

# **Buccaneer Class Association Constitution**

rev 0a, Approved by Electronic Vote April 4, 2008

Section 11 moved to the BCA Racing Rules. No other changes.

REVISED 5/5/2009 replacing section 3 and 5 with changes approved by Electronic Vote May 16 2008

## **1. Title.**

The full title of the Association shall be “The Buccaneer Class Association.”

A. “The Class” shall mean the class of one design sailing dinghies designed by J.R. Macalpine-Downie, and built in accordance with his drawings and specifications and known under the name “Buccaneer.’

B. “The Class Rules” shall mean the rules relating to measurement, construction, and racing conditions forming an appendix to the constitution and governing the initial building of each Buccaneer and its ratings as a recognized boat within the class for Class racing purposes.

C. “The Class Register” shall mean the register of Buccaneers and their owners, to be kept as hereinafter provided.

## **2. Objects.**

The objects of the Association shall be to further the interests of the Class as a one-design dinghy class; to govern the affairs of the class in North America and to maintain the Association Register and Class Register and, to this end, the Association Rules for governing the conduct of its members and Class Rules for ensuring that racing within the class shall take place on even terms.

## **3. Management.**

A. The affairs of the Association shall be managed by a National Committee of six (6) members of the Association. The Committee shall have power to co-opt additional members as required. The Committee shall have the power to fill vacancies occurring among the officers during their term.

B. The Committee shall consist of a Commodore, Vice Commodore, Secretary/Treasurer, Publicity Chairman, Racing Chairman (present), and Racing Chairman (past). Only full members of the BCA are eligible to serve in these positions.

C. The Commodore, Vice Commodore, Secretary/Treasurer, and Publicity Chairman shall be elected by the membership to a two-year term. Elections of the Commodore and Vice Commodore shall alternate annually with those of the Secretary/Treasurer and Publicity Chairman.

The nomination period shall begin two weeks prior to the first day of BNAC and shall run for five weeks. Nominations require a “second” for a member’s name to be placed on the ballot. Only full members may nominate or second a member for an elected office. Nominations, seconds, and campaign statements by the candidates shall be posted on the officially sponsored BCA Members Group on the Internet. If there is a general meeting during BNAC, nominations and seconds may also be made at this meeting. The Secretary/Treasurer shall post nominations and seconds made at the general meeting to the BCA Members Group within one week of the end of BNAC. The two-week voting period shall commence one week after the close of nominations.

Voting shall be by electronic ballot only and in accordance with the National Committee Policy on Electronic Voting in effect at the time of the election. Voting shall be by secret ballot. A minimum of 7 members must cast votes for the election to be valid. The person receiving the highest vote total of the candidates for each position shall be elected.

The newly elected officers shall start their term on the latter of their election or October 15.

D. The Past and Present Racing Chairman will be appointed by the club(s) that has/will sponsor the National Championship Regatta.

1. Elected Officers.

a. Commodore to act as chairman.

b. Vice Commodore will substitute for the Commodore and will be chairman of the Technical Committee.

c. Secretary/Treasurer will keep correct minutes, etc. of all Committee and General Meetings and shall be responsible for communicating the decisions of the Committee to members and others in such terms as the Committee may prescribe. The Secretary/Treasurer shall also have charge of any funds, which may be existent, making such disbursements as the Committee requires, and present an annual financial statement.

d. Publicity Chairman will be responsible for all Class Publicity including the General Promotion of the Class.

2. Appointed Officers

a. Racing Chairman (Present) will be responsible for organizing and conducting the National Championship Regatta.

b. Racing Chairman (Past) will assist the Present Racing Chairman in organizing and conducting the National Championship Regatta.

E. At meetings of the Committee, three (3) shall constitute a quorum.

F. The Committee shall have the power to make recommendations to the members in the General Meetings for alterations in, or additions to, the Rules of the Class or for their interpretation.

G. Championship Regattas

1. All matters pertaining to the Championship shall be settled by the Committee in consultation with sponsoring clubs.

H. Technical Committee

1. Duties

a. Liaison with manufacturer on quality control problems.

b. Receive suggestions for changes and solicit vote of membership on proposed changes to the boat.

c. Appoint National Measurer.

2. Membership

a. One (1) from manufacturer of the boat.

b. One (1) from each fleet consisting of at least six (6) National dues paying Members.

c. Chairman shall vote only in case of ties.

**4. Membership and Voting.**

A. The following classes of membership shall be recognized:

1. Membership

2. Associate Membership

3. Honorary Life Membership

B. Membership of the Association shall be open to any owner of a Buccaneer.

C. In the case of joint ownership, only one vote shall be allowed and may be exercised by the owner first named upon the Register of the Association.

D. In cases of a boat owned by a corporation or a service organization, a vote may be exercised by a representative member of that organization.

E. Each member shall be entitled to vote at a general meeting or in a postal ballot.

F. Associate Membership shall be open to any person having an interest in the Association or in the Class.

G. Honorary Life Membership shall be open to any person having an interest in the Association or in the Class who is proposed by a Member and seconded by at least one member of the Committee and is elected by members of the Association at any general meeting of the Association.

H. Associate and Honorary Life Members shall be entitled to attend and speak at any general meeting but not to vote.

I. Members shall be bound by the Constitution and Class Rules.

## 5. Conduct of Meetings.

A. A general meeting of the Association shall be held annually; the precise date, time, and place shall be at the Committee's discretion.

