

## **MIRACLE ASSOCIATION**

### **RULES OF THE ASSOCIATION**

Edition 04, 31<sup>st</sup> December 2015

#### **1. THE TITLE**

*The full title of the Association shall be the MIRACLE ASSOCIATION.*

#### **2. OBJECTS**

*The objects of the Association are to promote and further the interests of the Miracle and to represent the interests of the owners of Miracle Dinghies as follows:*

- a) *To maintain the one design character of the Miracle dinghy.*
- b) *To keep members informed of development concerning the Association and any proposals concerning Measurement Rules.*
- c) *To organise Championships and to co-ordinate the programme for other races for the Association.*
- d) *To keep an Association register.*
- e) *To maintain the Associations high standards of family values in line with the interests of our members.*
- f) *The Association as copyright holders of the Miracle Dinghy will retain the sole rights on any alteration of design or attachments relating to the construction of the Miracle Dinghy. No measurement certificate will be issued unless this is fully agreed with the builder.*

#### **3. TERMS AND DEFINATIONS**

*Throughout these rules the following defined terms will be used:*

- a) *"The Association" shall mean the Miracle Association.*
- b) *"The Officers and Committee" shall mean the Officers and committee of the Association of duly elected and appointed Committee members.*
- c) *"The Association Rules" shall mean the rules governing the conduct of the Association.*
- d) *"The Measurement Rules" shall mean the rules relating to measurement, construction and racing conditions forming an appendix to the Association Rules and governing the building of each Miracle Dinghy and its rating as a recognised boat within the Association for Association racing purposes.*
- e) *"The Miracle" shall mean the sailing dinghy known by that name, designed by Jack Holt and Barry Read and made in accordance with their specifications and instructions (together with any modifications agreed between the Association and the Copyright Holders and Designers).*
- f) *"The Association Register" shall mean the Register of members of the Association to be kept hereinafter provided.*
- g) *"The Registration Number" shall mean the number allocated to the boat.*
- h) *"The Association Secretary" shall mean the duly appointed Honorary Secretary of the Association.*

- i) *“Certificate” shall mean a certificate issued, ratified and endorsed as hereinafter provided and recording:*
  - 1. *Name of boat, registered number, owner’s name and address and owner’s club.*
  - 2. *Name of builder and date of building.*
  - 3. *Name of official measurer and date of measurement.*
- j) *“Valid Certificate” shall mean a certificate in which:*
  - 1. *The particulars of ownership are correct and entered on the Association Register.*
  - 2. *Any endorsement required by the measurement rules has been duly entered.*
  - 3. *A current Membership Card is attached.*
- k) *“Fleet” shall mean FIVE or more registered boats. Fleets status will be automatic when there are 5 or more boats to any one club. The owners shall appoint a Fleet Captain who will be responsible for communicating to the owners, news and decisions regarding the Association. The name of the Fleet Captain shall be advised to the Membership Secretary of the Association.*
- l) *“Owner” and “Joint Owner” shall mean person or persons, corporation or association entered on a certificate as owner or joint owner of a Miracle Dinghy.*
- m) *“Copyright Holder” shall mean the person, persons or corporation for the time being in possession of the copyright in the instructions and specification for the building of the Miracle Dinghy.*

#### **4. MEMBERSHIP AND VOTING RIGHTS**

- a) *The following classes of membership shall be recognised;*
  - 1. *Full/Family Membership.*
  - 2. *Honorary Membership.*
  - 3. *Youth and Junior Membership.*
- b) *Full/Family Membership shall, on payment of the prescribed annual subscription of the Association (as specified in Rule No 8), be open to any person having an interest in the Miracle Dinghy or of the Association. Family membership shall collectively include parents and children under the age of 18 years at the start of the membership year.*
- c) *Honorary Membership shall be conferred upon any person having an interest in the Association and who is proposed by the Committee and elected by members at a General meeting of the Association.*
- f) *Youth and Junior Membership shall, on payment of the prescribed annual subscription of the Association, be open to anyone up to the age of 21 years at the start of the membership year.*
- g) *Members shall be bound by the Association Rules.*
- h) *Members acting as helmsmen or entering Miracles in races which consist of or include the Association shall be bound by the Measurement Rules.*
- i) *Each Full Member, Family Member and Honorary Member shall be entitled to one vote at a General Meeting or a postal ballot. Individual Youth and Junior Members shall be entitled to attend any General Meeting and entitled to one vote or to vote in a postal ballot provided that they are over 18 years of age.*

