

# *Declaration of Trust*

## *Governing the*

### *Manhasset Bay Challenge Cup*

This instrument, made by the Manhasset Bay Yacht Club, a corporation duly authorized and existing under and by virtue of the laws of the State of New York, originally dated December 19, 1902, as amended May 5, 1905, and further amended January 17, 1908, September 17, 1957, March 20, 1962, March 19, 1963, June 21, 1966, January 18, 1972, February 25, 1976, April 25, 1984, March 26, 1992, August 10, 1996, June 6, 2001, April 26, 2022 and May 22, 2024.

The Manhasset Bay Yacht Club having offered a perpetual challenge cup, to be known as the MANHASSET BAY CHALLENGE CUP, for the promotion of small yacht racing, and development of amateur seamanship, hereby sets forth and declares the terms and conditions which shall govern the tenure of the said cup and competitions, therefore.

#### **Article I**

Any organized yacht club in good standing in any country which has a clubhouse and waterfront facilities, and is a member of the United States Sailing Association or the equivalent organization in its own country, shall always have the right to challenge for the Cup and to sail a series therefore, provided such challenge is made and such series shall be sailed in accordance with the terms and conditions of this instrument.

There shall be only one series sailed each year, and the club winning the series shall host the event the following year, except that the series shall be conducted by the Manhasset Bay Yacht Club in each decennial year of the Club's founding in 1891 or such year as mutually agreed upon by the most recent winning club and the Manhasset Bay Yacht Club.

To assure the safety of the Cup, it shall remain on permanent display at the Manhasset Bay Yacht Club with the names of the yacht clubs winning the series suitably engraved thereon. An appropriate keeper trophy will be awarded to the winning club.

## **Article II**

The Challenge Cup series shall be sailed in boats of not less than 18 feet in length on the waterline (18" LWL), which are of a single one-design class or an open class measured to a single rating and raced without time allowance. Alternatively, the Challenge Cup series may be sailed in Ideal 18 class boats, provided that the host club makes at least four club-owned boats available to yacht clubs that have entered a challenge for that series.

## **Article III**

The series shall be administered by the Manhasset Bay Challenge Cup Committee (hereinafter called "Challenge Cup Committee" or "Committee") consisting of three members, which shall be appointed within 90 days after the conclusion of each series. One member shall be chosen by Manhasset Bay Yacht Club, as donor, one by the host club, and one member shall be chosen by Manhasset Bay Yacht Club and the host club; provided, however, that if Manhasset Bay Yacht Club is also the host club, then the third committee member shall be chosen by the Manhasset Bay Yacht Club and the most recent host club that is not the Manhasset Bay Yacht Club, and such third committee member shall not be a member of the Manhasset Bay Yacht Club. The Committee shall elect its Chairperson from among its members.

Title to the Challenge Cup shall be in the Board of Trustees of Manhasset Bay Yacht Club, as the same shall be constituted from time to time as trustees (the "Trustees") to carry out the terms of the Declaration of Trust. They shall have power to interpret this Declaration of Trust.

The Challenge Cup Committee shall have the power to fix and decide all terms and conditions of the series in accordance with, and subject to, the terms of this deed of trust, including, but not limited to, the class in which the series is to be sailed, dates, courses and racing instructions, notices and any other matters pertaining to the series or preliminary thereto. The Challenge Cup Committee may waive for such series such provisions of this instrument as would otherwise govern the series or preliminary thereto, provided, however, that the consent in writing to such waiver signed by the Commodore or Vice Commodore of the Manhasset Bay Yacht Club on behalf of the Trustees shall have first been obtained.

## **Article IV**

The Manhasset Bay Challenge Cup series shall be sailed under then current Racing Rules of Sailing of the United States Sailing Association (RRS), US Sailing prescriptions if any, and Class Rules of the class in which the series is sailed, as modified and governed by this Declaration of Trust, the Notice of Race and the Sailing Instruction for the series.

## **Article V**

The series shall be managed under the direction of the Challenge Cup Committee which shall designate a Principal Race Officer and Race Committee which shall conduct the series under the direction of the Challenge Cup Committee.

Protests shall be decided by a Protest Committee designated by the Challenge Cup Committee prior to the commencement of the series.

## **Article VI**

All challenges shall be in writing and shall be signed by the Commodore of such challenging Club or his duly authorized representative and shall be delivered to the defending club. No challenge shall be delivered sooner than three days after the close of the previous series. In order to ensure a contest, at least one challenge must be delivered before April 1 of the year in which the series is to be held.

## **Article VII**

The Notice of Race shall refer to the then current RRS and shall state that helmsman of each participating boat and all crew shall be a member or spouse of a member in good standing of the yacht club he or she represents; or, if representing a college or university, all crew must be a current student or a graduate of such school no more than 12 months from the date of the race. The crew size shall be governed by the applicable Class Rules of the class chosen for the series.

## **Article VIII**

Each challenging club shall name the yacht that will represent it at least one week before the series.

The yacht so named shall be a bona fide property of the helmsperson representing the club or on a bona fide charter to that person, unless the boat is an Ideal 18 borrowed from the host club as provided in Article II.

No club shall enter more than one yacht for the same series.

## **Article IX**

A series shall be not less than three and not more than five races, as determined by the Challenge Cup Committee.

The following are the conditions of the conduct of the series:

- (a) (i) For a series sailed in a class of over 21' LWL<sub>2</sub> courses shall be not less than six or more than nine miles in length. There shall be a minimum of four and a maximum of eight legs to the course.
- (a) (ii) For a series sailed in a class with a LWL of 21' or less, courses shall not be less than three or more than eight miles in length. There shall be a minimum of three legs and a maximum of six legs.
- (b) Low Point scoring system of Appendix A will apply modified so that each boat's series score will be the total of all her race scores (no throw out).
- (c) If the yachts require measurement prior to a series, it shall be done by the measurer of the host club.
- (d) No yacht entered for a series shall be hauled out or laid on shore during the period of the series, except in the case of accident and or necessary repairs.
- (e) Protests must be filed in writing with the Challenge Cup Committee within two hours from the finish of the last race of the day. The Challenge Cup Committee may extend the protest time limit if conditions warrant by posting such notice on the official notice board for the series.

## **Article X**

The terms of this deed of trust may be modified by the Trustees by agreement with the yacht club having won the immediately preceding series (which may have been the Manhasset Bay Yacht Club); provided, however, that no modification shall be made during the pendency of any challenge which shall affect that series, unless consented to by all the Challengers.

## **Article XI**

In case the yacht club having won the immediately preceding series shall be dissolved or cease to exist, the Manhasset Bay Yacht Club shall defend the cup in lieu thereof as herein provided.

## **Article XII**

These rules, as amended herein, shall become effective for the 2022 series and following.

### **Article XIII**

The instrument and any amendments thereto shall be executed in duplicate originals, one of which shall be preserved in the archives of the Manhasset Bay Yacht Club and one in the archives of the United States Sailing Association. A conformed copy of this instrument, as amended from time to time, shall be delivered to each yacht club which wins a series.