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Dear Peter,

Thank you for your letter. This is the response of the IOM ICA Interim Executive Committee.

Following our meeting with you at the IOM European Championships in Fleetwood, it was decided at the MYA Council Meeting in August that a sub-committee should be formed to address any areas of concern or confusion regarding the documentation so far produced by IOMICA.

Whilst the MYA has stated its support for IOMICA, and its principle objectives, several issues have arisen from our reading of the Constitution and the Regulations that have caused concern, for which we would be grateful for your guidance. There are also other areas where we would like to make comment but I will try to deal with things in the order they appear in the relevant documents.

Dealing with Constitution first, our main concerns, as I think we have expressed previously, relate to some of the more onerous clauses and funding, both of IOMICA itself and the MYA's operations as a DM NCA. To highlight these concerns I have identified some of the clauses below and outlined various questions.

In looking at the MYA's concerns from a broader perspective, it might be useful to remind ourselves of the current situation with regard to the management of the International One Metre (IOM) class.

Since the inception of the class in 1988, the IOM has been managed by the ISAF-RSD, and it is in this sense that RSD acts and has acted as the IOM Class Association, promulgating and changing the class rules and issuing class rule interpretations. In addition to acting as the Class Association for the other International classes, RSD also acts as the international authority for our sport, and it is clear that there are significant tensions between these various roles. One of the most important issues is the handicap that RSD is obliged to work under when it seeks to identify and accommodate the opinions and desires of the IOM owners around the world – it is not constituted as a democratic body in service to class owners. In order to resolve these tensions, allowing the RSD to act independently as an arm of ISAF and under their insurance cover, and giving the owners the control of the classes, class management must be passed into the hands of independent, separate International Class Associations. In the case of the IOM, the International Class Association is organised along recognised ISAF lines for the democratic representation and involvement of IOM owners throughout the world. As part of this arrangement, the IOM ICA is constitutionally required to encourage the formation of National Class Associations and to recognise those NCAs which meet minimum criteria.

Clause 7.1.1 refers to an 'accepted NCA Constitution'. Is this required to be produced by a DM acting as an NCA and if so, does this require the MYA to produce such a document prior to being granted membership of the World Council? If the answer to this question is yes, then this will generate a large amount of work for someone on MYA Council in a short space of time unless a standard model has already been prepared.

Where an existing organisation (such as the MYA) seeks recognition to act as a NCA, we would expect there to be an existing constitution for that organisation. Our understanding of this clause of our constitution is that the IOM ICA should satisfy itself that the organisation and its constitution form a satisfactory basis for that organisation to carry out the duties and responsibilities of an NCA.

If the MYA is contemplating a separate and independent organisation to be the IOM NCA for GBR, then we would need to be satisfied as to the constitution of such a separate organisation. We think the MYA itself would find this a necessary safeguard for boat owners in clubs within its jurisdiction.

In either case, we are not seeking an onerous responsibility to be placed upon any NCA in this regard. First, we intend to rely upon our Memorandum of Understanding which identifies the duties and responsibilities of a NCA as the basis of that NCA's operations and obligations. Second, it is simply a duty of care and prudence to IOM Owners, both in the country concerned and in other countries, that the IOM ICA should be satisfied that the constitutional arrangements of its NCAs are consistent with the aims and objectives of the IOM class, both as an individual class, and as a member of the international radio sailing community.

Clause 7.2 refers to a 'registration fee' which appears to be currently set at £50. Could you please clarify whether this is a one-off payment, when and how will the final figure be set and at what point does this become due? The MYA as a DM NCA will have no funds to draw on initially and would have to rely on MYA funds, something which Council [and most probably the majority of our membership] are keen to avoid.

We are waiving the fee in question where any established organisation (such as a DM) applies for recognition **and** it seems unlikely that there will be any competing applications from other organisations in the country concerned. If it becomes apparent that more than one organisation seeks or is likely to seek recognition in a particular country, then the fee will be required and will become due either upon formal application for recognition or, if such application is already being processed, immediately.

