

ILCA Constitution

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Amended 3 May 1974, 18 March 1993, article 12 amended 1 June 1995, articles 6 (1), 7 (4), 8 (3) and 9 (3) amended 1 January 2000 and proposed changes August 2021

1. NAME

The name of the Association shall be ILCA, also doing business as the International Laser Class Association.

2. OBJECTS

The objects of the Association are:

- (1) To provide a medium of exchange of information among ILCA sailors throughout the world and to enhance the enjoyment of sailboats that meet the ILCA class sailboat one-design class rules;
- (2) To promote and develop ILCA class sailboat racing in all countries, under uniform rules; and,
- (3) To encourage and foster the enjoyment of the sporting and recreational aspects of sailing.

3. POLICY

It shall be the policy of the Association to maintain the ILCA class sailboat as the epitome of a strict one-design class of sailboat.

4. JURISDICTION

The Association has authority over all activities of the ILCA class sailboat throughout the world, and its powers shall be vested in and carried out by the World Council, Regional Executive Committees, District Associations and Fleets as provided in this Constitution and any bylaws passed pursuant to the provisions hereof; all subject to and in accordance with the rules and regulations of World Sailing.

ORGANISATION

5. World Council

- (1) The Association shall be governed by the World Council, which shall establish policy and provide oversight for the Association in fulfilling its Objects, and perform the other duties set out in this Constitution.
- (2) Voting members of the World Council shall be the President, the Chairperson of each Regional Executive Committee from time to time holding office, the Builders' Representative to the World Council and any additional members appointed in accordance with clause 5.5 below.
- (3) The World Council shall also include the following non-voting positions as active members and advisors: the Executive Secretary, the Treasurer, the Chief

Measurer, the ILCA Technical Officer, and any other member invited by the World Council.

- (4) The World Council shall elect annually, by majority vote, from amongst its own members, both voting and non-voting, the President and Vice-President of the Association who shall hold office until they either resign or their successors are elected to office.
 - a. If the elected President is a sitting Chairperson of a Regional Executive Committee or a World Council office holder, that person shall resign as Regional Chairperson or World Council office holder and serve solely in the role as the President of the Association.
 - b. If the elected Vice-President is a sitting Chairperson of a Regional Executive Committee or a World Council office holder, that person shall not resign as Regional Chairperson or World Council office holder.
 - c. The President will serve as the Chairperson of the World Council. In the absence of the President, or in the event of his or her inability or refusal to act, the Vice-President shall perform all the duties of the President.
 - d. The Builders' Representative, the Executive Secretary, or any other paid staff member of the Association or a Builder shall not be eligible to hold the office of President or Vice-President of the Association.
- (5) Any Region that represents more than 40% of the total membership of the Association may nominate an additional voting member of the World Council elected by the Chairpersons of the Districts of that Region.
 - a. The Regional and total membership will be calculated annually and the additional Regional representative will serve an annual term beginning on the subsequent calendar year.
 - b. If a Region's membership drops below 40% of the total membership of the Association, the additional Regional representative shall immediately resign from the World Council.
- (6) The Builders' Representative shall be appointed annually by a majority vote of a representative from each of the approved ILCA builders.
- (7) Each officer, advisor, committee member, and member of the World Council shall be a member of the Association.
- (8) The World Council shall meet not less frequently than once per year. A quorum for any meeting shall be five voting members of the World Council.
- (9) All World Council members shall comply with the ILCA Conflict of Interest Policy.
- (10) The Executive Secretary shall be appointed by the World Council and shall hold office for such term and upon such conditions as the World Council shall decide. The Executive Secretary shall be responsible for the management of all business of the Association, subject to and in accordance with the Constitution, bylaws and the direction of the World Council, including
 - (a) the coordination of all inter-regional activities,
 - (b) the organisation of all activities relating to World Championships,
 - (c) liaison between the Association, World Sailing and all other yachting authorities, and
 - (d) liaison between the membership and the Chief Measurer.

- (11) The World Council shall appoint, for such term as it shall decide, a Chief Measurer for the Association who shall rule on all questions and challenges relating to the ILCA Class Rules, and shall issue interpretations thereof as necessary. All such Interpretations shall be binding when duly published to the members of the Association until approved, rejected, or modified by decision of the World Council.
- (12) The World Council shall appoint, for such term as it shall decide, a Treasurer for the Association who shall perform all duties incident to the office of treasurer and such other duties as may be required by law, by this constitution, or that may be assigned to him or her from time to time by the World Council.
- (13) The World Council shall appoint, for such term as it shall decide, a Technical Officer for the Association who shall be responsible for technical control and management of all ILCA approved Builders, managing and maintaining a register of all ILCA approved moulds, and such other duties as may be required by law, by this constitution, or that may be assigned to him or her from time to time by the World Council.

