



BY-LAWS

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TABLE OF CONTENTS

1. GENERAL
2. OBJECTIVE
3. ORGANIZATIONAL STRUCTURE
4. EXECUTIVE OFFICERS
5. THE CENTRAL COUNCIL OF HANDICAPPERS
6. THE DISTRICT COUNCIL OF HANDICAPPERS
7. MEMBERSHIP
8. MEETINGS OF MEMBERS
9. CERTIFICATE HOLDERS
10. APPEAL PROCEDURES

1. GENERAL

1.1. The ORGANIZATION shall be known as the Performance Handicap Racing Fleet of Lake Ontario (PHRF-LO), hereafter called the "ORGANIZATION".

1.2. The Executive OFFICERS will also act as the Board of Directors of the ORGANIZATION.

1.3 Robert's Rules of Order shall govern procedure at all meetings.

1.4 Amendments to Bylaws

- a) Notice of amendment to the bylaws must be distributed to the Membership at least 30 days in advance of an Annual or Special meeting.
- b) Distribution shall be via email and posted on the PHRF-LO web site.
- c) Adoption of the proposal for amendment requires at least 2/3 vote of the MEMBERS present at the meeting.

1.5 CONFLICT OF INTEREST

In the event of commercial or perceived conflict of interest, these must be declared openly before any action that may reflect on any issue for discussion. If any individual OFFICER, Member of CENTRAL COUNCIL, or HANDICAPPER has a direct interest in any item for discussion he/she must declare this before decisions are taken and absent himself/herself from the discussion and/or voting.

1.6. SAVING PROVISION

The Handicap System and the eligibility of a sailboat for the System shall remain as they are on the date of the passing of the Bylaws until changed by MEMBERS.

2. OBJECTIVE

2.1. To promote Performance Handicap Racing Fleet (PHRF) racing on Lake Ontario and surrounding waters.

2.2. To establish and maintain an equitable system of handicaps based upon speed potential and observed performance of monohull sailboats, hereinafter called the "Handicap System".

2.3 To ensure that the Handicap System is affordable and remains current with evolving technology.

3. ORGANIZATIONAL STRUCTURE

- 3.1. The **ORGANIZATION** shall consist of its **Executive** Officers, Central Council of Handicappers (~~CENTRAL COUNCIL~~), The District Councils, **Technical Advisory Committee**, Member Handicappers and Certificate Holders.
- 3.2. The **Executive Officers** shall consist of a President, Vice President, Secretary, Treasurer, (or Secretary/Treasurer), Chief Handicapper and two (2) Assistant Chief Handicappers. ~~who shall form the Executive Committee for the ORGANIZATION,~~ **hereafter called the "OFFICERS"**.
- 3.3. The **Central Council of Handicappers** shall consist of the Chief Handicapper, the two Assistant Chief Handicappers and a District Chief Handicapper representing each of the Districts within the ORGANIZATION, **hereafter called the "CENTRAL COUNCIL"**.
- 3.4. The **District Councils** shall consist of the District Handicappers representing each Member within the geographical area defined as a District by the ORGANIZATION, **hereafter called the "DISTRICT(s)"**
- 3.5. The **Technical Advisory Committee** shall consist of volunteers from within the Sailing community who have experience and/or knowledge that will be beneficial to the ORGANIZATION. These individuals will be invited to attend Executive and CENTRAL COUNCIL meetings and assigned projects as needed. Hereafter called the "TAC".
- 3.6. **Members** shall consist of a yacht club, sailing ORGANIZATION or ~~fleet~~ group of racing enthusiasts who have applied for and were approved as a Member of the ORGANIZATION. Hereafter called "MEMBERS"
- 3.7. **Handicappers** shall consist of Member designated/elected representatives who will perform all duties of the HANDICAPPER for the ORGANIZATION. Hereafter called "HANDICAPPER(s)"
- 3.8. **Certificate Holders** shall be persons who have ~~obtained~~ a current handicap **certificate** from the ORGANIZATION, **for a boat/yacht** owned or chartered by persons who have qualified for a handicap. Hereafter called "CERTIFICATE HOLDER(s)".

4. EXECUTIVE OFFICERS

The OFFICERS of the ORGANIZATION must be HANDICAPPERs, past or present, representing different MEMBERS and shall hold no other office in the ORGANIZATION, except for the combined office of Secretary/Treasurer.

