

IMCA Regulations

Overview

The *Regulations*, under the umbrella of the Constitution, outline the day to day work procedures and interactions for the EC Officers, subcommittee members and other people carrying out tasks within or for the IMCA.

1 ABBREVIATIONS

DNM	Delegated National Member of IRSA
ICA	International Class Association
IMCA	International Marblehead Class Association
WS	World Sailing
MNA	Member National Authority as defined by WS
NCA	National Class Association
NCS	National Class Secretary of the DNM or MNA
IRSA	International Radio Sailing Association
TC	Technical Sub-Committee
EVC	Events Sub-Committee
EC	Executive Committee
GA	General Assembly
AMM	Annual Member Meeting
EMM	Extraordinary Members Meeting

2 DEFINITIONS

Where the following words and phrases are used in their defined sense in this Document, they appear in an *italic typeface*.

<i>Address</i>	An email contact.
<i>Boat</i>	A boat that may comply with the Marblehead Class Rules.
<i>Certificated Boat</i>	A <i>Boat</i> with a current, valid certificate.
<i>Owner</i>	A person who is listed as being a current member of the NCA, MNA or DNM and owns at least one <i>Boat</i> .
<i>Member NCA or NCS</i>	An NCA or NCS, which has been granted membership of the IMCA.
<i>Representative</i>	A person who is the main contact between the IMCA and the <i>Member NCA</i> or <i>Member NCS</i> . This person shall be on the Executive of the <i>Member NCA</i> and is expected to be the secretary of the <i>Member NCS</i> .

<i>Officer</i>	One of the IMCA Executive Committee EC members. The definition excludes any member of an IMCA Sub-committee being defined as an Officer. A member of the EC. Chairmen of the TC and EVC shall be <i>Officers</i> but sub-committee members may not.
<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, Internet groups, Internet forums.
<i>NCS Memorandum</i>	A Memorandum of Understanding drawn up between an NCS and the IMCA Executive Committee which defines the duties of the NCS with regard to its representation of the <i>Owners</i> in its country.
<i>DNM NCA Memorandum</i>	A Memorandum of Understanding drawn up between a DNM and the IMCA Executive Committee which defines the duties of the DNM, acting as an NCA, with regard to its representation of the <i>Owners</i> in its country.
<i>Regulation</i>	Any rule, ruling, law, byelaw, regulation, directive, guideline, term, condition, instruction, or policy enacted by the GA.

The word “shall” is mandatory and the word “may” is permissive.

Except where inappropriate to the context, the masculine gender used in this Constitution shall include the feminine.

3 COMMUNICATIONS

- 3.1 All communications shall, wherever possible, be carried out using *electronic communications*.
- 3.2 All incoming communications shall be first sent to the Secretary for distribution to the appropriate *Officers* or sub-committee members.
- 3.3 All outgoing communications from the IMCA shall include a notification to the Secretary for the records. The EC may also be notified if appropriate.

4 CODE OF CONDUCT

- 4.1 The code of conduct for all *Members, Officers* of the EC and sub-committee members shall be contained in a separate document: “IMCA Code of Conduct”.

- 4.2 All forms of meetings conducted within the IMCA shall be carried out formally or informally under the rules of the document: "IMCA Prescriptions for Association Meetings".
- 4.3 All new *Officers* and sub-committee members shall be required sign a licence agreeing to leave all intellectual property generated within the workings of the IMCA with the IMCA.

4 MEMBERSHIP

- 4.1 Each application to the EC for membership of the IMCA shall:
- 4.1.1 If from a Marblehead NCA, include a copy of its NCA Constitution, together with a current list of *Owners* and *Certificated Boats*.
 - 4.1.2 If from a Marblehead NCS, include a copy of the *NCS Memorandum*, together with a current list of *Owners* and *Certificated Boats*.
 - 4.1.3 Confirm the ability of the *NCA* or *NCS Representative* to participate in Member Meetings conducted by *electronic communications*.
- 4.2 Every application to the EC for membership of the IMCA shall be announced to the Members. A period of at least four weeks shall elapse between the announcement of the application and the announcement of the ICA's decision on the application.
- 4.3 A Member shall appoint a *Representative* who shall be the only official channel of communication with the IMCA and whose address shall be the official address of that Member until the IMCA Secretary is advised, in writing, by that Member NCA of any change of *Representative* and/or address.

