

IDNIYRA–EUROPE

International DN Ice Yacht Racing Association-Europe

EISSEGELVERBAND EUROPA

CONSTITUTION

MAY 2019



Table of Contents

Section I. Name, location, definition, purpose, sphere of activity, funds 3
Section II. Membership, admission, exclusion, rights and obligations of members, termination of membership 4
Section III. Association's bodies, regattas, reporting 5
Section IV. Board, General Assembly, disputes, dissolution 6
Section V. V. Section Rules of Procedure 8

Section I.

Name, location, definition, purpose, sphere of activity, funds

§ 1

1. IDNIYRA-EUROPE – Eissegelverband Europa (hereinafter referred to as IDNIYRA-EUROPE) is an international sporting association for European ice-sailing in international DN and ICE-Optimist classes.

2. The association is seated in Vienna.

§ 2

1. The purpose of IDNIYRA-EUROPE is the representation of its members and the protection of the interests of European ice-sailing sport as well as its promotion on a charitable basis.

2. The sphere of activity of IDNIYRA-EUROPE is to provide advice and decision-making on all matters relating to European ice-sailing sport:

- a) Care and promotion of ice-sailing sport also in the form of competitive sport
- b) Dates and execution of international, open regattas and championship regattas
- c) Organization of courses and training regattas
- d) Establishment, monitoring and implementation of uniform rules
- e) Measurements

f) Representation at authorities and sports organizations to promote European icesailing sport

g) Public relations in the interest of European ice-sailing sport.

§ 3

The funds for achieving these association activities are provided by:

a) Dues

b) Revenue from entry fees at regattas (provided that these are organized on behalf of IDNIYRA-EUROPE)

c) Subsidies and donations

d) other contributions and income

Section II.

Membership, admission, exclusion, rights and obligations of members, termination of membership

§ 4

The members are natural persons or legal persons (the country-specific ice-sailing organizations). The board decides on their admission by a simple majority. The admission can be refused without giving reasons.

§ 5

1. Ordinary members are the country-specific ice-sailing organizations and are represented by their chairperson or by a person authorized by him/her. Every ordinary member has his seat and vote in the General Assembly.

2. Extraordinary members are natural persons; you must be a member of the respective country-specific ice-sailing organization. Extraordinary members have no seat and no vote in the General Assembly.

§ 6

Membership ends by resignation, exclusion or death of the member; for legal entities with their dissolution.

§ 7

The exclusion of a member can take place:

a) if the membership fee is in arrears.

b) by a simple majority vote of the board in case of repeated gross violation of the sport rules or due to dishonorable behavior.

c) In case of a tie, the Commodore (President) decides. Appeal to the General Assembly is permitted. The membership is suspended until the decision in an ordinary or extraordinary general meeting.

§ 8

With the end of the membership all rights of the member in IDNIYRA-EUROPE expire. The responsibility to fulfill the obligations incurred by the member towards IDNIYRA-EUROPE remains in force until its fulfilment.

A resigned member cannot claim any of the assets of IDNIYRA-EUROPE.

§ 9

Each member has the right to submit proposals in writing to the Board. These proposals must be well thought-out and put on vote at the ordinary or extraordinary General Meeting.

§ 10

The members are obliged to pay the membership fee on time as decided by the General Assembly.

Section III.

Association's bodies, regattas, reporting

§ 11

IDNIYRA-EUROPE has the following administrative bodies:

- a) The General Assembly
- b) The Board
- c) The Auditors
- d) The Arbitration Court

§ 12

The Board consists of the following members:

- a) Commodore (President)
- b) Vice-Commodore (Vice-President)
- c) Secretary
- d) Treasurer
- e) Insurance Manager
- f) Junior Program Manager
- g) Webmaster

The functions of the Treasurer, Insurance Manager, Junior Program Manager and Webmaster may be held by other members of the Board.

§ 13

1. The Commodore (President) is responsible for the proper conduct of business of IDNIYRA-EUROPE and represents the Association to the outside world.
2. The Commodore (President) proposes the members of the Board to the General Meeting. The proposed board members must be members of IDNIYRA-EUROPE.
3. If a member of the Board leaves during the term of office, the Commodore (President) appoints a new member for the remaining term of office.
4. If the Commodore (President) resigns, an Extraordinary General Assembly shall be convened by the Vice-Commodore (Vice-President).
5. The Commodore (President) and the Vice-Commodore (Vice-President) represent each other.