Your question does raise an issue indirectly, where you write that "the MYA as a DM NCA will have no funds to draw on initially and would have to rely on MYA funds". It is unclear to us whether you are contemplating the setting up of an IOM NCA as an entity distinct and separate from the MYA, or whether you are contemplating having the MYA act as the IOM NCA. If you are contemplating a separate entity, then such an entity would indeed probably start with only minimal funds. On the other hand, if you are contemplating having the MYA act as the IOM NCA, then we would expect that the MYA would have full access to MYA funds.

Clause 7.4 seems to defeat the object of forming NCA's and NCS's. For example, if a DM were to decide not to form an NCA or have an NCS, it would appear that clause 7.4 could permit several hundred individual members of the World Council. Is this possible? If so, what is the purpose of this clause?

We read this clause of our constitution as permitting a national group of owners to have a World Council representative even though their country has neither a NCA or NCS. We would point out that the current Regulations explicitly address this constitutional provision and state that the IOM ICA has made no such regulation and in fact does not wish to invoke this provision.

The clause is provided as a "fail safe", a mechanism for ensuring inclusiveness of all IOM owners in the event that a NCA or NCS fails to get off the ground, fails to represent its owners properly, or ceases to function effectively.

Clause 8.4 requires at least one meeting of the World Council to be held annually. It is presumed from this, that it is to be a physical meeting and not necessarily conducted electronically. This will surely be a large drain on IOMICA funds; will the NCA and its registered owners end up footing this bill despite your assurance, at this stage, that annual fees per registered owner will be zero?

We read clause 8.4 in conjunction with 8.3, and cannot conceive of holding a physical meeting of the World Council in either the short- or medium-term. All World Council meetings will be held electronically.

Clause 8.8.4 requires NCA's to ballot it's certificated owners and prove the results. Whilst allowing those who sail the class the opportunity to contribute to discussions and vote on proposals for the class rules is, in principle, desirable, this requirement again places a huge burden on somebody to actually carry this out. The situation in the UK and the task facing the MYA [if it were to act as the NCA] could be on a very large scale with several hundred certificated owners to be contacted. You have confidently assured the MYA that IOMICA would not be imposing an obligation on the average club sailor to pay an annual fee to be a certificated owner of the NCA. However, it is now clear that some funding will inevitably be required, that is separate from any fee currently paid to be part of the MYA. Council fears that the introduction of a fee to be part of IOMICA through a NCA will undoubtedly alienate the vast majority of IOM owners in the UK, the consequences of which will result in only a very small percentage of owners being represented. It would be in the interests of everyone, if IOMICA is to succeed, to encourage as many people to be involved as possible. However, even if we were to invite owners to register with an MYA NCA for free, by sending all their relevant details to create a database, we could receive in the region of 500 applications but would be faced with the same problem of how to fund any communications. The only way forward would seem to be to operate the MYA NCA entirely electronically, but even this will attract some administrative costs, and relying solely on email is not fair or inclusive enough to all potential members at present. Has IOMICA considered the ways in which DM's, who wish to act as NCA's, should approach the issue of internal funding to cover administrative costs associated with balloting members, possibly up to three or four times a year? We would welcome your suggestions.

If we may carry on with looking at the MYA's concerns from a broader perspective, it might be useful to remind ourselves of the current situation with regard to the management of the IOM class at national level.

While the ISAF-RSD acts as the International Class Association for the IOM, a Division Member acts as a National Class Association for the IOM. It is the DMs who make proposals for class rule changes, for example, and who respond to queries and proposals from RSD about the class. It is in this sense that the MYA is already acting as the national association responsible for the IOM class in GBR, albeit we understand without any formal consultation procedure with individual owners. Of course, a DM also acts as the national association for the other classes, both International and national, that might be sailed in its country, as well as acting as the national authority for radio sailing to the extent agreed with its MNA. There are, as at the international level, significant tensions between these roles for a DM, and particularly for one where its representation of its owners is based not on individuals but only on affiliated clubs. In the case of the IOM, we are seeking to establish a national association or national secretary in each country, such that the representation of their owners is fully democratic, and such that the interests of their class owners are their primary, if not their only, concern.

