

**INTERNATIONAL ONE METRE
NATIONAL CLASS ASSOCIATION**

**IOM NCA CONSTITUTION
FOR MALAYSIA**

Version 1.0 dated January 16, 2016

1. ABBREVIATIONS

MAS	Malaysia
DM	Division Member of the IRSA
ICA	International Class Association
IOM	International One Metre
ISAF	International Sailing Federation
MNA	Member National Authority of the ISAF
NCA	National Class Association
NCS	National Class Secretary
IRSA	Radio Sailing Division of the ISAF

2. DEFINITIONS

	Where the following words and phrases are used in their defined sense in this Constitution, they appear in an italic typeface.
<i>Boat</i>	A boat that may comply with the <i>IOM class rules</i> .
<i>Registered Boat</i>	A <i>Boat</i> issued with a hull number by the Certification Authority for Malaysia.
<i>Certificated Boat</i>	A <i>Registered Boat</i> with a current, valid certificate.
IOM	Where this refers to an actual boat, a <i>Certificated Boat</i> maintained in accordance with the <i>IOM Class Rules</i> .
<i>IOM Class Rules</i>	Rules of the IOM class, an IOM ICA International class of racing yacht recognised by the ISAF, presented and maintained according to the ISAF format and standard for class rules.
<i>Owner</i>	A person who owns at least one <i>Registered Boat</i> in Malaysia.
<i>Registered Owner</i>	An <i>Owner</i> who is listed as being current and in good standing with the IOM NCA for Malaysia.
<i>Certificated Owner</i>	A <i>Registered Owner</i> who owns at least one <i>Certificated Boat</i> .
<i>Officer</i>	One of the IOM NCA for Malaysia <i>Management Committee</i> . The definition excludes any member of an IOM NCA for Malaysia Sub-committee being defined as an <i>Officer</i> .
IOM NCA for Malaysia	
<i>Management Committee</i>	The governing body of the IOM NCA for Malaysia.
<i>World Council</i>	The governing body of the IOM ICA.

<i>Electronic communication</i>	A means of exchanging information including but not limited to the World Wide Web, the Internet, e-mail, fax, telephone, Message Boards.
<i>Regulation</i>	Any rule, ruling, law, byelaw, regulation, directive, guideline, term, condition, instruction, or policy enacted by the <i>Management Committee</i> .
shall/may	In this Constitution, the word “shall” specifies a mandatory action or procedure, while the word “may” is permissive.

3. NAME

- 3.1. The name of the Association shall be the "International One Metre National Class Association for Malaysia”

4. OBJECTS

- 4.1. The objects of the IOM NCA for Malaysia shall be:
- 4.1.1. To promote and develop IOM class racing throughout Malaysia.
 - 4.1.2. To provide a structure for class management and for the exchange of information among IOM sailors in Malaysia.
- 4.2. In furtherance of these objects the IOM NCA for Malaysia shall:
- 4.2.1. Affiliate to the DM for Malaysia (or the MNA for Malaysia if no DM exists).
 - 4.2.2. Assist event organisers to hold IOM events in appropriate locations and to proper standards.
 - 4.2.3. Promulgate and review the *IOM Class Rules*, in association with the IOM ICA.
 - 4.2.4. Encourage the development and training of Class measurers, in association with the DM (or MNA if no DM exists) and the IOM ICA.
- 4.3. The IOM NCA for Malaysia is a non-profit making association.

5. GOVERNANCE

- 5.1. The IOM NCA for Malaysia shall be governed by and its affairs and property shall be managed and administered on an ongoing basis by its *Management Committee* in accordance with the provisions of this Constitution and the IOM NCA for Malaysia *Regulations*.
- 5.2. The conduct of meetings of the *Management Committee* and of General and Special Meetings shall be according to the current edition of Roberts Rules of Order as varied by any provisions of the *Regulations*.

6. GENERAL AND SPECIAL MEETINGS

- 6.1. General and Special Meetings of the IOM NCA for Malaysia may be conducted by *electronic communication*.
- 6.2. At least one General Meeting of the IOM NCA for Malaysia shall be held annually.
- 6.3. A Special Meeting of the IOM NCA for Malaysia may be called according to the provisions of the *Regulations*.
- 6.4. A *Registered Owner* may cast one vote in any ballot in General and Special Meetings of the IOM NCA for Malaysia in accordance with the provisions of the *Regulations*.

6.5. Resolutions

- 6.5.1. Proposals for amending this Constitution shall be by Special resolution to a General or Special Meeting of the IOM NCA for Malaysia.
- 6.5.2. All other resolutions in a General or Special Meeting of the IOM NCA for Malaysia shall be ordinary resolutions.
- 6.5.3. A Special resolution shall be passed only if 2/3rds or more of the votes cast are in its favour.
- 6.5.4. Voting on ordinary resolutions shall be by simple majority of the votes cast.
- 6.6. Emergency decisions taken by the *Management Committee* shall be submitted as resolutions to the next General or Special Meeting of the IOM NCA for Malaysia for ratification.
- 6.7. Preparation for and conduct of General and Special Meetings shall be according to the *Regulations*.

7. IOM NCA FOR MALAYSIA OFFICERS

- 7.1. The IOM NCA for Malaysia shall have the following *Officers* as its *Management Committee*:
 - 7.1.1. Class Chairman MOHD AFENDY ABDULLAH
 - 7.1.2. Class Secretary RAZALI BIN RASHID
 - 7.1.3. Class Treasurer JOEL POON
 - 7.1.4. Class Technical Officer MOHD NASRI MORAD
 - 7.1.5. Class Measurer KHAIRUL BASHAH
 - 7.1.6. Class Registrar MOHAMED DARILEN
 - 7.1.7. Class Racing Officer AFIFI BIN RASHID
- 7.2. The *Officers* shall be *Registered Owners*.
- 7.3. The *Regulations* provide for the method of election of *Officers* and for the allocation of NCA roles and responsibilities to *Officers*.