5 GENERAL ASSEMBLY

- 5.1 Meetings shall be separately and individually announced to all Members. *Member NCA* or *NCS Representatives* shall in turn announce such meetings to their current list of *Owners*.
- 5.2 Proposals from Members to the General Assembly and *Officer* nominations for election to the EC shall be submitted to the EC at least three months before the start date of the General Assembly.
- 5.3 Two Months before the start date of the GA, an agenda shall be sent out to all Members. This shall include proposals from the EC and Members.
- 5.4 Four (4) weeks before any meeting Member NCAs and NCSs shall declare, in writing to the IMCA Secretary, the number of registered *Owners* and *Certificated Boats* that the Member NCA or NCS represents.
- 5.5 The chairman of the GA shall be the IMCA Chairman, or in his/her absence, the Secretary. If neither the Chairman nor the Secretary are present or accessible, the meeting shall elect a chairman.

- 5.6 The GA Member *Representative* shall be the normal Member *Representative* unless otherwise advised to the Secretary two (2) weeks prior to the GA.
- 5.6.1 If a Member is unable to be represented at the GA meeting, it may give a proxy to another Member. The proxy shall be notified in writing to the Secretary and to the proxy nominated Member before the meeting is opened. The permission for proxy shall contain the signature of either the Member President/Chairman or the Member representative. The proxy shall only be valid for one GA meeting and is not transferrable to any other Member by the proxy nominated Member. A Member shall only hold the proxy vote of one other member at each GA. The proxy vote shall only be applied by the *Representative* of the proxy nominated Member.
- 5.7 Only resolutions of which notice has been given in accordance with these Regulations shall be proposed. No amendments shall be permitted, unless the proposers of the resolution accept the amendment.
- 5.8 Amendments to the class rules.
- 5.8.1 Proposals for amendments to the Class Rules shall be submitted to the EC four (4) months before the date of the General Assembly.
- 5.8.2 The TC shall study the proposal and make recommendations to the EC. This proposal will only be submitted to the GA if the EC considers it to be in the best interests of the Marblehead Class.
- 5.8.3 Proposals for changes to the Class Rules may be put at any GA, EMM or AMM.

6 EXECUTIVE COMMITTEE

- 6.1 In an election, *Officers* shall only be nominated for their positions by Members of the IMCA.
- 6.2 A person who is a member of, employed by, or in any way has an interest in a commercial undertaking involved with the Marblehead Class may be elected as an *Officer*, provided such interests are declared in writing to the Secretary prior to election.
- 6.3 An *Officer* who becomes a member of, becomes employed by, or in any way obtains an interest in a commercial undertaking involved with the Marblehead Class shall immediately declare such interest in writing to the Secretary.
- 6.4 The EC may co-opt any *Owner* to fill any vacancy that arises in the Executive Committee. Such person shall remain in office until the next GA and shall act as an *Officer* for the duration of their office. The IMCA EC may delegate to any one or more of its *Officers* such powers and duties as it shall determine to continue the operation of the IMCA.

7 TECHNICAL SUB-COMMITTEE

- 7.1 The TC shall have a maximum of five members, including the Chairman of the TC, to:

- 7.1.1 Maintain the IMCA Class Rules, plans and measurement forms.
 - 7.1.2 Examine any proposal from a Member for amendments or interpretations, and report to the EC.
 - 7.1.3 Maintain close liaison with IRSA /WS on all technical aspects of the Marblehead Class and request interpretations from IRSA /WS as considered appropriate.
 - 7.1.4 Make proposals on technical matters, including Class Rules, to the EC.
 - 7.1.5 Help develop and monitor measurement procedures for IMCA Championships.
 - 7.1.6 Manage the panel of international Marblehead Class measurers. Manage their training, and nominations to the EC for their appointment at Championships.
 - 7.1.7 Make Class Rules interpretations and issue Q&As concerning Class Rules as required by Members and in accordance with the Memorandum of Agreement with IRSA.
- 7.2 To be elected as a member of the TC, a candidate must be able to demonstrate competence in technical matters, especially about technical rules and procedures.
 - 7.3 Members of the TC shall be selected by the TC Chairman and approved by the EC before appointment.
 - 7.4 Each TC member shall be elected for a maximum period of four years.
 - 7.5 The decisions of the TC are taken by simple majority.
 - 7.6 The TC may be dismissed by an AMM, EMM or the GA by at least a two-thirds majority of votes cast by eligible voters.
 - 7.7 Before the Class Rules are changed, all proposed amendments to the Class Rules shall be first approved by the TC, ratified by the EC and finally approved by the next AMM, EMM or GA.
 - 7.8 The approved Class Rule amendments may need further approval from the IRSA depending on the prescriptions within the Memorandum of Agreement between the IRSA and the IMCA.

8 CLASS RULE INTERPRETATIONS

- 8.1 Procedure:
 - 8.1.1 Requests for an interpretation may be made from the following sources only: TC, EVC, EC, MNA, *Member NCA* or *NCS*, commercial builder, sail maker, and international measurer.
 - 8.1.2 Requests for an interpretation shall be received and considered by the TC.
 - 8.1.3 Requests shall be acknowledged.
 - 8.1.4 The TC may issue an interpretation, which in turn, shall be proposed to the EC for approval.

- 8.1.5 An interpretation may clarify questions concerning the Class Rules but an interpretation shall not be used to amend/change an existing rule.
- 8.1.6 The EC approved Class Rule interpretation may need further approval from the IRSA depending on the prescriptions within the Memorandum of Agreement between the IRSA and the IMCA.
- 8.1.7 The TC may, at its sole discretion, agree to receive an unofficial request for an interpretation from any *Owner* for the purposes of meeting the conditions of Regulation 7.1.1.

9 EVENTS SUB-COMMITTEE

- 9.1 The duties of the EVC are broadly to assist event organisers to hold high quality World and Continental Championships and other events of International standing in appropriate locations and to proper standards.
- 9.2 The EVC shall have a maximum of five members, including the Chairman of the EVC, to:
 - 9.2.1 Manage the schedule of international events in close cooperation with international organizers.
 - 9.2.2 Maintain and develop the International Marblehead Championship Rules and Regulations.
 - 9.2.3 Examine any proposal for change or requests for interpretations or any other matter concerning international events. Report to the EC as needed for ratification.
 - 9.2.4 Maintain close liaison with IRSA /WS on all aspects of Championship events.
 - 9.2.5 Develop procedures for event management and support organizers on any aspect, as needed, to achieve a successful international event.
 - 9.2.6 Manage the panel of International Judges and Race Officers. Manage their training and nominations to the EC for their appointment at Championships.
- 9.3 To be elected as a member of the EVC, a nominee must be able to demonstrate competence in the processes of event management.
- 9.4 Members of the EVC shall be selected by the EVC Chairman and approved by the EC before appointment.
- 9.5 Each EVC member shall be elected for a maximum period of four years.
- 9.6 The decisions of the EVC are taken by simple majority.
- 9.7 The EVC may be dismissed by an AMM, EMM or GA with at least a two-thirds majority of votes cast by eligible voters.

10 FEES

- 10.1 All Fees are in € (Euro) net of any and all bank, exchange, transfer, or handling charges.
- 10.2 Dues and fees for each calendar year are due on the 31st October.
- 10.3 Each application for IMCA membership shall be accompanied by a non-refundable registration fee of 50€.
- 10.4 The scale of annual fees payable by a *Member NCA* or *NCS* is dependent on the numbers of their certificated *Owners*:

Certificated <i>Owners</i>	Fee per <i>Owner</i>
1-25	to be discussed
26-50	
51-100	
100 and more	

- 10.5 The approval fee for World and Continental Championships and other International events is 0 €.
- 10.6 The IMCA share of the entrance fee of Continental Championships, per competitor, is an amount to be negotiated between the IMCA and the event organiser.
- 10.7 The IMCA share of the entrance fee of World Championships, per competitor, is 15 €.
- 10.8 The IMCA share of the fee paid when a Boat is registered is 0 €
- 10.9 Ad hoc fees for services rendered at World and Continental Championships and other International events are by negotiation between the IMCA Executive Committee and the organisers of the event.