6. Regions

- (1) The World Council may, as and when it deems it convenient for the administration of the affairs of the association within a substantial area where several Districts are or may be established, constitute such area as a Region.
- (2) The World Council, upon establishing a Region, shall appoint a Regional Executive Committee comprised of a Regional Chairperson, Vice Chairperson, and Executive Secretary, to hold office until their successors are elected.
- (3) The Regional Executive Committee shall have those powers, vested in the World Council by this Constitution (other than the power to amend the ILCA Class Rules or this constitution) as are specifically delegated to the Regional Executive by the Regional bylaw, including the power to appoint additional officers for such term as it may from time to time determine.
- (4) The Regional Executive officers, other than the Executive Secretary, shall be elected annually by vote of the Chairperson (or other officer authorised by the Chairperson if he or she is unable to attend) of each District at the annual Regional meeting to be held at the head office of the Region or such other place as the Regional Executive Committee shall determine, and shall hold office until their successors are elected, and nothing shall preclude one of the District Chairpersons as also acting as the Regional Chairperson. Each officer shall be a member of the Association.
- (5) The Regional Executive Secretary shall be appointed by the elected members of the Regional Executive Committee, and shall hold office for such term and upon such conditions as the Regional Executive Committee shall decide. The Regional Executive Secretary shall be responsible for the management of the business of the Region, subject to and in accordance with the Regional Executive bylaw and the direction of the Regional Executive Committee, including
 - (a) the co-ordination of inter-District activities and events,
 - (b) liaison with the Executive Secretary of the World Council,
 - (c) issuance of Fleet Charters,
 - (d) maintenance of all records of the Region, and

(e) maintenance of all membership records and information, unless such duties are delegated to the District Secretary.

(6) The World Council may subdivide a Region into one or more Regions, may amalgamate two or more Regions or may add Districts to or delete Districts from any Region from time to time as may be required for the effective administration of the Association.

(7) In the event that a Regional Chairperson shall be unable to attend any meeting of the World Council, the Executive Secretary of the Region or such any other member of the Regional Executive Committee nominated for that purpose may attend and represent the Chairperson and vote at such meeting of the World Council.

(8) Nothing shall preclude the Executive Secretary of a Region also serving as Executive Secretary of the World Council.

(9) The Regional Executive Committee may make bylaws, subject to the provisions of this Constitution and the Regional Executive bylaws of the World Council, for any purpose necessary to carry out the functions and responsibilities of such Region, and copies of all such bylaws as are from time to time passed by any Regional Executive shall be filed with the Executive Secretary of the World Council.

7. Districts

(1) The World Council, on the recommendation of a Regional Executive Committee where applicable, shall by bylaw establish Districts in distinctive areas deemed appropriate and relevant, having regard to all considerations, including geography, language, distance, and population, for the development of the ILCA class sailboat and the fulfillment of the objects of the Association.

(2) The World Council, upon establishing Districts, shall appoint District Associations comprised of a District Chairperson, a Vice-Chairperson, a Secretary, and a Treasurer, to hold office until their successors are elected.

(3) The District Association shall consist of the foregoing officers, and may appoint such additional officers to hold office for such term as it may determine. Each officer shall be a member of the Association.

(4) Each District shall be administered in accordance with and subject to the provisions of a Constitution of the District, approved by the World Council, or if the District has no Constitution, the District Association bylaw of the World Council; and the officers of each District Association shall be elected annually by the members of the Association within the District in accordance with the provisions of the District Constitution, or, in the absence thereof, the ILCA District General Bylaw.

(5) The boundaries of Districts may be varied by the World Council on the application of any District concerned, and one or more Districts may be amalgamated or any District may be subdivided into one or more Districts with the approval of the District Associations concerned.

(6) A District Association with the approval of the Chief Measurer may appoint a District Measurer for a District to assist the Chief Measurer in the conduct of his responsibilities and the enforcement of the ILCA Class Rules; and nothing precludes a District Measurer from acting as Measurer for more than one District. A District Measurer shall have the authority to rule on all questions and challenges relating to the ILCA Class

Rules and Interpretations of the Chief Measurer, but may not issue Interpretations except with the prior approval of the Chief Measurer of the Association.

(7) A District Association may make bylaws, subject to the provisions of this Constitution, the Regional Executive bylaws, and the District Association Bylaw or District Association Constitution (as the case may be), for any purpose necessary to carry out its functions and responsibilities in the management of such District.

(8) If any District is within the jurisdiction of a World Sailing Member National Authority ("MNA"), the District Association shall, in addition to any other requirements of this constitution, be subject to the rules, regulations and directions of such MNA.

8. Fleets

(1) A Fleet may be granted a charter upon application to the Regional Executive Committee (or the World Council where the locality is outside a Region) by 6 or more members of the Association who are individual owners of ILCA class sailboats within any area or club deemed appropriate, having regard to the locality where regular racing activity is easily accessible to members of that Fleet.

(2) Notwithstanding the foregoing paragraph, a special Fleet may be chartered in any locality for the purposes of accommodating specific members of the armed forces, an educational institution, a junior programme or any other non-profit organisation.

