World Sailing Constitution

Article 102

A submission from the Israel Sailing Association

Purpose or Objective

In order to avoid mistakes in stating voting outcome in WS bodies mentioned in article 102 allow in 102 (e) the option of voting by show of hands as the only option (proposal 1), and/or, if it doesn’t pass, allow three council members to object to electronic means of voting (proposal 2), and allow three members to ask for a paper ballot on a particular item in order to facilitate a record of individual voting on that item.

Proposal 1

Reg.102 the following provisions shall apply to decisions made by a General Meeting, a General Assembly, Council, any committee or sub-committee of Council, a commission, or a forum (including written or electronic decisions made between meetings):

102 (c) Unless provided otherwise in these Articles or the Regulations, decisions shall be made on a simple majority of the votes cast.
102 (d) Any Special Resolution, and any amendments to the Memorandum or Articles of Association, shall be made on a 75% majority of the votes cast
102 (e) Unless Article 102(f) applies, voting shall be by show of hands or such other means, including electronic, that are approved by the chairman. Electronic voting may be used only when "electronic meetings" are conducted.

102 (f) Secret ballots shall be held on the decision request of:

(i) the chairman of a meeting;
(ii) a meeting itself;
(iii) at a General Meeting, at least five delegates;
(iv) or at Council, any three Council members.

When voted on and getting a simple majority.

Proposal 2

Reg.102 the following provisions shall apply to decisions made by a General Meeting, a General Assembly, Council, any committee or sub-committee of Council, a commission, or a forum (including written or electronic decisions made between meetings):

102 (c) Unless provided otherwise in these Articles or the Regulations, decisions shall be made on a simple majority of the votes cast.
102 (d) Any Special Resolution, and any amendments to the Memorandum or Articles of Association, shall be made on a 75% majority of the votes cast
102 (e) Unless Article 102(f) applies, voting shall be by show of hands or such other means, including electronic, that are approved by the chairman. When three council members request that voting shall be by show of hands in case the chairman approved otherwise, it will be done that way, unless an “electronic” meeting is conducted.

102 (f) Secret ballots shall be held on the decision request of:
(i) the chairman of a meeting;
(ii) a meeting itself;
(iii) at a General Meeting, at least five delegates;
(iv) or at Council, any three Council members.

When voted on and getting a simple majority.

Proposal 3

Add to 102 (e)

Allow three members to ask for a paper ballot on a particular item in order to facilitate a record of individual voting on that item.

Current position

Reasons

For Proposal 1- after the draft minutes of the 2018 November Council meeting were published four council members claimed that the published vote on submission 037-18 was in their case wrong and asked the president to amend the draft minutes so as to reflect what was in their eyes the truth of what actually happened in the meeting. The president refused. In order that such incidents would not happen in the future the submitter believes that voting by actual “show of hands” will make it almost impossible to make mistakes. It is believed, from long studies of voting by “show of hands” done in ALL WS committees as well as, then, the IYRU Council, until 1967 as well., that it was not more time consuming than voting by electronic means, used recently ONLY by the council.

The submitter took notice that at the moment article 102 (e) give the option of which method to vote is in the hands of the chairman, and the submitter is quite sure that the president after the mentioned event, will decide at the next meetings he will chair to use “show of hands” since the president is preaching from the beginning of his presidency “transparency” for which “show of hands” is the only voting method to use. Having said that, the submitter thinks the article should be changed for future WS meetings starting now.

Reasons for Proposal 2 to the reasons used for proposal 1 the submitter would like to add to the reasons for proposal 2 that if 1 is rejected then like article 102 (f) (iv) gives the power to “any three council members” to “decide” on conducting a secret ballot the same power should be given to the same number of council members to decide on a “show of hands” vote.

Reasons for Proposal 3 this addition is needed whenever the record of how individuals voted on a particular item for future reference is asked for.