Given that the MYA is already acting in some capacity as a national association for the IOM class, we presume that the MYA is already funded, and levies fees upon its members, such that it can exercise the responsibilities and duties associated with this capacity. The IOM ICA is not currently seeking fees from NCAs or NCSs, and is of the opinion that it will not need to do so in the near future. A DM acting as an NCA who introduces an extra fee to its members on the grounds that this is "required" in order "to be part of the IOM ICA" is not accurately representing the situation – there is no such requirement. Without attempting to tell any NCA or NCS how to run its affairs, we feel it unnecessary for a DM acting as an IOM NCA to need additional funding or to levy additional fees, and we cannot agree that separate funding is inevitably required. We realise and accept, of course, that an organisation may wish to improve its services to its members, and so may form a judgement that such improvements require additional funding, but this is something for that organisation's management to consider and decide,

keeping in mind that it is in no one's interests to have only a small percentage of IOM owners in a country represented by that country's NCA. Having said that, if asked to advise on arrangements which could lead to a choice between either a large body of uninterested owners or a small body of enthusiastic activists, we would advise choosing the arrangements which provide for the more active group. We feel that there are several models of NCA that would be viable, depending on the resources available or to be made available, such as an "all electronic, free to owners" NCA, an "any means of communication, by annual fee" NCA, and so on. In all cases the degree of influence that NCA members may exert on the class would be expected to be far greater than up till now.

In a NCA, as in the ICA, there is a balance to be struck between acceptable costs, democratic operations in addition to democratic principles, and the possibility that some owners may not be inclined to participate in whatever method of balloting is chosen. It is our considered view that electronic communication via the Internet is now a sufficiently widespread and cost-effective method of operating that it considerably outweighs the possibility that a small minority of owners in GBR (and elsewhere) might be unable to register their vote.

Clause 11.2.5 refers to the licensing of builders and suppliers and clause 9.2 of the Regulations also makes reference to licensed sail makers. Whilst this is an understandable procedure for professional boat building and sail making companies manufacturing one-design international dinghy classes, the MYA is extremely concerned how this could possibly operate successfully in what is still, essentially, an amateur driven sport. There are obviously some professional outfits who would be prepared to operate under license in the UK but surely this will only serve to add an increasingly litigious element to a sport which is essentially a hobby. What is to be gained from licensing?

We are aware that, while common at full-size, there are no existing licences within the IOM class. We find it difficult to understand why the MYA should have "extreme" concern over this issue, and why, by implication, it questions the constitutional and regulatory provisions made. The Class Rules currently provide for licensing, and the IOM ICA will, to start with, continue with existing class policy. The constitution and regulations simply make provision for licensing in continuity of existing policy.

We know of no examples where licensing "only" adds "an increasingly litigious element" to the sport, and we assume some misprint in your letter at this point. We expect licensing to provide very significant benefits to an existing or prospective IOM owner in terms of cheaper kit products and greater convenience in measuring. Licenses are a matter between the manufacturer and the MNA and/or the ICA, and place no burden on the NCA. Experience in the IOM class in USA has shown the great popularity we would expect from a "licensed sailmaker" scheme.

Clause 13.1.3 suggests that IOMICA might be part funded by an 'approval fee' for World and Continental Championships. What is this, why is it chargeable and how much is it likely to be?

The ISAF grants authority to the Class Association of an International class to hold world and continental championships. In the case of the radio classes, this authority is delegated to the ISAF-RSD. RSD levies an approval fee upon any organising authority which holds an IOM world or continental championship, and this fee contributes towards RSD costs involved in supporting these championships. When the IOM ICA receives control of the class from RSD, it will take over receipt of these fees for similar reasons and in similar amounts.

The Regulations have not raised as many issues, but primarily it is clause 4.9 and its mandatory requirement for any future MYA NCA to certify the number of registered owners, registered boats, certificated owners and certificated boats represented by the NCA, that is causing concern. The compilation of such a database could be a potentially massive task. Currently the IOM registrar in the UK keeps an accurate record of all newly registered boats, but some of these are subsequently removed from that list after a period of time if they have not been measured. Boats also change hands on a regular basis, often without the new information being forwarded to the registrar, so data held by the registrar is already inherently variable. If this database has to be repeated independently for the NCA, with the added complication of four, confusing and conflicting, definitions [registered owners, registered boats, certificated owners and certificated

boats] it is yet another onerous task which will require somebody's considerable time and effort to maintain. The MYA understands the benefits to an organising body of a well maintained database and is currently in the process of slowly setting one up to provide Council with more relevant feedback and information on its membership, but why does an NCA database for the IOM need to be quite so complicated and what does IOMICA intend to do with the information supplied?