(3) A Fleet Captain, and such other officers if any as the Fleet may deem necessary, shall be elected annually from among the members of the Fleet in such manner as is prescribed by the Fleet and shall be responsible to the District Association for the organisation of the Fleet and the due compliance by the members of the Fleet with the provisions of the Constitution and bylaws of the Association. Each officer shall be a member of the Association.

9. MEMBERSHIP

(1) Any person may become a member of the Association by making application to the Executive Secretary, or the appropriate Regional Executive Secretary or District Secretary, as the case may be, and payment of the prescribed Association dues, provided that he or she has not been disqualified from membership for cause by decision of the World Council or under suspension from membership.

(2) An application for membership implies that the applicant undertakes and agrees to be bound by the Constitution and bylaws of the Association upon being accepted to membership.

(3) A member of the Association ipso facto belongs to the District in which he or she normally sails, even though such place may not be his permanent residence; but such member, for valid reason and with the approval of both District Chairpersons, may select instead the District in which he or she has permanent residence.

(4) A member of the Association may become a member only of the Fleet in his District where he or she normally sails for the purpose of qualification, where required, for sanctioned events; and any dispute shall be settled by decision of the District Association, which decision shall be final.

(5) The World Council may grant honorary membership in the Association, for such period as it determines, to any person who, through special contribution to the Class or through special relationship to the Association, is considered meritorious.

(6) The World Council may grant an honorary life membership to any member who has achieved, in the opinion of the World Council, international stature as a result of his yachting achievements.

(7) An honorary and an honorary life member are entitled to full privileges of membership, but are not required to pay the annual dues of the Association.

(8) Membership in the Association shall not be open to any company, partnership, group or other association unless specifically authorised in any case or class of cases by the World Council; and the World Council may impose such terms, conditions or qualifications to any such membership as it shall deem appropriate.

10. FINANCES

(1) Association dues shall be in the amount determined by and shall be payable within the time prescribed by bylaw of each Region or District, as determined by the World Council, and shall include all amounts required for World Council, Region and District purposes as determined by each authority.

(2) The Association may ask for special contribution in addition to dues, provided any such contribution shall be for a specific purpose and shall not be mandatory.

(3) Dues shall be collected by the Regional Executive Secretary, but the World Council may direct the District Secretary to collect such dues under such terms and conditions as to reporting and accounting as may be required.

(4) The Association shall publish independently reviewed annual accounts including a balance sheet and profit and loss statement within six months of the end of its financial year.

11. SUSPENSION AND REMOVAL FROM OFFICE

(1) A member may be suspended by the World Council, on the recommendation of a District Association, for gross violation of the ILCA Class Rules or bylaws, for committing an unlawful act in relation to the Association or one of its members, or for any unsportsmanlike conduct contrary to the interests of the members of the Association. The duration of the suspension shall be fixed by the World Council and a suspended member shall during such period be precluded from racing or enjoying any other rights of membership.

(2) A World Council member, an officer or advisor of ILCA, a Regional or District officer, or other representative of ILCA may be removed from office by the World Council for a willful and unjustifiable act of commission or omission, or derogatory or unprofessional behavior or communications detrimental to the Association, the Objects of the Association, or to its members, employees or volunteers.

(3) Any action taken by the World Council under this clause requires a two-thirds majority vote.

12. APPEALS

Any dispute arising in relation to fleets, districts, regions, eligibility to race, interpretation of this constitution or the ILCA bylaws or similar matter, other than any dispute as to the interpretation of the ILCA Class Rules or any matter within the jurisdiction of the applicable racing rules, may be made to the World Council whose decision shall be final and binding.

13. TECHNICAL AND MEASUREMENT COMMITTEE

(1) The World Council shall appoint a Technical and Measurement Committee, the membership of which shall comprise the President, the Chief Measurer, the ILCA Technical Officer and a Builders' Representative.

(2) The committee shall be responsible for managing and amending the ILCA Build Manual and reviewing and making recommendations to the World Council on any proposed technical developments or changes to the ILCA Class Rules.

14. BYLAWS

The World Council may make bylaws for the purpose of carrying out the objects of this Constitution and of the Association and, without restricting the generality of the foregoing, may make bylaws

(a) amending the ILCA Class Rules , hereby established as bylaw 1 of the Association, as provided in paragraph 29 thereof;

(b) respecting the establishment of Regions, and the powers of the Regional Executive Committees;

(c) delegating specific powers of the World Council to Regional Executive Committees;

(d) respecting the establishment of Districts and the powers of District Associations;

(e) respecting the Constitution and bylaws of District Associations;

(f) respecting registration of members and collection of dues;

(g) respecting the measurement of boats and measurement fees;

(h) respecting the conduct of championship and other regattas, including the classification of regattas and the eligibility of members for major racing events;

(i) respecting the acceptance of deeds of gift of trophies; and

(j) respecting the procedures for meetings of the World Council and Regional Executive Committees, including the conduct of business by mail or other means of communication.

15. AMENDMENTS

Amendments to this Constitution shall require two-thirds majority approval by each of:

(a) the World Council, and

(b) the membership replying to a ballot published from the Head Office of the Association. Only those votes received within three months from the date of publication of the proposed change shall be valid.