B. A Special General Meeting shall be called by the Commodore or Secretary upon receipt, by the Secretary of a request in writing and signed by not fewer than ten Members of the Association.

C. At least seven days' notice shall be given of any General or Committee Meeting.

D. At any meeting, decision shall be by majority vote, voting to be by a show of hands, unless a poll is demanded by no fewer than three of the members present. At any meeting the Commodore shall have a casting vote.

E. At any General Meeting, seven shall form a quorum.

F. Voting for revisions to the BCA Constitution or the BCA Racing Rules shall be by postal ballot or electronic ballot. For each vote the National Committee shall decide whether to use (1) a postal ballot, (2) an electronic ballot, or (3) both a postal ballot and an electronic ballot. The minimum period between mailing out a postal ballot and the closing date of the vote shall be three weeks. The minimum period between "posting" an electronic ballot and the closing date of the vote shall be two weeks. If both postal and electronic ballots are being used on a vote, then the electronic vote shall close on the same day as the closing date for the postal vote. The closing date of a vote shall be shown on all ballots. Two-thirds of the total vote count must be in favor of the proposed change for the change to be approved. (Approved by electronic vote, March 7, 2007)

## **6. National Association Membership Dues.**

A. Amount shall be set at a General Meeting.

B. The membership year is May 1 through April 30, with dues payable by May 1. A late renewal fee will be imposed upon members who renew their membership after June 15. New members, joining after the National Championship Regatta, shall have their membership extended to the end of the following membership year.

## **7. Local Fleet Fees.**

At the discretion of the local fleet officers, fees may be collected for membership in local fleets.

## **8. Registration of Boats.**

No Buccaneer shall be entered on the Class Register unless the hull has been built by a licensee or a sublicensee of the designer's company.

## **9. Measurement Certificate.**

A. "Valid Certificate" shall mean a certificate in which the particulars of ownership are up to date and entered on the Class Register.

B. Measurement certificates will be issued automatically to boats constructed by builders franchised by the designer.

C. Change of Ownership. The Certificate is invalidated by change of ownership. The new owner must apply to the Secretary for a fresh Certificate in his own name after the relevant requirements (see 10.A.3) have been duly complied with.

## **10. Authority of Copyright Holder.**

A. Notwithstanding anything to the contrary in the foregoing rules, any action or decision of the Officers, Committee or members of the Class which may be in any way connected with the cost and/or specifications of the Buccaneer, shall be made subject to the designer's company.

B. "Copyright Holder" shall mean any builder holding a valid license or sublicense under the Copyright to build or assemble the BUCCANEER dinghy, and the Committee shall be satisfied as to the status of any licensee upon being notified in writing thereof by the designer, J.R. Macalpine-Downie, and his associate, Richard L. Gibbs.

C. Specifications. It is in the interest of this organization to preserve the one-design character of the Buccaneer in order to ensure uniform equipment in competition and, so far as possible, to delay obsolescence of individual boats.

Since the design of the Buccaneer is the creation and property of the designer's company, this association can claim no rights to cause any changes in dimensions or construction of the Buccaneer. It is the understanding of this association that the designer and his franchised professional builders intend to make no functional modifications to design or construction, which would affect performance. On the other hand it is clearly advantageous to adopt new materials or methods which could render the boat stronger, more durable, easier to manufacture, or less costly. It is therefore agreed the this association shall rely upon the designer for the following controls of construction:

1. He shall franchise reliable and skilled professional builders, and shall satisfy himself that their construction methods are satisfactory.
2. He shall certify all molds used in the construction of hulls
3. His approval shall be required for any modification in construction or materials proposed by any franchised builders.

With the above critical features hopefully under benign and despotic control, the association will be concerned with alterable dimensions and tinkers.

D. Notwithstanding anything which appears to the contrary in the Association Rules or the Class Rules, any action or decision of the Officers, Committee, or Members of the Association which may in anyway connected with the specifications of the Buccaneer dinghy shall be made subject to the approval of the Copyright Holder.

**11. Reserved**

## **12. Special Rules Governing Local Fleets.**

### A. Fleet Charter

1. A Fleet Charter may be granted by the National Committee upon written application of three or more members owning Buccaneers.

### B. Fleet Officers

1. Upon formation, a fleet shall elect officers and make these officers known to the National Secretary.
2. The number of fleet officers shall be as required to conduct fleet business.

### C. Fleet Membership

1. Fleet membership shall be base upon membership in the Buccaneer Class Association.

2. Where more than one fleet of his choice is geographically convenient to a Buccaneer Member, he may join the fleet of his choice.

3. A Buccaneer Member may not maintain membership in more than one fleet.

4. The fleet Secretary shall keep the National Secretary informed of the fleet membership list.

5. A Buccaneer Member shall not be considered a fleet member until his fleet dues, if any are paid.

6. A Buccaneer Member must also meet any other local fleet requirements necessary for membership.

#### D. Fleet Voting

Each boat shall be entitled to one vote, whether or not it is owned by one or more members.

1. Associate Members shall have a voice but not a vote unless holding a proxy vote of a Member in his absence.

### **13. Commencement Date.**

This Constitution may be referred to as the Buccaneer Constitution and shall come into operation on the First Day of April, 1972.