4.1 Rights and Responsibilities

The OFFICERS shall be given the following rights and responsibilities:

- a) They have the power to contract for services and equipment necessary for the proper operation of the ORGANIZATION.

- b) They are ~~charged with the mandate~~ ~~mandated~~ to protect the present and future viability of the ORGANIZATION. To that end the By-Law update shall be written to promote Membership in the Organization to the mutual benefit of the Organization.
- c) ~~This includes~~ They may obtain and maintain appropriate Directors Insurance
- d) They reserve the right to review current members and make recommendations for termination of membership at the next AGM.
- e) They shall review all applications for Membership and shall recommend acceptance or rejection of the application at the next AGM.
- f) ~~, as well as,~~ They may reserve ~~reserving~~ the right to confirm the appointment of a PHRF-LO Member ~~club~~ HANDICAPPER
- g) ~~; additionally, the Executive~~ They reserve ~~reserves~~ the rights regarding the issuance of a PHRF-LO Handicap Certificate, including renewals and minimum member requirements.

4.2. Election and Term

The OFFICERS of the ORGANIZATION shall be ~~selected and/or~~ elected by the MEMBERS at the Annual Meeting. The term of office of the OFFICERS shall be from the date of the meeting at which they are elected or appointed until the next annual meeting or until their successors are elected or appointed or unless otherwise noted in the OFFICERS Service Terms.

Nominees for these positions may be made by the nominating committee consisting of the DISTRICT Chief HANDICAPPERS.

4.3 Vacancies

The OFFICERS of the ORGANIZATION may vacate prior to their term:

- a) Upon written notice to the Secretary effective at the time of receipt or specified date.
- b) Upon health or life issues that would deem them unable to continue.
- c) Upon a Special Meeting of the MEMBERS, a resolution is passed by a majority of votes cast by the MEMBERS removing the OFFICER.

4.4 Filling Vacancies

Should an office become vacant it shall be filled as follows:

- a) A quorum of the OFFICERS may fill a vacancy among the OFFICERS
- b) A Special Meeting of the MEMBERS may be called to fill the vacancy.
- c) The person selected in a) or b) shall serve until the next Annual General Meeting.

4.4 Remuneration of OFFICERS

The OFFICERS shall serve as such without remuneration and no OFFICER shall directly or indirectly receive any profit from occupying the position of OFFICER; provided that:

- a) OFFICERS may be reimbursed for travel expenses up to \$0.30 per kilometer for attending meetings.

- b) OFFICERS may be reimbursed for expenditures directly related to the operations of the ORGANIZATION.

4.5. Protection of OFFICERS and Others

No OFFICER, Committee member, MEMBER, HANDICAPPER or employee of the ORGANIZATION is to be liable for the acts, neglects or defaults of any other OFFICER, Committee member, Member, HANDICAPPER or employee of the ORGANIZATION or for joining in any receipt or for any loss, damage or expense happening to the ORGANIZATION through the insufficiency or deficiency of title to any property acquired by resolution of the Board of Directors or for or on behalf of the ORGANIZATION or for the insufficiency or deficiency of any security in or upon which any of the money of or belonging to the ORGANIZATION shall be placed out or invested or for any loss or damage arising from the bankruptcy, insolvency or tortious act of any person, firm or ORGANIZATION with whom or which any moneys, securities or effects shall be lodged or deposited or for any other loss, damage or misfortune whatever which may happen in the execution of the duties of his or her respective office or trust provided that they have:

- a) complied with the ORGANIZATION's articles and By-laws; and
- b) exercised their powers and discharged their duties in accordance with the Bylaws.

4.6 Duties

OFFICERS shall be responsible for the duties assigned to them and they may delegate to others the performance of any or all such duties. They shall also have other duties, as the MEMBERS decide.

4.7. Duties of the President

Role: He/she is charged with the general management and supervision of the ORGANIZATION and the furtherance of its objectives.

Rights and Responsibilities:

- a) The President shall report to the MEMBERS at the Annual or at any Special Meeting on the operation of the ORGANIZATION.
- b) The President shall provide an annual audit of the ORGANIZATION's accounts.
- c) The President shall preside at all Annual and Special meetings of the MEMBERS.
- d) The President shall Chair the Executive OFFICERS Meeting

4.8. Duties of the Vice President

Role: The Vice President shall work in collaboration with the OFFICERS to support the ORGANIZATION in achieving its fiduciary responsibilities.

