

INTERPRETATION 001-22

REQUEST FROM A VICE PRESIDENT ON BEHALF OF THE ETHICS COMMISSION

Question 1

Regulation 35.1, 35.1.1 and 35.1.3 (c) states:

“35.1 Introduction

35.1.1 This Code defines the structures applicable to allegations of Misconduct and to other judicial processes in the sport of sailing.

[...]

35.1.3 There are four different structures in place, each designed to address the different circumstances which will apply to matters which will be addressed under them. Those structures are:

[...]

(c) those relating to other disciplinary complaints (Part E); and

[...]”

Regulation 35.6 and 35.6.1 states:

“35.6 Part E - Any Other Disciplinary Complaints

35.6.1 The provisions of this Part of this Code apply to all complaints of Misconduct received by World Sailing or by MNAs which cannot be addressed under Parts C or D above. However it does not apply to complaints that could have been brought under any other Part of this Code, but which were excluded by virtue of time limits or decisions made under that Part.”

Does Regulation 35.1.3 (c) and 35.6.1 include ethics complaints made under Regulation 36.4?

Answer 1

No.

Regulation 35 deals with Misconduct and Discipline.

Regulation 36 deals with Ethics, and is a separate and distinct regulation.

The 2 Regulations do not interact, but rather stand alone.

It necessarily follows that Section 35.1.3(c) and 35.6.1 have no applicability to complaints, allegations or reports made under Regulation 36.

Question 2

Regulation 35.6.2 and 35.6.2 (c) states:

“35.6.2 All such complaints must be made:

[...]

*(c) within 14 days of the alleged Misconduct, unless that time is extended by the
Judicial Board ret; and*

[...]”

Does the 14 day deadline to make a complaint apply to ethics complaints made under art. 36.4?

Answer 2

No.

The 14 day deadline to make a complaint does not apply to Ethics complaints for the reasons stated above. There are no time limits specified in the Regulations limiting the making of ethics complaints, allegations or reports.

**Constitution Committee
World Sailing**

21 March 2022