure of the entity that selected them.

8.2 The ITC shall be responsible for monitoring the use and enforcement of the Class Rules, and developing and proposing corrections and improvements to the Rules, all in close co-operation with the Management Group.

8.3 Proposals by Regional Associations, or by individual members for amendment of the Class Rules may be submitted in writing to the ITC.

8.4 The ITC, working closely with the Management Group, shall consider proposals, and may amend and/or submit them with rationale and recommendation to the Executive Committee, for consideration at the AGM or SGM.

8.5 Amendments to the Class Rules proposed by the Technical Committee for consideration and adoption at the Annual General Meeting or Special General Meeting, shall have been submitted to the Members in writing accompanying the notice of meeting, and shall be approved for adoption only by a Special Resolution. Class rule amendments approved by September 1<sup>st</sup> of each year shall not come into effect until January 1<sup>st</sup> of the following year.

8.6 No amendment, interpretation, or revision of the Manufacturing Specification, whether submitted by the Executive Committee, Regional Associations, or Class Technical Committees, shall become effective without the prior written approval of the Management Group.

## **9 GENERAL MEETINGS**

9.1 Each Member shall be entitled to attend Annual and Special General Meetings of the Class.

9.2 An AGM shall be held annually in such place and time as the Executive Committee may consider most convenient to the majority of the members.

(a) The use of internet based conferencing or tele-conferencing is permitted for all General Meetings

9.3 A Special General Meeting ("SGM") shall be called by the Secretary:

(a) On resolution of the Executive Committee, but subject to clause 9.4, or

(b) Forthwith on receipt by the Secretary of, (but not more than six weeks after) a written demand from not less than ten Members for a Special General Meeting, (which demand shall also specify and include any resolution which the members concerned wish to propose at the meeting).

9.4 At least four weeks written/electronic notice, in writing, shall be given by the Secretary to the Members of the Annual or any Special General Meeting together with a copy of the agenda for the meeting and of any resolutions which have been provided.

9.5 The chairman at any General Meeting shall be the President, or in his absence, the Vice President. If neither are present, the meeting shall elect a chairman.

9.7 Each Member present in person or by written proxy shall be entitled to one vote at a General Meeting, one vote per boat

9.8 Voting at General Meetings shall (unless otherwise required by this constitution) be by simple majority of the votes cast, provided that in the event of a tied vote the chairman of the Meeting shall have a casting vote.

9.9 Members representing fifteen boats, present in person or by proxy, shall form a quorum at General Meetings.

9.10 A Special Resolution at a General Meeting (required for amendments to Constitution or Class Rules) shall require for passage that 60% or more of the votes cast are in favor of adoption.

## **10 SUBSCRIPTION, MEMBERSHIP DUES AND OTHER FEES**

10.1 The Association shall be funded by a contribution from each Regional Association, to be determined by the Executive Committee, taking into consideration the Treasurer's recommendation. All other fees, such as those for services provided at events, professional or other, shall be decided by the Executive Committee.

## **11 FUNDS, ACCOUNTS AND EXPENSES**

11.1 The funds of the Association shall be maintained by the Treasurer in a manner approved by the Executive Committee.

11.2 Books shall be kept by the Treasurer that show assets and liabilities of the Association in addition to receipt and expenditure of funds.

11.3 A statement of accounts for the preceding year shall be presented by the Treasurer at the AGM.

11.4 The reasonable expenses of the Executive Committee members in meeting their obligations under this Constitution shall be payable out of the funds of the Association.

## **12 EVENTS**

12.1 All events shall be organized in accordance with the ISAF Racing Rules of Sailing.

12.2 Boat owners shall be members of the Association before racing in a Class event.

12.3 Venues for World Championships and other International class events shall be selected by the International Flying Tiger 10 M Class Executive Committee in consultation with the Management Group.

12.4 The Flying Tiger 10 M Class Association, the Flying Tiger 10 M Executive Committee, and the Management Group shall work together to maximize revenue from television and sponsorship rights relating to the World Championship and other class events. Any agreements entered into relating to such rights shall be mutually agreed by the Association, Executive Committee, and the Management Group and all parties must be signatories to any such agreement.

### **13 MEASUREMENT CERTIFICATES**

13.1 Flying Tiger 10 M One Design measurement certificates shall be issued by the Chief Measurer except for original certificate issued by builder.

13.2 No yacht shall be a Flying Tiger 10 M One Design under this Constitution unless it holds a valid measurement certificate.

13.3 No yacht shall race in a Flying Tiger 10 M One Design event unless it holds a valid measurement certificate.

### **14 AMENDMENTS**

14.1 This Constitution may be amended only by a Special Resolution of which notice has been duly given and which is duly proposed and adopted at a General Meeting in accordance with the foregoing provisions. No amendment shall be made to Article 8.4, 8.5, or 8.6 of this constitution without the prior written approval of the Management Group.

### **15 LIMITATIONS**

15.1 Members of the Executive Committee shall not be obliged to do any of the things required of them by this Constitution if the Association is unable to pay the reasonable costs and expenses thereof.

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