Responsibilities:

- a) The Vice President, in the absence or incapacity of the President, shall exercise the powers and duties of the President.
- b) ~~The Vice President shall organize and preside over the HANDICAPPER Training Workshop(s).~~

4.9. **Duties of the Secretary**

~~Role: The Secretary works in collaboration with the president to support the ORGANIZATION in achieving its fiduciary responsibilities.~~

Rights and Responsibilities:

- a) The Secretary shall keep records of the ORGANIZATION emanating from meetings of MEMBERS (General and/or Special) and Executive OFFICERS.
- b) The Secretary shall prepare the notice and agenda of such meetings and shall publish and circulate the minutes.
- c) The Secretary shall prepare and provide, to all MEMBERS, HANDICAPPERS, OFFICERS and committee MEMBERS, copies of the names of the OFFICERS, HANDICAPPERS and committee MEMBERS.
- d) The Secretary shall keep the Bylaws of the ORGANIZATION and make available copies to any Member.
- e) ~~He/she shall have such other duties, as the MEMBERS shall decide.~~

4.10. **Duties of the Treasurer**

~~Role: The Treasurer shall perform all the usual duties of a Treasurer~~ ~~work in collaboration with the president, OFFICERS and CENTRAL COUNCIL to support the ORGANIZATION in achieving its fiduciary responsibilities.~~

Rights and Responsibilities::

Accounting:

- a) ~~and~~ ~~The Treasurer~~ shall keep an accurate account of all assets, liabilities, receipts and disbursements.
- b) The Treasurer shall report at the Annual General Meeting to the MEMBERS and provide ~~his~~ ~~the~~ forecast of receipts and disbursements for the ensuing year.
- c) ~~He/she shall have such other duties as the MEMBERS decide.~~

Custody of Funds:

- a) shall have custody of the funds and securities of the ORGANIZATION and shall deposit all monies, securities and other valuable effects in the name and to the credit of the ORGANIZATION in such chartered bank or trust company.
- b) The Treasurer shall disburse funds of the ORGANIZATION as may be directed by the proper authority taking proper vouchers for such disbursements.

4.11 **Duties of the Chief Handicapper and Assistant Chief Handicappers**

Role: works in collaboration with the OFFICERS of the ORGANIZATION and CENTRAL COUNCIL to support them in achieving their fiduciary responsibilities with two separate agendas.

Rights and Responsibilities:

- a) Present details of projects and projected associated expenses for approval
- b) Present issues and/or ideas for improvements to the Handicap System.
- c) Work with the Vice President in development and presentation of the HANDICAPPERS Training Workshop
- d) Report and relay discussions that overlap the roles of the OFFICERS and CENTRAL COUNCIL.
- e) Report to the MEMBERS on changes to the Handicap System at the Annual General Meeting.

5. THE CENTRAL COUNCIL OF HANDICAPPERS

The CENTRAL COUNCIL governs all handicaps and shall administer the Handicapping System subject to the authority of the ORGANIZATION.

5.1 Rights and Responsibilities

- a) Review handicap decisions of the DISTRICTs
- b) Review race analysis presented by the Chief HANDICAPPER.
- c) Confirm and approve new handicaps, including adjustments to handicaps, from the DISTRICTs assigned by them so as to provide consistency throughout the ORGANIZATION.
- d) Receive ~~grievances~~ **appeals** of handicaps not resolved at the DISTRICT level and re-assign handicaps if necessary.
- e) Prepare recommendations for changes to the Handicap System for presentation by the Chief HANDICAPPER at Annual General Meetings.
 - a) ~~Publish rosters and forward them forthwith to the HANDICAPPERS.~~

5.3 Remuneration of CENTRAL COUNCIL

The CENTRAL COUNCIL of HANDICAPPERS shall serve as such without remuneration and shall not directly or indirectly receive any profit from occupying the position on CENTRAL COUNCIL; provided that:

- a) they may be reimbursed for travel expenses up to \$0.30 per kilometer for attending meetings.
- b) they may be reimbursed for expenditures specifically to perform duties as a DISTRICT Chief.

5.2 Meetings

There shall be at least two (2) annual meetings of the CENTRAL COUNCIL at which it shall present, review and address items listed under “Rights and Responsibilities”.