11 EXPENSES

- 11.1 A budget for expenses shall be agreed each year by the AMM or GA, and expenses shall be reported under a separate heading in the Annual Accounts.
- 11.2 The reasonable expenses of the *Officers* and other sub-committee members of the EC in complying with their obligations and exercising their powers may be payable out of the funds of the IMCA on application to the Executive Committee.
- 11.3 The intent of the IMCA is to eliminate the need for *Officers* and other sub-committee members of the EC to travel and incur expenses to meet their obligations. Instead they will be utilising *electronic communications* to carry out the business of the IMCA.
- 11.4 All non-budget items shall require pre-clearance from the IMCA Treasurer and may need approval from the EC if the cost is above 30 Euro or equivalent.

12 ANNOUNCEMENTS AND NOTICE

- 12.1 Where under the *Regulations* or the Constitution the Secretary is required to make a public announcement, such announcement shall be deemed to have been made if it is made by posting it to the IMCA Web site.
- 12.2 Where under the *Regulations* or the Constitution the Secretary is required to receive written notice, declaration, or information from any person or body, such written notice, declaration, or information shall be acceptable if it is given by post or by written *electronic communication*.
- 12.3 Where under the *Regulations* or the Constitution the Secretary is required to give written notice to any person or body, such notice shall be deemed to have been given if it is given by post or by written *electronic communication* and so that:
- 12.3.1 If it is given by post it shall be deemed to have been given on the 14th day after the Secretary shall have posted such notice by first class or air post to the person or body concerned at the address given for such person or body in the records of the IMCA whether or not it shall in fact have been received by the person or body concerned within that time or at all.
- 12.3.2 If it is given by written *electronic communication* it shall be deemed to have been given 24 hours after the Secretary has successfully dispatched the written electronic communication whether or not it shall in fact have been received by the person or body concerned within that time or at all.
- 12.3.3 Provided that the Secretary 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 Secretary.
- 12.4 A signature when required will be deemed to be correct if the notice is sent via an email where the person is an identified *Representative* or someone who's email is recognised by the Secretary of the IMCA. An electronic signature can be the persons email address.

13 ACTION CALENDAR

- 13.1 General Items:

Before 1st November (to fit in with the 1st Nov to 31st Oct calendar year in the Constitution)

Members to pay their annual dues

Before 1st August

Submit World Championship Title Application for next year's venue to WS and/or the IRSA.

Next year's Class Rules' Amendments to WS and/or the IRSA.

November

Send ICA representative to WS meetings. (which may be electronic in the future, WS is working through their constitution to be able to do this)

13.2 Member Meetings:

5 months from the meeting:

These Member Meeting notifications and dates shall be issued to the *EC*, *IMCA Members* and any other group or individual that the *EC* considers has an official interest in being involved. An IRSA representative may be involved.

4 months from the meeting:

Proposals for amendments to Class Rules submitted to the TC.

3 months from the meeting:

All Member and other interested party proposals to the EC.

Officer nominations submitted if the meeting is a GA.

2 months from the meeting:

Proposals from the EC.

Agenda published.

4 weeks from the meeting:

Member declarations of *Owner* and *Boat* numbers.

2 weeks from the meeting:

Notification from the Members of any changes to their Representative and/or Address for the meeting.

Approved by the Foundation Executive Committee, 3rd February 2021:

- **Chairman:** Phil Holliday (GBR)
- **Secretary and Vice Chairman:** Selwyn Holland (AUS)

- **Events Chairman:** Matteo Longhi (ITA)
- **Technical Chairman:** Graham Bantock (GBR)
- **Finance Chairman:** Thomy Blatter (SUI)

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