## **5. MANAGEMENT**

- a) *The affairs of the Association shall be managed by the Committee, which shall be the only body within the Association, with the power to negotiate with the Copyright Holders.*
- b) *The Committee shall consist of the elected Officers and up to SIX members of the Association who shall be elected annually at a General Meeting of the Association. The Committee shall have the powers to co-opt any person to assist it whether members or not, but such members shall only have a vote in the Committee if they are members of the Association. The number of elected members shall not exceed two from any one sailing club.*
- c) *No Officer or elected member shall serve on the Committee for more than three years, at the end of which period he/she shall retire, but shall be eligible for re-election after an interval of one year, or may be co-opted by the Annual General Meeting.*
- d) *The Committee need not fill a vacancy arising in the Committee unless the total number of Committee Members has dropped below six. Committee Members appointed to fill vacancies shall remain in office until the expiry date of the term of office of the person whose position they have filled.*
- e) *Members with vested commercial interests relating to the Miracle Dinghy may not serve on the Committee, but if invited may serve on the Technical Sub-Committee chaired by the class Measurement Secretary.*

## **6. APPOINTMENT OF COMMITTEE MEMBERS**

*At the Annual General Meeting of the Association members shall decide by a majority vote to elect the following Officers:*

*Chairman, Secretary, Treasurer, Membership Secretary and Measurement Secretary together with up to SIX committee members.*

## **7. COMMITTEE STANDING ORDERS**

- a) *The Committee will decide the time and place for the next meeting of the committee and cause the Secretary to ensure that notice of this meeting is sent to all members of the Committee.*
- b) *At meetings of the Committee five of the elected members shall form a quorum.*
- c) *There shall be at least 3 Committee meetings per annum with a maximum interval between meetings of 6 months.*
- d) *The Committee shall have the power to put any proposal, either from the Committee or from a member, for alterations in, or additions to the Association Rules, to a General Meeting or a postal ballot of all the Members.*
- e) *The Committee shall be responsible for the appointment of official Association Measurers, who shall be members of the Association, RYA appointed Measurers or measurers nominated by clubs, and for the compilation and distribution of the Measurement Forms, provided that no responsibility shall rest with the Committee in respect of errors made by measurers.*
- f) *The Committee shall arrange an Annual National Championship and shall co-ordinate such Regional Championships as may be required.*
- g) *At least three weeks' notice of the date, place and agenda for a Committee Meeting shall be given, in writing, to each Committee Member by the Secretary. (If it is necessary to hold a meeting immediately after the AGM notice of this must be given at least 3 weeks before the AGM).*

- h) *Acceptance of a Certificate by an owner or joint owners shall ipso facto render him, or them, subject to the jurisdiction of the Association or the Committee in any matters pertaining to the Measurement Rules.*
- i) *All interpretations of the Committee on Rules of Measurement and Construction shall be communicated to all members of the Association within 18 months.*
- j) *No member shall be required to conform to a ruling which has not been published within 18 months of the ruling being made.*

## **8. POWERS OF THE COMMITTEE**

*Subject to the provisions of these rules and in particular to the object of the Association as expressed in Rule No 2, the Committee shall be empowered to perform all the functions of management and administration. All payments from the Association funds shall be by cheque signed by two of three previously authorised officers of the Association.*