Protocol for all meetings will include the following:

- a) The Chief Handicapper shall Chair the meeting.
- b) Appoint a Secretary who shall keep minutes of the meeting for distribution forthwith.
- c) A quorum for the transaction of business shall be a simple majority of CENTRAL COUNCIL.
- d) Questions shall be decided by majority vote of those present. Ties will result in a decision to the negative
- e) HANDICAPPERS shall be permitted to attend as observers only.

Protocol for business arising outside of a regular meeting

- a) Meetings may be held by conference telephone call provided:
 - Each CENTRAL COUNCIL member has received at least one day's notice of the business to be transacted (notice is deemed to be adequate if mailed or telephoned) and
 - A quorum is convened by the conference call.
 - Major regatta's may arrange for the convening of a CENTRAL COUNCIL conference call to deal with new classes. Sufficient notice is required.
- b) New Class Handicaps may be established provided:
 - There is an existing model currently handicapped. A Chief Handicapper may assign an unapproved handicap.
 - They are posted on the PHRF-LO Forum and a quorum is convened with a vote.

5.3 Duties of the Chief Handicapper

Role: The Chief Handicapper shall be responsible for the development, execution and publication of methods for improving the Handicap System, and for analyzing the results of races.

Rights and Responsibilities:

The Chief Handicapper shall be responsible for, but not limited to, the following:

- a) Chief Handicapper shall report to the MEMBERS at the Annual Meeting on the Handicap System, and shall include recommendations on the Handicap System.
- b) Chief Handicapper shall be responsible for keeping and publishing, up to date rosters of handicaps.
- c) Chief Handicapper shall be responsible for the development of a manual of the Handicap System (also known as the "Handicappers Manual").
- d) Chief Handicapper shall supervise the issuance of certificates to CERTIFICATE HOLDERS.
- e) The Chief Handicapper shall ~~preside at~~ Chair meetings of the CENTRAL COUNCIL.

Service Terms:

The Office of Chief Handicapper will be served as followed:

- a) The Chief Handicapper position shall be filled from the within the current CENTRAL COUNCIL, the individual must have held a position on CENTRAL COUNCIL for a minimum of one year.
- b) The Chief Handicapper shall hold the position for a **minimum** of two years.

5.4. **Duties of the Assistant Chief Handicappers**

Role: The Assistant Chief Handicappers shall assist the Chief Handicapper **in all capacities**.

Rights and Responsibilities:

The Assistant Chief Handicapper shall be responsible for, but not limited to, the following:

- a) ~~and~~, The **Assistant Chief Handicapper** shall, as directed by the President, exercise the duties and powers of the Chief Handicapper, in his/her absence or incapacity,
- b) **The Assistant Chief Handicapper will address, and attempt to resolve, issues that arise for District Chiefs within designated geographical areas. Current set out as: GTA or Non-GTA.**
- c) **The Assistant Chief Handicapper will work, in collaboration with the TAC and CENTRAL COUNCIL, on projects as needed.**
- d) **The Assistant Chief Handicapper shall report to the MEMBERS at the Annual Meeting on projects.**
- e) **The Assistant Chief Handicapper shall have such other duties as the MEMBERS shall decide and shall be designated a “DISTRICT Area” that they are directly concerned with.**

Service Terms:

Handicappers who have held the position for a minimum of 1 year shall fill the Assistant Chief Handicapper positions.

5.5. **Duties of the District Chief Handicappers**

Role: to represent the MEMBERS within their respective DISTRICT Regions on CENTRAL COUNCIL.

Rights and Responsibilities:

The District Chief Handicapper shall be responsible for, but not limited to, the following:

- a) **Attend CENTRAL COUNCIL meetings or find a designate to attend on behalf of the DISTRICT.**
- b) **Support and mentor HANDICAPPERS within their DISTRICT**
- c) **Act as Chair at their DISTRICT meetings**
- d) **The District Chief Handicapper has the authority to hold meetings at his/her discretion during racing season.**

6. THE DISTRICT COUNCIL OF HANDICAPPERS

The MEMBERS of each DISTRICT shall administer the Handicap System subject to the authority of the CENTRAL COUNCIL of HANDICAPPERS.

