

## BUSA CONSTITUTION



### **1. NAME**

The name of the association shall be the British Universities Sailing Association (“BUSA”).

### **2. DEFINITIONS**

“the Subscription” means the annual fee levied on Member Clubs as determined by their category of membership and Personal Members which is adopted by the Annual General Meeting upon a proposal from the Honorary Treasurer.

“the Events” means: Events or competitions run by/or behalf of BUSA.

“member club” means a club affiliated or recognised by a Higher Education Establishment or a college which has been recognised as having Higher Education Establishment status

“student” means: a student registered at a Higher Education Establishment in a full-time or part-time course of study recognised by that Establishment; or

a sabbatical officer of a Student Union or Athletic Union of a Higher Education Establishment; or

a student on a sandwich course provided that the duration of the course in industry is less than twelve months; or

and where a student’s course of study concludes during the course of an academic year, they shall remain a student for the purposes of this Constitution until the end of that academic year;

and where that student is a full member of a Member Club.

### **3. OBJECTS**

The objects of the Association shall be:

- (a) The promotion and development of student sailing
- (b) The organisation and administration of the Events
- (c) The selection and administration of BUSA Representative Teams
- (d) All such other objects which further and are incidental to the above.

### **4. MEMBERSHIP**

4.1 The Members of the Association shall be:

- (a) The Officers
- (b) The Member Clubs

(c) Personal Members

4.2 The Member Clubs are sailing clubs or associations which have been admitted to the Association by the General Committee

A sailing club may apply for admission to the Association on application to the General Committee and on payment of the Subscription Fee.

4.3 The acceptance or rejection of new Member Clubs shall be at the sole discretion of the General Committee.

4.4 For the purpose of running racing events, member Clubs shall be affiliated to the Royal Yachting Association ("RYA") through their membership of the Association.

4.5 A Member Club in good standing with the Association shall be entitled to enter its full members in the Events and to take part in all the activities of the Association.

4.6 Members may resign from the Association by giving written notice to the Secretary to the Association.

4.7 An individual student sailor may apply for Personal Membership of the Association on application to the General Committee. The General Committee may, in its absolute discretion, grant personal membership provided that the candidate for membership is a personal member of the RYA and that there are no more than five individual members from any one institution.

## **5. FEES & SUBSCRIPTIONS**

5.1 The Member Clubs and Personal Members shall each pay to the Association the Subscription each year no later than the first day of November.

5.2 Until a Member Club or Personal Members has paid the Subscription Fee and all other arrears due to the Association, they shall not be in good standing with the Association and may not exercise the rights of membership.

5.3 The General Committee shall write to any Member Club or Personal Member who has not paid the Subscription by the thirty-first day of December in each year and demand payment within one month.

5.4 Any Member Club or Personal Member who fails to pay the Subscription within one month of demand may be expelled automatically from the Association and its activities, without appeal.

5.5 A Member Club or Personal Member who has been expelled for non-payment may apply for re-admission to the General Committee which may re-admit the Member Club in its sole discretion. The General Committee may also request additional payment if the Club or Member has previously been expelled under this Article.

5.6 Each Member Club shall be designated as either a BUSA Competitive Member Club, a BUSA Developmental Member Club or a BUSA Participation Member Club. Each Member Club shall inform BUSA of their desired category of membership for the following academic year, by the 15th September. Any Member Club not informing BUSA by this time shall be designated as a BUSA Competitive Member Club. Any Member Club wishing to change their designation after this time may do so at the discretion of the General Committee and shall pay the remaining subscription of the new designation. The General Committee shall review the membership categories each year in advance of the Annual General Meeting.

5.7 All dates in this section may be extended at the discretion of the honorary treasurer.

## **6. FINANCIAL**

6.1 The income of the Association shall only be used in furtherance of its stated objects.

6.2 The Honorary Treasurer shall keep full and proper books of account of the Association's finances and shall submit to every Annual General Meeting the audited accounts and statements of the Association.

6.3 The General Committee shall maintain such bank accounts in the name of the Association as it thinks fit and the signature of any two members of the General Committee duly authorised by the Committee shall be required to operate and administer the accounts.

6.4 No Officer shall be liable for the bona fide debts of the Association or those incurred on behalf of the Association nor shall they be liable for any loss or damage incurred by the Association in the proper execution of their office except in the case of wilful, reckless or negligent conduct on their part. The Officers shall be entitled to be indemnified out of the assets of the Association against any losses or liabilities so sustained.