## **9. CONDUCT OF MEETINGS OF THE ASSOCIATION**

- a) *The Annual General Meeting shall be held each year, the place, date and time of which being at the Committee's discretion.*
- b) *A Special General Meeting shall be called by the Chairman or Class Secretary upon the receipt by the Association's Secretary of a request, in writing, signed by not fewer than thirty full members of the Association.*
- c) *At least sixteen weeks written notice (including an Agenda) shall be given to members of a General Meeting.*
- d) *At any General Meeting or Committee Meeting, decisions other than those concerning the Measurement Rules shall be carried by a majority vote. Voting shall be by a show of hands, unless a poll is demanded by not fewer than ten of the full members present. At any meeting, the Chairman shall have the casting vote. The Secretary shall be responsible for circulating all members with the result of any voting. In the event of a postal ballot all returns shall be made to the Secretary within three weeks of the date of posting of the ballot papers.*
- e) *At any General Meeting of the Association, twenty full members present shall form a quorum.*
- f) *A resolution of any General Meeting, Committee Meeting, or postal ballot to recommend a change in, and addition to, or deletion from the Rules of Measurement and Construction, shall require at least two thirds of the total vote cast to be in favour of the motion.*
- g) *Any motion to be put to a General Meeting of the Association shall be proposed and seconded by full members and shall be submitted to the Class Secretary at least twelve weeks before the date of such a meeting.  
Before eight weeks of the date of a General Meeting the Association Committee shall publish the details of any such motion.  
Before three weeks of the date of the General Meeting any full Members of the Association can propose and second an amendment to the initial motion by submission to the Class Secretary. Five days before the date of the General meeting the Association Committee shall cause to be published the original motion together with any amendments received to that original motion.*
- h) *All resolutions proposing changes in, additions to or deletions from the Rules of Measurement Construction will come into effect on 1<sup>st</sup> January following the passing of the resolution unless specifically stated otherwise. All resolutions not concerning the Measurement Rules will come into effect immediately following the passing of the resolutions unless specifically stated otherwise.*

## **10. SUBSCRIPTIONS**

- a) *Subscriptions payable for all classes of membership of the Association shall be payable annually (excepted as specified below) and shall be decided at the Annual General Meeting and shall become due on the first day of April of the following year. Membership cards shall be issued upon payment of the annual subscription. One vote is allowed irrespective of the number of boats. The subscription may be varied annually by an amount to be agreed by the committee.*
- b) *For any new member joining after 1<sup>st</sup> October the membership fee will be half the current membership fee.*
- c) *As an alternative to an annual payment, subscriptions may be paid at three yearly intervals by a single payment of three times the annual subscription of the first year less approximately 10%.*

## **11. ACCOUNTS**

- a) *The Committee shall cause true accounts to be kept giving full particulars of:
  - 1. *All monies, assets and liabilities of the Association.*
  - 2. *All monies received and expended by the Association, and the reason for such receipts and expenditure.*
  - 3. *All sales and purchase by the Association.**
- b) *The Committee shall cause the Annual Financial Statement to be prepared and presented at every Annual General Meeting of the Association.*

## **12. FLAG OFFICERS**

*The Association may at each Annual General Meeting, elect two Flag Officers of rank of Commodore who shall hold the office for a period of one year. The Flag Officers must be full/family members of the Association and shall have full voting rights in the Committee.*

## **13. ASSOCIATION RACING**

- a) *All Association racing shall be sailed under the IYR. Racing Rules and the RYA Prescriptions.*
- b) *No boat shall be permitted to race in any event for Miracle Dinghies unless it holds a valid Measurement Certificate.*
- c) *No boat shall be permitted to race in any Association event unless it has valid third-party insurance coverage of at least £3,000,000.*
- d) *For all Association events there shall be two persons in each boat, with the exception of those events which are specifically designated single handed races.*
- e) *Distribution of duties between helmsmen and crew shall be entirely at the discretion of the helmsman, unless stipulated in the sailing instructions.*
- f) *For all Association events, the helmsman of the dinghy shall be a full / family member, youth or Junior Member with the exception of the Crews Race and Single Handed/Non-Spinnaker Race.*
- g) *Adequate personal buoyancy shall be worn by all helmsmen and crews at all times whilst racing unless the authority in charge of the particular event shall give specific exemption.*
- h) *In accordance with the current IYRU Racing Rules of Racing, the maximum weight of a competitors clothing and equipment shall be 10 kilograms for a Miracle Association events. Weights shall be determined as required by the Racing Rules of Sailing.*

#### **14. ADVERTISING**

a) *Definition of Advertising*

*For the purposes of this code advertising is the name, logo, slogan, description, depiction, a variation or distortion thereof, or any other form of communication that promotes an organisation, person, product, service, brand, or idea so as to call attention to it or to persuade persons or organisations to buy, approve, or otherwise support it*

b) *General*

1. *Advertisements and anything advertised shall meet generally accepted moral and ethical standards*
2. *Advertisement on sails shall be clearly separated from national letters and sail numbers*

c) *Advertisements*

*On mainsail and jib advertising may only be displayed within 1 metre from the foot of the sail*

*The intention of the above is to limit advertising to a reasonable level and The Committee of the Miracle Association reserves the right to censure any advertising it deems not to meet the above terms and conditions.*