We feel you have answered your own question – there is no need for a DM acting as an NCA to maintain an independent database of IOM owners and boats. We are sorry that you are confused by the definitions, but cannot agree that they are conflicting or that the recording of the necessary data is complicated. The IOM ICA intends to do nothing with the data apart from satisfying itself that the voting on the World Council is consistent with the data supplied by the NCA.

<i>Registered Boat</i>	A <i>Boat</i> issued with a hull number.
<i>Certificated Boat</i>	A <i>Registered Boat</i> with a current, valid certificate.
<i>Registered Owner</i>	An <i>Owner</i> who is listed as being current and in good standing with an IOM NCA or IOM NCS.
<i>Certificated Owner</i>	A <i>Registered Owner</i> who owns at least one <i>Certificated Boat</i> .

The intention behind having two distinct categories of boat, and of owner, is to attempt to ensure as inclusive a membership as possible. Not all IOM owners sail certificated boats. Our research indicates that only somewhere between 25% and 50% of IOMs on an average club pond possess current, valid measurement certificates. We wish to enfranchise the 50% to 75% of IOM owners who enjoy sailing the class but who do not see the need to maintain a current, valid certificate.

The mechanics of the voting system have caused some confusion and appear to be interpretable in two ways. The voting share is unclear as it does not state whether the voting divisions are to be 'for' and/or 'against'. For example does clause 4.19 mean that for 63 members voting 'for' a motion it carries 3 votes at World Council and for 20 members of the same DM NCA voting 'against' it carries 1 vote at World Council, or is it a simple majority decision, i.e. 83 members, 63 'for' and 20 'against' equals 4 votes 'for'. An explanation is required please.

The NCA representative at the World Council has a number of votes which he or she may cast, based upon the total membership of that NCA. For example, a NCA with a total of 113 members is entitled to 5 votes. In a ballot, the members of that NCA might vote 63 'for' some proposal, and '20' against. The fact that a certain number of members did not participate in the ballot does not matter, the NCA still has 5 votes on the World Council.

The NCA is free to use its 5 votes in at least one of two ways. In cases where the NCA members show a clear majority for or against a proposal, the IOM ICA suggests that the NCA use all of its votes in support of the majority. In this example, it would be expected that the NCA votes its 5 votes 'for'. In cases where the NCA members show a close vote, perhaps 43 'for' and 40 'against', the IOM ICA recommends to the World Council representative that they either abstain from voting, or split their votes in proportion to the ballot of their members. In this situation for example, the NCA might vote 2.69 votes 'for', and 2.31 votes 'against'. There is some discretion that can be used, and perhaps the World Council will wish to regulate this aspect of its operations more carefully.

The intention of the MYA Council sub-committee was to ensure that we were happy with the documents that would effectively be adopted once the MYA became part of IOMICA as a DM NCA. In addition to the areas mentioned above, many minor issues have been thrown up [as you might expect with any Constitution put up for review] but it is perhaps fruitless to raise them here until our concerns over funding and manpower have been addressed.

The MYA would like to see an International Class Association work successfully around the world but we can't help feeling that it is not being generated in a manner which will create enthusiasm for the future. Class Associations need to be born from the bottom up. The Laser is a good current example, where a true one design, which was not linked to, or recognised by, any sailing body, has formed a Class Association to organise races, discuss technical issues, distribute newsletters and offer help to newcomers. Because there was 'nothing' and now there is 'something' people are keen to be part of it and readily accept becoming part of it. Unfortunately,

by trying to impose this type of arrangement in the UK on a class of boat which is already recognised by the MYA, has numerous league, ranking and national events organised for it and has owners whose only real concern with the class rules is that they don't change, it will inevitably leave many people asking why a second tier of administration is necessary.

We are sure that the MYA recognises we live in the real world, and not an ideal one. It might be the case that "Class Associations need to be born from the bottom up", but in the case of the IOM this is simply not possible. The ISAF-RSD created the class nearly 15 years ago, and it has been "looked after" by RSD and DMs since then. If you are seeking the spontaneous "emergence" of NCAs around the world, we feel this is most unlikely within any acceptable time scale.