## **7. OFFICERS & HONORARY MEMBER**

7.1 There shall be the following Officers:

- (a) The Honorary President
- (b) Two Vice-Presidents
- (c) The Chair
- (d) The Vice Chair
- (e) Honorary BUSA Treasurer
- (f) The Team Racing Officer
- (g) The Fleet Racing Officer
- (h) The Keelboat Officer
- (i) The Match Racing Officer
- (j) The Development Officer
- (k) The Media Officer
- (l) 5 Regional Chairs (Scottish, Northern, Midlands, Western, South/Central)

7.2 The Honorary President, the Chair and Vice-Presidents shall be elected at every other Annual General Meeting and shall hold office for two years.

7.3 The remaining officers shall be elected at each Annual General Meeting and shall hold office until the succeeding Annual General Meeting.

7.4 Up to three Honorary Member(s) may be elected annually at the discretion of the Committee.

7.5 The RYA will appoint an individual to act as the National Governing Body Representative.

7.6 BUCS may choose to send an employee to represent them at committee meetings at their discretion.

- 7.7 No more than two Officers may be from same Member Club.
- 7.8 Retiring officers shall be eligible for re-election, however the Honorary President, Vice Presidents and Chair shall not hold office for more than four years.
- 7.9 The Chair and the BUSA Secretary will also represent the Association on the Sports Management Group for British Universities & Colleges Sport.
- 7.10 Where the position of any Officer or Honorary Member is vacant, the General Committee may co-opt a suitable and competent person to fill that office until the next Annual General Meeting when he or she shall retire. Any term of office served as a co-opted officer shall not count towards any total limit as specified in Articles 7.2.
- 7.11 The Committee may co-opt honorary members (non-voting) to assist in special projects.

## **8. EXECUTIVE COMMITTEE**

- 8.1 **The Chair, Vice-Chair, President, and Vice presidents shall form the executive committee.**
- 8.2 **The executive committee shall be responsible for:**
- 8.2.1. The recruitment and oversight of the BUSA secretary.**
  - 8.2.2. Guiding the actions of general committee.**
- 8.3 **The executive committee may meet separately to the general committee if required.**

## **9. GENERAL COMMITTEE**

- 9.1 The management and administration of the Association shall be conducted by the General Committee having regard to this Constitution and the Standing Orders of the Association.
- 9.2 The General Committee shall consist of all Officers.
- 9.3 The Chair of the General Committee is the Chair of the Association. When the Chair cannot preside, the Vice-Chair, or a Vice- President shall take the chair.
- 9.4 The BUSA secretary shall act as Secretary to the General Committee and shall keep full and proper minutes of the proceedings of the Committee.
- 9.5 The General Committee shall meet not less than four times a year and at such other times as the Chair thinks fit.
- 9.6 The General Committee may delegate its authority and powers to working groups or sub-committees.
- 9.7 The discussions and communications of the General Committee, working groups or sub-committees shall be confidential and shall not be disclosed by its members without the consent of the Committee.
- 9.8 Meetings of the General Committee shall be closed but the Committee may agree to allow observers to be present provided that seven days notice of their attendance has been given to the Committee and that no member of the Committee present at the meeting objects.
- 9.9 The next place of the meeting of the General Committee shall be determined at its present meeting, or in default of which, by the Chair.

9.10 The quorum of the General Committee is five which shall include one Senior Officer.

9.11 Retiring and newly-elected officers shall have a full and proper handover, allowing paperwork and contacts to be passed on.

## **10. BUSA SECRETARY**

10.1 The BUSA secretary will be contracted by the executive committee.

10.2 They shall be contracted on a yearly basis to carry out the duties as directed by the general committee.

## **11. GENERAL MEETINGS**

11.1 A General Meeting of the Association shall be held at least once per year (the Annual General Meeting) and at such other times as are required (Special General Meetings).

11.2 The Annual General Meeting shall only be held at one of the Championships, where the largest predicted number of Member Clubs will be represented, or as determined by the General Committee.

11.3 A Special General Meeting may be called by the General Committee if it thinks fit.

11.4 A Special General Meeting shall be called by the General Committee upon receipt of a requisition signed by five or more Members given to the Secretary to the Association and provided that the business to be transacted at the Special General Meeting is specified in that notice. The Special General Meeting shall not be called less than one month after the date of requisition.

11.5 Any item or matter for discussion at a General Meeting must be given to the Secretary to the Association not less than one month before the proposed date of the Meeting. This does not affect special or emergency business.

11.6 The Agenda shall be circulated to all Members not less than fourteen days before the proposed date of the Meeting.

11.7 Any Officer, Honorary Member, Member Club or Personal Member may attend and speak at a General Meeting.

11.8 Only the Officers, and duly appointed representatives of the Member Clubs in good standing shall be entitled to vote.

