



BYE-LAWS: THE BERMUDA SAILING ASSOCIATION

1. Office of the Association.

The Office of the Association shall be deemed to be 12 Reid Street, Walker Arcade, Hamilton HM 12, Bermuda.

2. Financial Year.

The financial year shall be from the 1st of April in one year through to the 31st of March in the following year.

3. Representation.

Sailors representing Bermuda in International Competitions outside of Bermuda, shall notify the Association at least 21 days in advance, in writing on the appropriate form, and shall furnish such particulars and information as the Association may require. Such Sailors shall be added to the National Sailing Team roster for the calendar year of the competition.

The Association will, if requested, provide a letter of reference requesting Representative Leave of an employer or other party.

4. Recognition of Certificates

Bermuda Sailing Association recognises qualifications issued by a World Sailing Member National Authority country, as being equivalent to Bermuda Sailing Association qualifications. Bermuda Sailing Association will, on presentation of current certificates and any required supporting qualifications, issue equivalent Bermuda Sailing Association certificates.

5. Code of Conduct

It is the intention of this Code of Conduct to promote fair sailing and respect for all participants within Bermuda Sailing Association and its member clubs and classes. It is the expectation of the Association's Board and membership (your peers and fellow sailors) that all sailors and officials will adhere to the Code of Conduct set out below and respect the principles of fair sailing that the Code embodies at all times while participating in any Bermuda sailing activity.

Standards:

1. All sailors competing in the sport of Sailing in Bermuda shall be members of the Bermuda Sailing Association (BSA), its clubs or Associate Organizations or Classes; or shall be members of the World Sailing Federation (World Sailing); its Member National Authorities or their clubs, Associate Organizations or Classes.
2. All sailors competing in Bermuda shall be bound by the rules of the World Sailing (RRS- current edition) and this Code of Conduct. No sailor may compete in Bermuda when ineligible under the Rules of the World Sailing.
3. Any Competitor, Juror, Race Committee Member or person associated in the running of an event is prohibited from wagering on the outcome of any race or series of races in any event that has been sanctioned by the Bermuda Sailing Association.



4. All sailors and associated persons participating in sailing in Bermuda shall observe standards of good manners and sportsmanship in all their affairs.
5. All sailors and associated persons shall refrain from the use of illicit drugs and drugs banned under the RRS, while in Bermuda or representing Bermuda overseas.
6. Any incident(s) or failure to observe the standards of paragraphs 3, 4 and/or 5 by any sailor or associated person, may be brought to the attention of the BSA for investigation and a hearing may ensue. The BSA has the authority to impose penalties in accordance with RRS 69 where appropriate.
7. The BSA may impose a penalty without a hearing on a sailor or associated person in accordance with the Rules of World Sailing in the event that World Sailing or another Member National Authority has penalized a sailor or associate person under their Code of Conduct.

6. Controls over Financial Transactions

The Charities Act 2014 and the Charities Regulations 2014 (the “**Charities Regulations**”) are now effective and in accordance with section 4, the Board of Governors has approved the addition of this Bye-Law with effect from 1st January 2015:

- 6.1 “Independent Director” a member of the Board of Governors who
- (a) does not receive nor is it agreed that he or she should receive any non-charitable benefit from the Association or any of its members;
 - (b) has not received nor is it agreed that he or should should receive any loan from the Association;
 - (c) has no interest in any material contract or proposed material contract with the Association;
 - (d) has no material interest in any person that is a party to a material contract or proposed material contract with the Association.
- “material” the word material in relation to a contract or proposed contract shall be construed as relating to the materiality of that contract or proposed contract in relation to the affairs of the Association.

6.2 Independent Directors shall comprise a majority of the Board of Governors.

6.3 The Board shall impose on the Association such controls over financial transactions as are prescribed by the Charities Act 2014 and the regulations promulgated thereunder (including any applicable anti-money laundering/anti-terrorism financing regulations) and any further law or regulation from time to time in force in so far as the same applies to the Association.