8. THE MANAGEMENT COMMITTEE

- 8.1. Any meeting of the *Management Committee* shall be chaired by the Class Chairman, or in his or her absence, by an *Officer* elected from amongst the *Officers* present.
- 8.2. Each *Officer* shall have one vote in any ballot that may take place in a meeting of the *Management Committee*.
- 8.3. Voting at *Management Committee* meetings shall be by simple majority of the votes cast. In the event of a tie vote, the chairman of the meeting shall have a casting vote in addition to his or her ordinary vote.
- 8.4. IOM NCA for Malaysia *Management Committee* meetings shall be held by *electronic communication* on such occasions and times, or shall be held at such physical places, as are either called by the IOM NCA for Malaysia Class Chairman or decided by previous meetings of the IOM NCA for Malaysia *Management Committee*.
- 8.5. There shall be at least one IOM NCA for Malaysia *Management Committee* meeting per calendar year.

- 8.6. The IOM NCA for Malaysia *Management Committee* may establish such Sub-committees as it deems necessary.
- 8.7. The *Regulations* provide for the conduct of the *Management Committee* and for the filling of any casual vacancy on the *Management Committee*.

9. FINANCES

- 9.1. The IOM NCA for Malaysia may be funded by, but not limited to:
- 9.1.1. Subscriptions from *Owners*.
 - 9.1.2. An approval fee for the National Championship and other events, negotiated between the IOM NCA for Malaysia *Management Committee* and the organisers of the event.
 - 9.1.3. A share of the entrance fee of the National Championship, negotiated between the IOM NCA for Malaysia *Management Committee* and the organisers of the event.
 - 9.1.4. A share of the fee paid when a *Boat* is registered.
 - 9.1.5. A share of the fee paid when a *Boat* is measured.
 - 9.1.6. A share of the fee paid when a certificate is issued.
 - 9.1.7. Fees for services rendered at the National Championship and other events.
- 9.2. The IOM NCA for Malaysia *Management Committee* shall cause annual accounts to be prepared for each year which truly and fairly show the IOM NCA for Malaysia's capital and its income and expenditure.
- 9.3. The *Regulations* provide for the conduct of IOM NCA for Malaysia finances including the payment of expenses and the maintenance of accounts.

10. NOTICE

- 10.1. Where under the *Regulations* or this Constitution the IOM NCA for Malaysia Class Secretary is required to give written notice to any person or body, such notice shall be deemed to have been given according to the provisions of the relevant *Regulations*.
- 10.2. The IOM NCA for Malaysia Class Secretary shall keep a register of such notices, which shall include evidence that the notice has been sent.

11. MEMBERSHIP

- 11.1. Membership of the IOM NCA for Malaysia may be granted to an *Owner*.

12. REMOVAL FROM MEMBERSHIP

- 12.1. A *Registered Owner* shall be removed from membership of the IOM NCA for Malaysia by the *Management Committee* only after a hearing protecting his or her rights to due process including a mutual exchange of evidence prior to the hearing.
- 12.2. A *Registered Owner* may be removed for the following reasons:
- 12.2.1. Committing an unlawful act in relation to the IOM NCA for Malaysia, the *World Council*, the IOM ICA, or another *Owner*.

- 12.2.2. For any unsportsmanlike conduct contrary to the interest of the IOM NCA for Malaysia, the *World Council*, the IOM ICA, or another *Owner*.
- 12.2.3. For intentional violation of the *IOM Class Rules*.
- 12.2.4. Any failure to uphold or follow the prescriptions of the IOM NCA for Malaysia Constitution or the *Regulations*.
- 12.3. A *Registered Owner* shall be removed from membership of the IOM NCA for Malaysia
 - 12.3.1. During any period in respect of which he or she has not paid his or her subscription or other monies due to the IOM NCA for Malaysia. Such membership may be renewed with immediate effect by payment of outstanding dues or other monies owing.
 - 12.3.2. Upon receipt of notice of his or her resignation by the IOM NCA for Malaysia *Management Committee*.
- 12.4. An *Owner* shall not be entitled to any return of any or any part of his or her subscription in respect of any period for which he or she is removed from membership.

13. AMENDMENTS

- 13.1. This Constitution shall only be amended by a Special resolution of a General or Special Meeting of the IOM NCA for Malaysia.

14. LIMITATIONS

- 14.1. In the execution of their powers and duties under this Constitution and the provisions of the *Regulations* no *Officer* or other Sub-committee member of the IOM NCA for Malaysia *Management Committee* shall be liable for any loss to any of the members or former members of the *Management Committee* or to the assets of the IOM NCA for Malaysia by reason of any mistake or omission made in good faith by him or any other *Officer* or subcommittee member of the *Management Committee* or for any other matter other than wilful and individual wrongdoing omission or fraud on the part of the person who is sought to be made liable.

15. DISSOLVING THE ASSOCIATION

- 15.1. If the total membership falls below 5 *Registered Owners* the IOM NCA for Malaysia shall be dissolved.
- 15.2. In such circumstances the nett funds of the IOM NCA for Malaysia after payment of all outstanding amounts shall be divided between the *Registered Owners* at the time and date of dissolution.

16. PROPER LAW AND JURISDICTION

- 16.1. This Constitution shall be governed by, construed in accordance with, and be enforced by the laws of Malaysia, and all parties consent to the jurisdiction of the courts of Malaysia.
- 16.2. The decisions of the *Management Committee* shall be final, subject to the judgement of a court of proper jurisdiction as provided in Article 14 LIMITATIONS.