6.1 **Rights and Responsibilities:**

[Back to Top](#)

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- a) Receive applications and assign temporary handicaps for new classes forwarding the information for processing by the Chief Handicapper.
 - b) Review handicaps and recommend adjustments if necessary and modify ratings of yachts unique to DISTRICT. Subject to CENTRAL COUNCIL review.
 - c) Receive and act on appeals at the DISTRICT level and recommend changes in handicaps if necessary.
 - d) Review race analysis presented by the Chief Handicapper and perform a mandatory review of classes where there is a cumulative alert of 2 or less and 5 years of double digit differential.
 - e) Establish a consensus for recommendations to be taken by the District Chief Handicapper to CENTRAL COUNCIL
 - f) Review changes to the Handicap System

6.2 Meetings

There shall be at least two (2) annual meetings of the DISTRICT Council at which it shall present, review and address items listed under “Rights and Responsibilities”.

Protocol for all meetings will include the following:

- a) Seven days’ notice of all meetings is required unless all MEMBERS agree to waive such notice.
- b) The District Chief Handicapper shall Chair the meeting.
- c) Appoint a Secretary who shall keep minutes of the meeting for distribution forthwith.
- d) A minimum of 3 HANDICAPPERS representing different MEMBERS of the DISTRICT shall constitute a quorum for the transaction of business.
- e) Questions shall be decided by majority vote of those present. Ties will result in a decision to the negative.
- f) CERTIFICATE HOLDERS shall be permitted to attend as observers only.
- g) Elect a chairman annually from the representatives of the MEMBERS who shall be the District Chief Handicapper and represent the DISTRICT at CENTRAL COUNCIL.
- h) In the event that a DISTRICT fails to elect a District Chief Handicapper, the CENTRAL COUNCIL of HANDICAPPERS shall select someone to assume the position. The number of duly represented DISTRICTs shall determine a quorum of the CENTRAL COUNCIL.

Protocol for business arising outside of a regular meeting

- a) Meetings may be held by conference telephone call provided:
 - Each MEMBER HANDICAPPER has received at least one day's notice of the business to be transacted (notice is deemed to be adequate if mailed or telephoned) and
 - A quorum is convened by the conference call.
 - Major regatta`s may arrange for the convening of a DISTRICT council conference call to deal with new classes. Sufficient notice is required.
- b) New Class Handicaps may be established provided:

- There is an existing model currently handicapped. A Chief HANDICAPPER may assign an unapproved handicap.
- They are posted on the PHRF-LO Forum and a quorum is convened with a vote.

7. MEMBERS

Membership in the ORGANIZATION allows its HANDICAPPER's and CERTIFICATE HOLDER's all the benefits, rights and responsibilities as outlined in these Bylaws.

7.1. NEW APPLICATION

Any yacht club, sailing ORGANIZATION or ~~fleet~~ **group of racing enthusiasts**, may apply for membership with the following proviso: ~~hereinafter called a "Member"~~.

- Shall provide a letter of interest in becoming a Member describing their interest in developing a racing fleet of Certificate Holders.**
- Shall complete and submit a New Member application.**
- Shall pay a Membership Deposit equivalent to ten (10) times the current certificate fee amount.**
- On application and **receipt of** payment ~~of dues invoice~~, the President may accept an applicant as a Provisional Member until the next Annual General Meeting of the ORGANIZATION.
- No applicant shall become a Member until admitted by the ORGANIZATION.
- Membership in the ORGANIZATION shall ~~acceptance~~ be voted on by a quorum of current MEMBERS** at the next Annual General Meeting (AGM).
- The secretary shall promptly inform an applicant of its admission into the ORGANIZATION following the AGM.
- ~~Each Member~~ Shall appoint **a maximum of three (3) HANDICAPPERs representatives, hereinafter called "HANDICAPPERs", for any calendar year** and shall inform the Secretary **of the current list HANDICAPPER(s) providing** their addresses, e-mail and telephone numbers.

7.2 MAINTANANCE of Membership

7.2.1 ~~Dues Invoice~~ **Membership Renewal Notice**

A ~~notice of dues~~ **Membership Renewal Notice** will be mailed to **each Member on** or about February 1 of each calendar year to the Member at its last known address.