7. Parent's Code of Conduct

It is the expectation of the Association's Board and membership (your peers and fellow sailors) that all parents will adhere to the Code of Conduct set out below and respect the principles of fair sailing that the Code embodies at all times while participating in any Bermuda sailing activity.

Standards:

1. We will respect the concept that children sail because they enjoy it and not because their parents, coaches or others want them to.
2. We will respect and cooperate with teammates, coaches, opponents, officials and other parents and will treat all athletes as we would like to be treated.
3. We will at no time interfere with, bully, or take unfair advantage of any sailor, coach or official, and will always consider the physical and emotional wellbeing of others.
4. We will display self-control, courtesy and good manners at all times when representing our team, class, club and Bermuda.
5. We will remember that winning isn't everything – that having fun, improving skills, making friends and doing one's best are important to everyone.
6. We will respect the reasonable requests of the coaches and officials and ensure the sailors are punctual for training sessions or regattas.
7. We will at no time as parents or guardians of sailors, verbally or physically threaten, intimidate or be abusive in any manner to a sailor, instructor, coach or official.
8. We will respect the disciplinary decisions made by the Coach or we will follow the proper course of action and appeals available to us should we disagree with any of these decisions.
9. We will stay at an appropriate distance from race courses during events and refrain from interfering in any manner whatsoever with the racing of our children or other competitors and allow coaches to have primary authority over handling the coaching of our children at sailing schools and competitions on the water and off.
10. We will set an example of good sportsmanship and safety so that our child and other children can learn from our example, and we shall emphasize that good athletes strive to be good students that are physically and mentally alert.

Failure to observe these standards may result in sanctions for the athlete and/or parent by the Organising Authority and may be reported to the Bermuda Sailing Association for their attention. Parents have the right of appeal to the Bermuda Sailing Association for matters not subject to the Racing Rules of Sailing.

Entry of children in a sailing programme, or regatta is acceptance by the parents of This Code of Conduct.



8. Instructor's and Coach's Code of Conduct

It is the expectation of the Association's Board and membership that all instructors and coaches will adhere to the Code of Conduct set out below and respect the principles of fair sailing that the Code embodies at all times while participating in any Bermuda sailing activity.

Standards:

Sports Coaching helps the development of individuals through improving their performance. This is achieved by:

1. Identifying and meeting the needs of individuals.
2. Improving performance through a progressing programme of safe, guided practice, measured performance and/or competition.
3. Creating an environment in which individuals are motivated to maintain participation and improve performance.

Coaches should comply with the principles of good ethical practice listed below.

1. Coaches working with sailors under the age of 18 must have read and understood their organisation's Child Protection Policy and Anti-Bullying Policy.
2. Coaches must respect the rights, dignity and worth of every person and treat everyone equally within the context of their sport.
3. Coaches must place the well-being and safety of the performer above the development of performance. They should follow all guidelines laid down by the sport's governing body and hold appropriate insurance cover.
4. Coaches must develop an appropriate working relationship with performers based on mutual trust and respect. Coaches must not exert undue influence to obtain personal benefit or reward.
5. Coaches must encourage and guide performers to accept responsibility for their own behaviour and performance.
6. Coaches should hold up to date and nationally recognised governing body coaching qualifications.
7. Coaches must ensure that the activities they direct or advocate are appropriate for the age, maturity, experience and ability of the individual.
8. Coaches should, at the outset, clarify with performers (and where appropriate their parents) exactly what is expected of them and what performers are entitled to expect from their coach. A contract may sometimes be appropriate.
9. Coaches should co-operate fully with other specialists (e.g. other coaches, officials, sports scientists, doctors, physiotherapists) in the best interests of the performer.
10. Coaches should always promote the positive aspects of their sport (e.g. fair play) and never condone rule violations or the use of prohibited substances.
11. Coaches must consistently display high standards of behaviour and appearance.