

ILCA Constitution review April 2020

Reason for review

For some years now there has been recognition within the ILCA World Council that aspects of the current ILCA constitution have become outdated and a review of the constitution would be justified and timely. The need for this has been further emphasized by the changes that have occurred in the class in the last 2 years as a result of the changes to the World Sailing Olympic classes requirements, which the class has responded to with its rule changes, introduction of new builders, trademark change etc.

At the 2019 World Council meeting the World Council adopted a remit to commence a constitution review process and established a working group to commence work on this.

The existing ILCA constitution

The existing ILCA constitution was adopted in 1972 and subsequently amended on several occasions (available on the ILCA website).

The constitution and the principles contained within it have been one of the foundations for the class becoming the most successful dinghy class in the world. As such changes to it need to be carefully considered to ensure that they will enhance the long term future of the class.

There may also be implications for the constitutions and representation on ILCA regional organizations, as these generally mirror the ILCA constitution and may also require modification depending on what changes are decided upon for it.

The prescribed process for changing the constitution

The proposal is to amend the existing constitution, not completely replace it.

The constitution itself sets out the process required to make amendments as follows.

17. Amendments to this Constitution shall be approved by each of:

(a) the World Council

(b) the Advisory Council

(c) at least two thirds of the membership replying in writing to the International Office of the Class in response to a postal ballot published by the International Office. Only those postal votes returned to the International Office within 6 months from the date of publication of the proposed change shall be valid.

Aspects of the constitution identified as requiring review

In preliminary discussion with some council members and various outside parties the working group has identified the following areas where changes might be considered;

The class insignia

The use of the word Laser throughout the document

The make up of the World Council

Voting rights of the various World Council members

Term limits for World Council members

Appointment mechanism and term limits for the President and Vice President

The role of the past President

Sub Committee structure and the need for new sub committees

The future role of, or need for, an Advisory Council

Timing of meetings

Change from ISAF to World Sailing

Drafting of suggested changes

It is clear that some of the changes needed to the constitution will be relatively non controversial and widely supported while other will need considerably more work to develop a consensus, both on the underlying philosophy behind a possible change and the final wording of any change that would be moved forward for approval.

Any changes will need to support the class's future development plans and direction so that they future proof the organization as far as possible as it institutes its plans for the future.

The sub committee therefore proposes to proceed as follows;

1. The working group prepares an initial list of possible changes, which may include multiple possible options for changes to some aspects and ideas on how these relate to the future direction of the class. An initial list of ideas for discussion is included below.
2. Circulate this document to all WC members for discussion, feedback and additional suggestions on possible areas for change and/or specific changes they would like to see considered.
3. The working group will then collate the feedback and identify areas where changes could be pursued, including both changes that appear relatively non-controversial and other areas where change is felt necessary by at least some members of the council but where there seems to be little indication of initial consensus on what the new requirement should be.
4. The Working Group will then prepare a discussion document and draft wording on the range of changes that they feels could be considered, attempting to capture the pros and cons of each possibility, and circulate

this for discussion at a special WC meeting. The purpose of the special meeting will be to seek consensus and formalize what amendments to proceed with and/or where further work is required.

5. The working group will then look to prepare a formal draft for the wording of proposed changes to the constitution and circulate these to all WC members and appropriate commercial parties as a formal draft
6. Hold a discussion and vote on the proposed changes at the WC meeting in November.
7. If passed by the WC and Advisory Council proceed with the members vote approval process for the proposed changes.

Initial list of possible changes

1. The class insignia and name

These need to be updated to reflect the recent changes required in the class.

2. Make up of the World Council

The current constitution prescribes that the WC is comprised mainly of a single representative for each region. It has been suggested that this should be amended so that the representation more closely follows the distribution of current class membership, with regions with larger membership having additional council representatives more in proportion with their membership numbers.

Alternatively it has been suggested that additional regions, or possibly sub regions, could be created under the existing rules by subdividing the existing larger regions to provide better balanced regional representation, as was previously done in separating Asia and Oceania for example.

3. Term Limits for WC members

Currently there are no term limits for any WC members and it has been suggested that these should be introduced.

4. Appointment mechanism for the President and Vice President

Currently the President and Vice President are appointed by the WC from the regional representatives and they are then replaced as regional reps. It has been suggested that the roles could be changed and that the positions should be rotated among the regional representatives and not be additional to them. This would inevitably require a change to the nature of the roles, as it would be impossible from a workload perspective to continue with the roles in their present form.

There has also been a suggestion that in the current virtually professional era of top level competition the balance of responsibilities between the paid and voluntary parts of the organization may need to be changed, with the World Council, President and Vice Presidential roles focused more on governance and less on the day to day operation of the organization.

5. Term limits for the President and Vice President

As with 3 and 4 above.

6. The role of the Past President

Should the past president remain a voting member of the council?

7. Voting rights of WC members

With the changes to builders, possible changes to the make up of the council, the possible introduction of more sub committees etc there is a need for clarity on who will and will not be voting members of the council. This could also included consideration of the voting rights of the executive secretary.

8. Sub committees

It has been suggested that with the builder changes we need to review the make up, role and powers of the technical committee and the process for this being fed back to the council.

There is also seen to be a need for a race management or similar sub committee.

9. Advisory Board

With the changes to the commercial side of the class the need for and/or role of the Advisory council needs to be reconsidered.

10. Timing of meetings, ISAF name

These clauses need to be brought up to date

11. Other

The review of the constitution allows an opportunity for the consideration of any other issues.