The Renewal Notice is specific to that individual MEMBERS Account and will include:

- The total amount due for certificates issued during the previous season, including any applicable taxes.
- Less the amount of the Membership Deposit received the previous year.
- Less any credits applicable (eg: Race Results Credit)
- Plus, A Membership Deposit amount *

* The Membership Deposit for the current season will be estimated based on the number of certificates issued the previous season.

SUSPENSION of Membership shall be considered if ~~the said dues~~ Membership Renewal Notice ~~are~~ is not paid by June 1st of the same calendar year.

7.2.2 CHANGES to Membership information, including (but not limited to) Address, Phone numbers & HANDICAPPER(s) lists, should be sent to the Secretary of the ORGANIZATION as soon as they are available.

7.2.3 RESIGNATION of Membership by any Member, may be done ~~resign~~ by notice, in writing, effective upon receipt of notice to this effect by the ORGANIZATION.

7.2.4 REINSTATEMENT of Membership shall be subject to ~~a surcharge equal to the current year's dues~~ a new application for Membership. **The Membership Deposit amount shall be subject to a review by the Treasurer and based on the MEMBERS account history.**

7.2.5 DISTRICT Affiliation

MEMBERS will be assigned to a "DISTRICT" upon acceptance by the President with the following proviso:

- a) Requests for change in DISTRICT affiliation will be handled at the next Annual General Meeting.
- b) A letter from the Board of Directors of a club, indicating a request for change, must be presented by an accredited member/representative of the club and presented at the Annual General Meeting.
- c) As a result of a change in DISTRICT, CENTRAL COUNCIL will handle all appeals for that club for a period of one year.

7.3 Rights and Responsibilities

The MEMBERS and/or their HANDICAPPERS will be given the following rights and responsibilities:

- a) The HANDICAPPER(s) shall be given access, via the PHRF-LO web site, to proprietary non-distributable information that shall be used in the administration of certificates for all of the Member's CERTIFICATE HOLDERS.
- b) The HANDICAPPER(s) shall assist the CERTIFICATE HOLDER and Applicants with the Handicapping System as may be reasonably requested.
- c) The HANDICAPPER(s) shall administer the Handicap System in conjunction with PHRF-LO ~~for the member they represent~~ to the mutual benefit of the ORGANIZATION.
- d) The MEMBER and their HANDICAPPER(s) will use their access to PHRF-LO's proprietary information (a) for the specific purpose of issuing valid certificates for all participants in racing events. Use of PHRF-LO's proprietary data to provide a handicap rating without compensation to the ORGANIZATION is contrary to the mutual benefit of the ORGANIZATION.

- e) MEMBERS will ~~This includes the collection and submission of fees for certificates issued under the Handicap System, for remittance to the Organization.~~
- f) The ORGANIZATION shall make publicly available, via the PHRF-LO web site, ~~request of the CERTIFICATE HOLDERS and Certificate Applicants,~~ copies of the Bylaws of the ORGANIZATION, Handicappers Manual, Handicap Rosters, Certificates and such information of the Handicap System as may be reasonably requested.
- g) MEMBERS will be notified of and shall have voting rights at the Annual General Meeting.
- h) Abuse of either the access to or the proprietary information provided by the Organization shall be grounds for membership review by the Organization Officers.

7.4 RACES & REGATTAS

7.4.1. All Members shall abide by the Bylaws and Handicap System of the Organization when conducting races under the Handicap System.

7.4.2 Protests under RRS 78.1 if referred to the “relevant class rule authorities” as referenced in RRS 65.3 shall be submitted to the Central Council at a meeting called for that purpose.

7.4.3 By Notice the MEMBERS shall provide, the results of races ~~sponsored by them,~~ for which they are the organizing authority, to the PHRF administration office in the format prescribed by the ORGANIZATION.

8. MEETINGS OF MEMBERS

8.1 ANNUAL GENERAL MEETING

The MEMBERS govern the ORGANIZATION. There shall be an Annual General Meeting of the MEMBERS at the beginning of each year at which MEMBERS shall:

- a) Receive the reports of the OFFICERS of the ORGANIZATION,
- b) Receive reports from the DISTRICT Councils,
- c) Consider admission of new MEMBERS and registration of any Member
- d) Establish and/or re-define geographic Districts of the ORGANIZATION.
- e) Receive the proposed budget of the Treasurer and authorize expenditures for the ensuing year.
- f) Fix dues and charges for MEMBERS and CERTIFICATE HOLDERS for the ensuing year,
- g) Elect the OFFICERS of the ORGANIZATION for the ensuing year,
- h) Consider changes to the Handicap System,
- i) Act on such other business, as shall be brought up by the MEMBERS.