It is possible to view a class association as an imposition, we suppose, if the view taken is that the class association will not continue to do what is currently being done, and will fail to properly represent the interests of its members. Neither of these outcomes seem plausible, to our mind. If the MYA acts an IOM NCA, we would fully expect to see existing MYA activities continue exactly as before with numerous league, ranking, and national events organised, and the views and concerns of owners being reflected to the responsible authority. We do not see any necessary "second tier" of administration, and would counsel strongly against it.

Naturally, some things will change. Instead of reflecting the views and concerns of IOM owners to the ISAF-RSD, the MYA acting as the NCA will reflect them to the World Council and the IOM ICA. Instead of the uncertainties of having their owners' views and concerns heard by RSD, the MYA is likely to have the largest allocation of votes on the World Council and will be in the strongest possible position to do something about them. This position of power carries with it a responsibility, which is the need for the MYA (as for any NCA) to be able to demonstrate that the views and concerns of its owners which it represents to the World Council have been arrived at democratically.

I hope that you understand that the slow nature of our willingness to just jump on board is due to our requirements, as officers of an historic and successful association, to protect the future of the MYA and ensure that we are doing what is in the best interests of both our clubs and our members. The MYA Council sub-committee will continue to gather opinions and suggestions during the build up to our AGM at the end of November and we would much appreciate your views and guidance on the above to be available for that meeting. It would also be interesting to have some official feedback as to the response and take up of other DM's world-wide and whether any timetable has been issued to IOMICA by RSD.

The IOM ICA has recognised the ARYA as the DM acting as NCA for AUS. We have been approached by the DMs for CAN, CRO, DEN, GER, and RSA seeking recognition. We have received expressions of support, but no immediate plans to seek recognition, from ESP, GBR, ITA, NZL, and USA. The remaining DMs have neither indicated support nor any plans to seek recognition.

To the best of our knowledge, RSD has no current timetable for the recognition of the IOM ICA. We understand that it is simply keeping the situation under continuous review.

Finally, there are some issues that we should like to take this opportunity to mention to you.

We do not see the role of DM acting as NCA as a long-term arrangement, but as a short-term measure. For the reasons mentioned above, and as it difficult for an organisation to promote each class in the most effective way when it administers several classes, we will always wish to see the emergence of separate and independent NCAs or NCSs in the countries where the IOM is sailed. It is our belief that this is in the long-term interests of the class and its owners as well as of the DMs concerned.

For any DM acting as NCA, there will need to be a necessary strengthening of support for the class concerned. Systematic procedures will be needed to both initially register and then track individual owners and their boats, and it is likely that an annual system of owner renewal will be needed. In addition, procedures to communicate information to your owners will be needed, as well as procedures to ballot them securely. These may require strengthening of the resources (human and material) dedicated

to the task. We have absolutely no wish to gloss over these implications or dismiss them as minor for the MYA. Your organisation is probably unique in the radio sailing world, in that it does not track its owners individually. We appreciate the difficulties this gives you. By the same token, there are a number of other models which are available for the MYA to adapt or adopt, and we would be pleased to put the MYA in touch with other prospective NCAs who might be able to offer examples of cost-effective practice.

We wish to suggest a different mindset on the question of costs. Instead of focusing on possible costs, cost escalation, and on the very small amount that an IOM owner has historically paid and might be presumed, perhaps incorrectly, to be willing to pay, we suggest that you focus on value and value added. The worth of a service to your IOM members lies not in a tabulation of the man-hours involved in providing that service, but in the value the member receives. We believe that IOM owners will cheerfully and willingly pay for targeted and specific IOM information, for vigorous representation of their interests, and for proactive shaping of the future of the IOM class and its rules, and we expect that this will apply to your IOM owners as well.

If the MYA is dissatisfied with the present management of the IOM class, you now have an opportunity, as your transatlantic cousins would say, to make a difference. If you help your IOM owners towards the formation of an effective NCA, we believe this would be in their, and your, best possible interests.

Sincerely,

Lester Gilbert
Chairman, IOM ICA Interim Executive Committee