

# **International Thunderbird Class Association**

## **CONSTITUTION**

### **ARTICLE 1 - NAME**

- 1.0 International Thunderbird Class Association.

### **ARTICLE 2- EMBLEM**

- 2.0 The class emblem is a stylized Thunderbird head as prescribed in the class specifications.

### **ARTICLE 3- OBJECT**

- 3.0 To promote and develop Thunderbird racing under uniform rules governed by the International Thunderbird Class Association.

### **ARTICLE 4 - POLICY**

- 4.1 To cooperate with all other yachting organizations and to request in return, recognition of this Association and its rules.
- 4.2 To keep the Thunderbird yacht within the financial reach of sailors of moderate means without handicapping ability, or encouraging neglect in conditioning yachts. or retarding the development of the Thunderbird class.
- 4.3 To maintain a one-design class in order to insure that all Thunderbird Class races held under the auspices of this Association be to determine the skills of the skipper and crew and to eliminate variation in the construction of the yachts that would be detrimental to the best interests of the Association. Everything in the Constitution and Specifications is intended to insure competition between yachts of one design. and the spirit of the Constitution and Specifications is to this end.
- 4.4 To promote the inherent cruising ability of the yacht.

### **ARTICLE 5- ORGANIZATION**

- 5.1 General. The organization of the Class shall consist of the International. The Fleets, Voting Members and Active Members. The international shall consist of the Board of Governors, the Measurement Committee and such other Officers and Committees as the Board of Governors shall appoint from time to time.
- 5.2 The International Board of Governors. The International Board of Governors shall exercise the powers of the Association. including the power to convene meetings of the Association. It shall consist of the President, the Vice President, International Secretary, and International Treasurer, all of whom shall be voting members and shall serve for three year overlapping terms. The terms of the Secretary and Treasurer shall run concurrently. In case of a vacancy on the Board of Governors, the remaining members shall have the power to fill said vacancy until the next annual meeting of the Association.

The actual presence of all four members of the Board of Governors shall be necessary for a quorum but once a quorum is established, it shall not be lost by the withdrawal of a member from the meeting. The Board of Governors shall act by a majority or all its members. Meetings of the Board of Governors shall be open to the Presidents of the Fleets and when any such President is in attendance, he shall have a vote on all matters before the Board.

- 5.3 The President. The President shall be the chief executive of the International Association, responsible for overall administration thereof, with authority to call meetings of the Board of Governors and of the International Association and to preside over such meetings and any other functions of the International Association.
- 5.4 The Vice President. The Vice President shall act in the place of the President in his or her absence and perform such other International Association functions as requested by the President.
- 5.5 The International Secretary. The International Secretary shall manage the publications and correspondence of the International Association.
- 5.5.1 The International Treasurer. The International Treasurer shall manage the finances and maintain the database of the International Association.
- 5.6 Elections of Officers. The International Board of Governors shall appoint a Nominating Committee and shall provide the name and address of the chairman of that Committee to the Secretary and President of each active fleet at least two months in advance of the Annual General Meeting. A candidate for President, Vice President, International Secretary, or International Treasurer as required shall be provided by the Nominating Committee. Additional candidates may be provided by any voting or active member. The required Officer shall be elected by the voting and active members of the Association at the Annual General Meeting.
- 5.7 The International Measurement Committee. The International Measurement Committee shall consist of three voting members of the Association who shall be appointed by the Board of Governors for overlapping three year terms. The Measurement Committee shall have power over all matters affecting the measurements and specifications of yachts, including but not limited to reviewing and granting or rejecting measurement certificates and interpreting (but not changing) the Class specifications. On controversial or important matters, the Measurement Committee's final action shall be taken in a joint meeting with the Board of Governors. The Measurement Committee shall keep a written record of all its rulings interpreting the Class specifications. The Measurement Committee shall act by a majority of all its members, including the Board of Governors when the two bodies are meeting jointly.
- 5.8 The Fleets. The Fleets are local organizations of persons interested in the Thunderbird Yacht. Each fleet shall be chartered by the International Association and is urged (but not required) to organize using the model Fleet by-laws available from the International Secretary. However, each Fleet must have a President and a Secretary or equivalent Officer. It is permissible to organize fleets into larger units as the growth of the Association warrants.
- 5.9 Voting Members. A Voting Member must be a Corinthian and an owner or part owner of a Thunderbird yacht holding a valid measurement certificate from the International Association; or a recognized professional builder of measured Thunderbird yachts; and a member in good standing with the International Association.