Protocol for the meeting shall be as follows:

- a) The President shall Chair the meeting.
- b) A minimum of 5 MEMBERS present shall constitute a quorum for the transaction of business.
- c) Every question shall be decided by a majority of votes of those MEMBERS present at the meeting and/or by proxy to a maximum of 2 proxies per member.

- d) In the event of a tie, the motion would be carried in the negative.
- e) Circulation of the minutes of the previous Annual General Meeting shall be proper notice.
- f) An agenda shall be **posted on the web site for** ~~mailed~~ the MEMBERS and their representatives at least thirty (30) days before the meeting.

8.2 SPECIAL MEETINGS OF MEMBERS

The President may call such MEMBERS meetings, as may be consider necessary.

Protocol for the meeting shall be as follows:

- a) Five (5) MEMBERS may requisition the President to call a Special Meeting of the MEMBERS, which shall be done by him/her forthwith.
- b) The business to be presented in a Special Meeting shall be specified in the call for the Meeting, and the Meeting shall be restricted to the business as specified.
- c) Fifteen (15) days' notice shall be required for a Special Meeting. Notice is deemed given on the day of the mailing.

9. CERTIFICATE HOLDERS

Rights and Responsibilities

- a) **Shall maintain their certificate's validity by paying certificate fees at the renewal frequency and levee set by the ORGANIZATION.**
- b) **Shall recognize and accept that the Handicap System shall not be based on "golf" handicap systems.**
- c) **Shall be responsible for all information as presented on their most current certificate and shall advise their HANDICAPPER or the ORGANIZATION of any errors and omissions.**
- d) **May appeal his/her handicap by following the Appeal Procedure.**

10. APPEAL PROCEDURES

10.1. FILING THE APPEAL

The CERTIFICATE HOLDER may appeal his/her own or any other handicap ~~providing with the following proviso:~~

- ~~a) The appeal is made in writing and is supported by objective data.~~
- b) The appeal ~~may only~~ **must** contain a completed copy of the PHRF-LO Appeal form.
- c) **The appeal must contain supporting objective data limited** to a maximum of (5) five single sheets.
- d) A copy of that appeal must be forwarded either electronically or by post to the PHRF-LO Administrative office.
- e) **The appellant acknowledges**, that if the appeal is against another boat or class, the PHRF-LO Administration office shall notify the CERTIFICATE HOLDER(s) affected (if an email address is available) that their handicap is being appealed.
- f) **The appellant acknowledges**, that the appeal may require multi-level reviews that would be addressed during regular scheduled meetings.

10.2 1st LEVEL REVIEW - HANDICAPPER

The HANDICAPPER(s) who represent the ~~protesting vessel~~ **appealing CERTIFICATE HOLDER** shall first review such appeal.

The Club HANDICAPPER shall “acknowledge receipt of”, and “respond and comment” to the appellant on his/her appeal within ~~(+0 30)~~ **ten** days of receiving the written appeal.

1st Level Review Actions

- a) The CERTIFICATE HOLDER may, if dissatisfied with the decision of the HANDICAPPER, may appeal that decision to their DISTRICT.
- b) The HANDICAPPER, if in support of the CERTIFICATE HOLDERS appeal, may forward the appeal to the DISTRICT Chief HANDICAPPER requesting that the Appeal be reviewed at the next DISTRICT Meeting.

10.3 2nd LEVEL REVIEW - DISTRICT

The DISTRICT representing the CERTIFICATE HOLDER shall be the second review of the appeal

The DISTRICT Council shall provide the appellant with a written response to his/her appeal, within ~~(+030)~~ **ten** days of the DISTRICT hearing the appeal.

The appeal will be reviewed with the following proviso:

- The appeal must be received a minimum of 2 weeks prior to the next DISTRICT Meeting to allow for proper distribution.
- **The Original Appeal and supporting documentation must be submitted to the DISTRICT Chief for distribution.**
- The appeal must be accompanied by the written statement from the local HANDICAPPER(s).
- ~~A total of (10) ten copies of the appeal or a fee of \$25 to cover printing costs and an electronic copy or copy delivered by mail must be supplied to the DISTRICT Chief HANDICAPPER for distribution to the DISTRICT Council of HANDICAPPERS.~~
- When the DISTRICT Council hears the appeal, the local HANDICAPPER(s) concerned shall not vote.