11.9 The quorum of a General Meeting shall be 20 Member Clubs or 25% of the total number of Member Clubs whichever is the lesser.

11.10 Where a quorum is not present, the General Meeting may proceed to transact its business on an advisory basis to the General Committee. The General Committee at its next meeting may then ratify the decisions of the General Meeting except that it may not amend the Constitution.

11.11 Each Member Club shall be entitled to two votes. Voters must be nominated by their club before the beginning of the General Meeting. Observers may be allowed, however they will not be entitled to address the meeting or to vote.

11.12 Each Officer shall be entitled to one vote.

11.13 Personal Members are not entitled to vote.

11.14 The Chair shall be entitled to vote and have a second casting vote.

11.15 Votes shall be accepted by email or post provided that they comply with the Standing Orders laid down by the General Committee on such matters.

11.16 The decisions of a General Meeting are final and binding on the whole Association.

## **12. STANDING ORDERS**

12.1 The General Committee may order Standing Orders to govern the conduct and affairs of the Association. Standing Orders shall not contravene the provisions of this Constitution.

12.2 Standing Orders (and any amendments thereto) ordered by the General Committee shall have immediate effect until the next General Meeting of the Association. Thereafter, the Standing Orders (or the new amendments) shall only continue to have effect if ratified by resolution of the General Meeting.

## **13. ORGANISATION OF THE EVENTS**

13.1 The Association shall be the Organising Authority of the Events except where this responsibility is carried out by the British Universities & Colleges Sport or where the Association delegates this task to another body or working group.

13.2 The Events shall be run under the World Sailing Racing Rules of Sailing ("the RRS"), the Prescriptions of the RYA thereto and under the RYA Racing Charter.

The General Committee may appoint a Senior Officer or Officer or several of them to exercise the powers of an Organising Authority under the RRS in relation to the Events.

13.3 All results and reports from the Events must be sent to the Secretary to the Association and the Web Editor within forty-eight hours of the completion of the event.

## **14. ELIGIBILITY, AREAS, LEAGUES & REPRESENTATION**

14.1 Only students as defined may compete in the Events.

14.2 The areas and leagues of the Association shall be defined by Notices of Race issued by the Association.

14.3 A representative team of the Association shall only consist of students as defined by this Constitution.

14.4 Representative teams for non-international matches shall be selected by the Men's Captain or Ladies' Captain respectively and ratified by the General Committee and in accordance with any relevant selection notices.

14.5 Representative teams for international matches shall be selected by trials or by the General Committee and in accordance with any relevant selection notices.

## **15. DISCIPLINE & CONDUCT**

15.1 The General Committee shall issue a Code of Conduct which shall govern the behaviour, discipline and conduct of competitors at the Events, of the Officers, of the Personal Members, of the Member Clubs and their members.

15.2 The Code shall provide for disciplinary offences and their investigation and the expulsion, suspension or other reasonable punishment of competitors at the Events, of the, of the Member Clubs and their members or of the Personal Members provided always they have the right of appeal.

## **16. AMENDMENT**

16.1 No amendment or alteration to this Constitution shall be made except by the Annual General Meeting of the Association where the amendment has properly appeared on the Agenda and where passed by a two-thirds majority of the Members present and voting, save as below.

16.2 An amendment to the Constitution relating to the financial affairs and financial administration of the Association may only be passed by a four-fifths majority of the Members present and voting.

## **17. DISSOLUTION**

17.1 If, at any General Meeting, a resolution for the dissolution of the Association is passed by a majority of the Members present and at a subsequent General Meeting held not less than six weeks later (of which not less than four weeks written notice has been given to each Member), and at which a quorum is present, that resolution is confirmed by a two-thirds majority of the Members voting on it, the General Committee shall proceed to dissolve the Association.

17.2 If directed to dissolve the Association in accordance with Article 15.1 above, the General Committee shall realise the assets of the Association and discharge the debts and liabilities of the Association.

17.3 If the assets of the Association are insufficient to discharge its debts and liabilities, the General Committee shall be entitled to demand and receive such payments from the Member Clubs and Personal Members in such proportions as it in its absolute discretion may think fit and necessary to discharge the remaining debts and liabilities.

17.4 If after the discharge of all debts and liabilities there remains a surplus of funds and assets, the General Committee shall distribute the surplus among the Member Clubs and Personal Members in such a manner and in such proportions and subject to such conditions as the General Committee shall in its absolute discretion think fair and reasonable.

17.5 A General Meeting may by resolution direct the General Committee to distribute any surplus funds or assets to such organisations or bodies which have similar objects of the Association.