

Dufour Association



Constitution of the Association

Name and Objectives

1. The Name shall be "Dufour Association".
2. The objectives of the Association are to facilitate communication between Dufour owners and those interested in Dufour yachts; to provide the opportunity for meetings; the exchange of information, knowledge and news; to produce a newsletter "Dufour News" and to maintain a web site.

Membership and Fees

3. Any person, whether the owner of a Dufour yacht or not, may apply for membership. Membership is at the discretion of the Committee. A Member is a person who has applied for membership, been accepted and has a paid-up subscription (except in the case of Honorary Members).
4. The Committee shall have the power to approve or reject applications for membership or to terminate the membership of any Member for conduct that in the view of the Committee has or is likely to have a serious adverse effect on the Association or bring the Association or any of its members into disrepute, or who has acted or threatened to act in a manner that is contrary to the interests of the Association as a whole; provided that the Member shall have the right to be heard by the committee before a final decision is made.
5. Membership will begin when the current annual fee has been paid and will run for 12 months. Subsequent renewal fees will be due on the anniversary of the first payment.
6. Any Members wishing to retire from the Association shall notify the Secretary. All resignations will be effective from the date of resignation.
7. The Association may elect Honorary Members on the recommendation of the Committee.
8. The membership fee will be recommended by the Committee and is subject to agreement at the AGM.
9. If any Member has not paid their membership fee/renewal within 21 days of its due date they may be removed from the list of Members and cease to receive any rights or privileges of membership until the annual subscription and any arrears have been paid.

Annual General Meeting

10. An Annual General Meeting (AGM) shall be held between 1st January and 31st March of each year at a time and venue to be notified to all Members, giving at least 14 days notice. The date of the AGM will be included in the Winter Dufour News and the agenda published on the web site at least 14 days prior to the meeting.
11. A proper written record of the meeting shall be kept.
12. All Members shall have the right to attend and vote at an AGM and shall have one vote each. In the event of an equal vote, the Chairman will have a casting vote.
13. At any meeting of the Association Members shall have one vote. Honorary members and non-boat owning members shall not be able to out-vote boat owning members on any issue. In the event of an equality of the votes the Chairman shall have a second or casting vote.
14. Notice of any alteration or addition to the Constitution proposed by an Officer or Member of the Association shall be sent to the Secretary in writing at least 14 days prior to the AGM if the same is to be proposed at the AGM. If such alteration or addition to the Constitution is to be the subject of an Extraordinary Meeting then details of such alteration or addition shall be included in the notice calling the meeting. All such proposals for alteration or addition to the Constitution must be seconded and shall be put to a vote at the AGM or such other meeting and if a majority of two thirds of the votes of those present are cast in favour of the resolution, it shall be considered carried. See point 16.

The Committee

15. The Committee, which will be made up of Members, shall manage the affairs of the Association according to the Constitution and shall apply the funds of the Association in the furtherance of the objectives of the Association.
16. The Committee may, by giving fourteen days notice, call an Extraordinary Meeting of the Association for any specific business the nature of which shall be stipulated in the notice calling such a meeting and the discussion shall be confined to that business only. The Committee shall also call an Extraordinary Meeting on the written request of twelve Members.
17. The Committee shall have the power to co-opt such additional members as they think necessary or establish a Sub-Committee for a particular purpose.
18. The Committee may exercise all of the powers of the Association for the purposes of management of the Association, including the entry into contracts as agent for the Members.
19. No Committee member may bind the Association or its Members for any liability which exceeds the assets of the Association at the time.

Dufour Association



Officers

20. The Committee shall comprise the following Officers:
 - Chairman
 - Vice Chairman
 - Secretary
 - Treasurer
 - Membership Secretary
21. These Officers will be elected at the AGM, and shall hold office until the following AGM. Officers may hold more than one position. The retiring Officers shall be eligible for re-election. These Officers must be UK residents for legal (data protection) and financial (bank account restrictions) reasons.
22. Other Members may, if required by the Committee, be appointed for the following posts (and others should they be required) at the AGM to join as Committee Members:
 - Editor
 - Webmaster
 - Events Organiser(s)
 - Honorary Auditor
 - UK Area Representatives
 - International Representative(s)
23. The duties of the Officers and Committee Members are available on request.
24. If the number of nominations for the Officers exceeds the number of vacancies then an election will be held at the Annual General Meeting.

Accounts

25. It shall be the responsibility of the Treasurer to keep a complete account of the Association's financial position and to present Accounts, and provide a report to the Annual General Meeting as of the previous 31st December.
26. The Honorary Auditor shall audit the accounts between the end of the previous financial year and the date of the following AGM where possible. In the event of the Auditor being unable to act the Committee shall appoint a substitute.

Dissolution

27. The Association may be dissolved at the Annual General Meeting or an Extraordinary Meeting if agreed by at least two thirds of the Members present at such meeting.
28. If, after all its debts and liabilities have been satisfied there remains any funds, these shall be held by the Treasurer in the Association's bank account for five years to ensure that all liabilities have been fulfilled and in case the Association should be reformed with similar objectives. All remaining funds should then be gifted to the RNLI.

Indemnity and Liability

29. The Officers and other Committee members from time to time shall be indemnified out of the assets of the Association for all expenses and other liabilities incurred by them in the management of the affairs of the Association or in executing their duties on behalf of the Association or otherwise, and no Committee member shall be liable for any loss, damage or misfortune which may happen to or be incurred by the Association, provided that nothing in this clause shall affect their liability or the consequences of any deliberate, negligent or otherwise unlawful act on their part.

Member Responsibility

30. Members must act responsibly in posting messages on the Association's web site, avoiding overt promotion (except where relevant to the post), profanity etc. The Member is responsible for all content. The Association reserves the right to remove any content it deems to be unsuitable.
31. Vessels and Members participating in any Event (meeting, rally, cruise-in-company) organised by the Association must be covered by adequate third party and public liability insurance to a minimum of three million pounds sterling or local currency equivalent.
32. The Association and its Officers and Representatives shall not be in any way liable for any loss, damage, death or personal injury howsoever caused to the owner, skipper, his/her crew or other persons on a vessel or elsewhere as a result of their taking part in the Event.
33. Each Member, Owner and Skipper is responsible for ensuring the suitability of the vessel for the Event and that it is insured for taking part in the Event.
34. The safety of a vessel and her crew is the sole responsibility of the owner/skipper who must do his/her best to ensure that the vessel is fully found and thoroughly seaworthy and manned by an experienced crew who are physically fit to face bad weather.
35. The decision to participate in the Event is the decision of the Skippers' alone.