2nd Level Review Actions

- a) The DISTRICT will review the appeal and note all discussions, motions and/or actions in the minutes to their DISTRICT meeting.
- b) The CERTIFICATE HOLDER may, if dissatisfied with the decision of the DISTRICT, may appeal that decision to CENTRAL COUNCIL.

10.4 3rd LEVEL REVIEW – CENTRAL COUNCIL

CENTRAL COUNCIL will review all appeals that fall into one of the following three categories:

- a) The CERTIFICATE HOLDER is dissatisfied with the decision of the DISTRICT and has requested a review by CENTRAL COUNCIL.
- b) The DISTRICT noted in their minutes that they feel the appeal warrants review by CENTRAL COUNCIL.
- c) The DISTRICT noted in their minutes that the appeal warrants action but Class of Boat is not Unique to that DISTRICT.

The appeal will be reviewed with the following proviso:

- The CENTRAL COUNCIL shall not hear the appeal until the next scheduled CENTRAL COUNCIL meeting.
- All appeals will be reviewed by one of the Assistant Chief HANDICAPPERS (or a delegate) prior to being presented to CENTRAL COUNCIL.
- The appeal must be accompanied by the written statement from the local HANDICAPPER(s) and the DISTRICT Meeting minutes where the appeal was reviewed.
- ~~A total of (10) ten copies of the appeal or a fee of \$25 to cover printing costs and an electronic copy or copy delivered by mail must be supplied to the DISTRICT Chief HANDICAPPER for distribution to the DISTRICT Council of HANDICAPPERS.~~
- The DISTRICT Chief HANDICAPPER from the DISTRICT of origin shall not vote on the final appeal.

10.5. APPEAL RULES AND GUIDELINES

10.5.1 RACE RESULTS

Appeals will be heard on the basis of received race results. No appeal will be heard from any Member Club that has been delinquent in sending results for presentation at the AGM, for both of the previous 2 racing seasons prior to an appeal being presented to the CENTRAL COUNCIL.

Exceptions and conditions:

- a) Such appeals will be held over until their clubs race results can be presented at an Annual General Meeting.
- b) The CENTRAL COUNCIL of HANDICAPPERS may vote to accept/review an appeal from a Member Club with an inactive racing program.
- c) In cases where there is an absence of race results due to an inactive racing program at the individual's Member Club, an appeal may be considered given the CERTIFICATE HOLDER can supply:
 - Information showing other results from around the Lake that have been included in the race analysis presented at the AGM.

- A written statement from the Member Club's Board of Directors or an Executive Member of the Member Club, describing their present racing program.

10.5.2. Any handicap change based on a successful appeal at the CENTRAL COUNCIL will remain in effect until the next CENTRAL COUNCIL meeting held in conjunction with the AGM.

10.5.5. Exception to 10.5.2: If the appeal was against another class of yacht and in review, had merit, sailors with the affected class of yacht may launch an appeal if they are unhappy with the revised handicap. (i.e.: allow CERTIFICATE HOLDERS of the affected class an opportunity to respond/defend their current handicap)

10.5.6. No Response to 1st or 2nd Level Review

In the event that the appellant is unable to obtain a response from either the Club HANDICAPPER or DISTRICT Chief, the appeal may be forwarded to the Assistant Chief HANDICAPPER for that "DISTRICT Area" who shall contact either the "Member Club" or "DISTRICT" to rectify the situation and shall respond and/or direct the appellant.

~~13. PROCEDURE~~

~~13.1. _____~~

~~13.2. _____~~

14. ADMINISTRATIVE PROTESTS

15.1. Except as provided under Section 11 protests under RRS Rule 78.1 adopted by the US Sailing and CYA, if referred to the "authority responsible" referred to in RRS Rule 65.3(b) shall be submitted to the CENTRAL COUNCIL at a meeting called for that purpose. Administrative protests under RRS rules shall be dealt with in the same manner.

~~15. BANKING~~

~~15.1. The MEMBERS may, by resolution, establish a bank or banks for the Organization and appoint such OFFICER(s) as may be necessary to operate the account(s)~~