- 5.10 Active Members. An Active member must be a Corinthian in good standing with the International Association. Active Members include owners of Thunderbird yachts that have not been issued a valid measurement certificate from the International Association, crews, and other individuals interested in the Thunderbird class and activities of the International Association.
- 5.11 Membership. The individual shall join, if possible, through a Fleet on whose waters he or she normally sails. The power to accept or reject applications for membership is vested in each fleet, subject to refusal for cause by the Board of Governors.
- 5.12 Good Standing. Any member with dues in arrears for six months or more shall cease to be a member in good standing. Payment of delinquent or current dues shall restore good standing for the delinquent or current period.

## ARTICLE 6 - PROCEDURES OF THE ASSOCIATION

- 6.1 Annual and Special Meetings. The Annual Meeting of the Association shall be held in January of each year at a time and place to be determined by the Board of Governors. Special Meetings of the Association may be called by the Board of Governors from time to time. Notice of Association Meetings shall be publicized by the International Secretary to the Members of the Association as widely as possible but direct mailing of notice to each Member is not required. The Board of Governors is required to give the Secretary and President of each active Fleet at least two months advance notice of any Association meeting.
- 6.2 Quorum, Attendance and Voting at Meeting. Ten Voting Members present in person shall constitute a quorum for any Association meeting. Voting may be in person or by ballot, but the International Secretary must receive ballots prior to the meeting. Voting Members, and Active Members who are owners of Thunderbird yachts, shall have one vote for each matter before an Association meeting. A majority vote will decide all questions unless otherwise specifically provided in this Constitution. When voting on specifications, co-owners shall jointly cast one vote for their yacht. **Voting by electronic means may be arranged at the discretion of the Board of Governors for a decision by the membership.\***
- 6.3 Business of Annual Meeting. The Annual meeting shall be conducted as follows:
  - Call to Order
  - Minutes of last meeting
  - Reports of Officers, Committees and Fleets
  - Old business
  - New business
  - Election of Board of Governors - seating
  - Appointment of Measurement Committee - seating
  - Adjournment
- 6.4 Special Meeting. Special meetings shall be conducted as follows:
  - Call to order
  - Special business
  - Adjournment
- 6.5 Amendments of Constitution. This Constitution may be amended at any meeting of the Association. Such amendment must be proposed in writing, signed by 25 (twenty-

five) Voting Members and/or Active Members who are owners of Thunderbird yachts, and sent to the International Secretary. Only Voting Members are eligible to vote on amendments to Sections 5.7, 6.5, 6.6, 8.1 and 5.6 of the Constitution, relating to Specifications or Measurement Policy. The Board of Governors shall call an Association meeting at the earliest convenient time thereafter for voting on the proposed amendment. Notice of the proposed amendment shall be set forth in the notice of the meeting where the amendment is to be voted upon. The amendment shall require two-thirds majority vote at said meeting for adoption. The basic principles of Articles I, 2, 3 and 4 cannot be changed.

- 6.6 Amendments of the Specifications. The Class Specifications may be amended in the same manner as the Constitution and a two-thirds majority of the Voting members voting thereon shall govern. The Class Specifications may also be amended by a proposal originated unanimously by the combined Board of Governors and a Measurement Committee, submitted to the Voting members voting thereon. No amendment to the Class Specifications shall render ineligible a former yacht whose eligibility was established under previously existing Class Specifications and whose configuration cannot be changed to conform to the proposed amendment.

## **ARTICLE 7-DUES**

- 7.1 Fleet Dues. The annual dues of each Fleet to the Association shall be \$5.00.
- 7.2 Member Dues. The annual dues for voting members and for active members shall be approved at the Annual General Meeting on the recommendation of the Board of Governors and shall be paid to the Association either directly or through the Fleets. Any recommendation for a change of the annual dues and the effective date such a change shall be included with the notice of the Annual General Meeting.

## **ARTICLE 8 - RACING REGULATIONS**

- 8.1 Yacht-Specifications. A Thunderbird yacht must conform to the requirements of the Class specifications in order to be issued an executed measurement certificate. The official measurement certificate shall consist of a three-part form as approved by the Measurement Committee form time to time. A measured yacht shall also receive a gold seal of the Association bearing the yacht's number and the word "Measured." Any yacht which possesses an International Measurement Certificate is presumed to conform to the specifications of the Class regardless of the transfer of ownership unless or until the contrary is established by the following protest procedure:
  - a. A protest of the questioned item shall be filed with the Fleet Measurement Committee or Race Committee having jurisdiction. Such protest may be filed at any time but preferably before the commencement of racing.
  - b. The protested item shall be examined by the Committee. All hoisting and other handling expenses are to be borne by the protestor initially, but by the losing party ultimately.
  - c. The Committee shall make its ruling in writing, publish it to the Fleets concerned and send a copy to the International Measurement Committee.