Section IV.

Board, General Assembly, disputes, dissolution

§ 14

1. The Board may regulate its business order by drawing up a Rules of Procedure.
2. The Board is authorized to conclude all types of contracts, including service contracts.
3. Legally binding documents shall be signed by the Commodore (President) and a second member of the Board.
4. Monetary transactions are made by the Treasurer, who is responsible for the financial administration according to the resolutions of the Board.
5. The Secretary is responsible for all IDNIYRA-EUROPE documents.
6. The decisions of the Board are enacted by a simple majority. In case of equality of votes, the vote of the Commodore (President) decides.

§ 15

1. The General Assembly is responsible for:
 - a) the election of the Commodore (President) for a two years term
 - b) the election of the Board for a two years term
 - c) the election of two auditors

- d) acceptance of the reports of the Board
- e) resolution on the discharge of the Board
- f) resolution on the discharge of the treasurer
- g) fixing the membership fees and approving the financial plan
- h) requests and inquiries
- i) dissolution of IDNIYRA-EUROPE

2. The Ordinary General Meeting shall be convened annually by the Commodore (President) and the Secretary, issuing the agenda, so that at least one month lies between the date of posting and the appointed event. The invitation can also be made by e-mail.

The date for the Annual General Meeting for the following year will be decided during the preceding General Meeting.

3. An Extraordinary General Meeting shall be convened by the Commodore (President) at any time, if required by the Governing Board or 1/10 of all Ordinary Members, with the announcement of the agenda 14-days before the suggested meeting date.

4. The quorum of the General Assembly is attained if at least five full members are physically present.

5. Resolutions are passed by a simple majority. For exceptions, see §§ 18 to 20. Ballots may also be held in writing upon request.

6. Minutes of the meeting are to be kept about the General Meeting and transmitted to the members within 12 weeks or published on the homepage of IDNIYRA-EUROPE.

7. Inquiries to the Ordinary General Meeting must be submitted in writing to IDNIYRA-EUROPE no later than 6 weeks in advance.

8. The General Meeting is chaired by the Commodore (President), in his absence the Vice-Commodore (Vice President). If this is also prevented, the most senior member of the Board.

9. The members of the Board are entitled to vote in the General Meeting – with the exception of the discharge of the Board and the Treasurer.

§ 16

The Auditors are elected for a term of two years and shall not be members of the Board and shall report the result of the audit to the General Meeting. They shall submit the proposal for discharge or non-discharge.

§ 17

For arbitration of all disputes within the association an internal Arbitration Court is appointed. It is a “mediation facility” within the meaning of the Association Act VerG 2002 and not an arbitral tribunal according to §§ 577 ff ZPO.

The Arbitration Court is composed of three members of the association. It is formed such a way, that one dispute-party appoints in writing a member as a referee to the Board. At the request of the Board within seven days, the other dispute-party shall appoint a member of the Arbitration Court within 14 days. After agreement by the Board within seven days, the nominated arbitrators shall elect a third member to the chair of the Arbitration Court within a further 14 days. In case of a tie among the nominees a draw will decide.

Members of the Arbitration Court shall not be members of any of the association bodies, whose activity is the subject of the dispute – except the General Assembly.

The Arbitration Court makes its decision after granting mutual hearing in the presence of all its members by a simple majority vote. They decide to the best of their knowledge and belief and the decisions are association internal irrevocable.

§ 18

The change and/or amendment of these statutes can only be made by a General Assembly with 2/3 of the votes cast.

§ 19

The dissolution of IDNIYRA-EUROPE can only be decided by a General Assembly with 2/3 of the votes cast. The remaining assets shall be transferred to:

a) a charitable purpose

or

b) a club or Association that operates or promotes ice-sailing sport in Europe.

The resolution on this is taken by the General Assembly in the course of the dissolution.

Section V.

Rules of Procedure

§ 20

Unless otherwise provided in this Constitution, the General Assembly may, at the request of the Board, lay down the implementing provisions of this Constitution and any other questions relating to ice sailing in By-Laws.

The Rules of Procedure are to be prepared by the Board and submitted to the General Meeting for approval.

The General Meeting approves these Rules of Procedure and their possible amendments by a 2/3 majority of the votes cast.

written by:

Niklas Müller-Hartburg in Mai.2019