

Council Alternates

Amendment to the Constitution

A submission from the Chairman of the Constitution Committee

Proposal:

That Council, as the Board of International Sailing Federation Limited, include in the agenda for the meeting of the General Assembly in November 2008, the following item:

1. Delete Articles 51 to 55 of the Constitution.
2. Insert in their place the following
 - 51. Members of Council appointed under Article 39.1 (c), (d), (e) and (f) may appoint alternates to take their place if they are unavoidably absent for the whole or part of a Council meeting. If they are unable to attend a meeting and have not appointed an alternate themselves, the President can make such an appointment.**
 - 52. The alternate appointed shall be someone from the same group, the same committee or from the Women's Forum as the case may be. The alternate appointed may be a member of Council himself, but in that case the member shall not have an additional vote in his capacity as an alternate, so that he only has one vote in total.**
 - 53. A council member may be in attendance as an observer while the alternate is taking his place.**
 - 54. An alternate shall be entitled to receive notices of all meetings of the Council and to attend at any such meeting at which the member appointing him is not personally present or cannot act in his capacity as a member of Council for the time being and shall generally perform all the functions of his appointor as a member during that period..An Alternate shall cease to be an Alternate if his appointor ceases for any reason to be a member.**
 - 55. All appointments and removals of Alternates shall be effected by notice given to the Secretary General by the member making or revoking any such appointment.**

Current Position:

51. Each nominated member of the Council may at any time appoint some other yachtsman from his Group or nominating body to be an Alternate member of the Council, and may at any time remove any Alternate member so appointed him.
52. The President may appoint an Alternate in the event of a member being unable to attend and not having notified the Secretary General of an Alternate.
53. An Alternate shall be entitled to receive notices of all meetings of the Council and to attend any such meeting at which the member appointing him is not personally present and is generally to perform all the functions of his appointor as a member during his absence.
54. An Alternate shall ipso facto cease to be an Alternate if his appointor ceases for any reason to be a member.
55. All appointments and removals of Alternates shall be effected by notice given to the Secretary General by the member making or revoking any such appointment.

Reason:

The Constitution Committee made certain recommendations to Council in at the Annual Conference in November 2007 regarding the appointment of Alternates in Council. The provisions relating to alternates are contained in the Constitution and any amendments must be passed by the General Assembly. Those amendments should be approved by Council before they are submitted to the General Assembly.

Council is asked to note that these proposed amendments include a right for Council Members to appoint Alternates in certain circumstances when, while present at the meeting, they are unable to sit on Council, either because of unavoidable temporary absence or because of a conflict of interest. This was the position adopted in November 2007 on the ground that it was not forbidden in the Constitution and was desirable as each Group is entitled to be represented throughout the meeting. This issue is a matter of principle and Council should decide whether it is a correct attitude to adopt or not.

If Clause 39.1.(f), the provision appointing a Women's Representative, is removed, the reference here to that clause will need to be deleted.