- d. Any Voting Fleet member dissatisfied with the ruling of the Committee may appeal to the International Measurement Committee, whose decision shall be final. On appeal the International Measurement Committee shall base its decision on the facts as found by the Committee but shall be free to make its own interpretation of rules and its own policy decisions.
  - e. Any yacht which does not possess any International Measurement Certificate shall be presumed not to conform to the specifications of the class and any expense of establishing the contrary shall be borne by its owner.
- 8.2 Code of Racings Rules. Thunderbird yachts shall be governed by the racing rules specified in the official instructions for races which they enter. Where no such rules are specified, the rules of the applicable national and yacht racing body shall govern. The race series to determine - any - champion of the class shall be governed by the racing rules of the International Yacht Racing Union. Except as otherwise provided in the written race instructions, Thunderbird yachts racing in class will conform to the requirements of the Class Constitution and Class Specifications.
- 8.3 World, National, Regional and Fleet Championships International, National and Regional Championships shall be open only to the Thunderbird yachts and members conforming to the Constitution and the Class Specifications. Regulations regarding Fleet Championships shall be determined by the Fleet. All of the foregoing championship series shall be sailed in accordance with the instructions set forth in Section 8 2 above to the extent practical. Immunity from protest on conditional waivers shall be determined by the sponsoring authority. International, National and Regional Championships require the written sanction of the International Board of Governors.
- 8.4 Sail regulations . No more than one main, one jib, one genoa, and one spinnaker may be acquired every other calendar year, regardless of ownership, except that one additional sail of each type may be acquired once during an ownership of a yacht. A new sail which is given to the owner, free of charge as a replacement for a defective sail, is not considered to have been acquired provided that the defective sail is not used thereafter. Sails which have been lost or destroyed accidentally may be replaced outside this quota. An unlimited number of used sails may be acquired provided that they have a minimum of two seasons of use at the time of acquisition as determined by the fleet sail measurer. No more than 2 (two) main sails, spinnakers, working jibs, and 3 (three) genoas may be carried on board during a race. Sails may not be burrowed except in Championship events where the number of participants per Fleet is limited. In this case, sail numbers must represent either the skipper's yacht number or the yacht number on which they are being used. Reefing shall not be used to effect an undersized headsail. Only those sails illustrated on the plan may be used in this specified position to a maximum of three sails being used at once. Putting sail(s) into or taking sail(s) out of the anchor well is not permitted.
- 8.5 Crew Regulations. In all races for International, National and Regional Championships, crew (including skipper) shall be all Corinthians and total three or four, all Corinthians and the skipper must be a Voting member of the International Association. In other races, the number of crew and the status (Voting or Active) of the skipper with the Association shall be governed by the local rules.
- 8.6 Measurement Policy. A carefully constructed yacht should have no trouble coming within the measurement tolerances prescribed in the Class Specifications. This is demonstrated by the fact that many certificates have been approved with no discrepancies

whatsoever. On the other hand, the only purpose of the measurement program is to insure that one yacht does not have an unfair advantage over another by virtue of some discrepancy of design (subject always, to the principal that all Thunderbird yachts should look essentially alike). However, it is always possible that an apparently innocuous discrepancy may later be discovered to confer an advantage. Accordingly, where a yacht has one or more measurements which are not within the official tolerance and it appears, either from the experience of the International Association or on representations of the local Fleet, that the discrepancies do not give the particular yacht an advantage in class competition, the following policy will be followed by the measuring authorities:

- a. The official tolerances will be adhered to in the interest of avoiding seemingly innocuous discrepancies or variations which may later turn out to be advantageous.
- b. Upon request from the Fleet concerned, yachts which have apparently innocuous discrepancies in their measurement certificates, will be approved but the discrepancies will be noted by the term "conditional waiver."
- c. The yacht holding the conditional waiver will be subject to protest on the noted item(s) except in races which the sponsoring authorities, or all participating Fleets, have granted immunity from protest on said item(s).
- d. The conditional waiver will be limited to innocuous discrepancies and in deciding what is and what is not an innocuous discrepancy, the International Measurement Committee will be guided by (1) their own experience and (2) recommendations from the local Fleet that the item is to be given a conditional waiver.
- e. Each local Fleet is required to make a record of the conditional waivers outstanding in the Fleet which shall be available to all interested members.
- f. It will be the policy of the International Measurement Committee not to grant a conditional waiver in a situation where it is felt that the discrepancy could be corrected without undue expense or inconvenience to the yacht owner. Therefore Fleets should refrain from requesting such waivers unless they feel that it is the only equitable thing to do.

## **ARTICLE 9. OBLIGATIONS**

- 9.0 The international shall not be liable for any debts contracted by any of its members, Officers of Fleets except for expenditures authorized by the Board of Governors.

This Constitution and these specifications are effective as of January, 1994. All previous rules and rulings are superseded.

\* Approved at the January 2007 AGM