

Constitution Committee Recommendations to Council

This "yellow paper" is a summary of the Recommendations made by the Constitution Committee on the 2023 Annual Conference Submissions

2023 Submissions

To consider and give an opinion on the submissions where the Constitution Committee is the Reporting Committee:

- 001-23** **Proposal to amend Regulations 19.7, 20.4.3, 28.2.6 and 29.2.5**
To eliminate repetition required in Notice of Race and Sailing Instructions
Reporting Committee: Racing Rules
Other Committee: Constitution
Recommendation to Council: Approve
Notes:
- 117-23** **Proposal to amend 117 -23 Article 51.10 New Constitution**
To correct minor differences between current and new regulation.
Reporting Committee: Constitution
Other Committee: Classes
Recommendation to Council: Reject
Notes:
Proposal 1 - Terminology does not match the new Constitution e.g. classes should be Olympic World Class Association.

Proposal 2 Terminology does not match the new Constitution e.g. no current definition of "Discipline Led Events" which is proposed in the amended wording. Wrong Article quoted should be 51.10 rather than 51.11.

It is noted that this is a proposed change of Articles of the new Constitution. As such the AGM cannot amend the wording of the proposed resolution to rectify these matters.

Any Members seeking to propose amendments to the new Constitution are urged to consult the Governance Working Party in advance of making any submissions.

To consider and give an opinion on the following submissions for which the Board is the Reporting Committee

- 100-23** **Proposal to amend Regulation 10 To clarify what plaque fees World Sailing Classes can expect to be required to pay to World Sailing**
Reporting Committee: Board
Other Committee: Classes/Equipment
Recommendation to Council: Approve subject to policy with the following amendment
Notes: Insert into Regulation 10.3. (c) **Above £1,000,000 as a guideline for negotiation**
- 149-23** **Proposal to amend Regulation 24.1 to 24.3.4 To provide flexibility in relation to the Sailing World Championships including to split the Sailing World Championships into multiple events and to include additional events where appropriate.**
Reporting Committee: Board
Other Committee: Events **Constitution Committee**
Recommendation to Council: Approve subject to policy
Notes:

The Committee understands the Board will amend the submission to change all references in Regulation 24 from “Sailing World Championships” to “World Sailing Championships”.
The Committee does not consider this to be a substantial change to the submission.

- 155-23 Proposal to amend Regulation 8.15.2 amend Terms of Reference for the Safety Commission**
Reporting Committee: Board
Other Committee: Constitution
Recommendation to Council: Approve subject to policy
Notes: The paragraph commencing “ With the exception of the Chair...” should have been highlighted in red as a new insertion.

To consider and give an opinion on the following submissions for which the Classes Committee is the Reporting Committee.

- 109-23 Proposal to amend 109-23 Regulation 25.2.1 (a) (ii)**
To enable Classes to have a Transgender Policy awarding female World Championship titles and World Championship titles open to any gender.
Reporting Committee: Classes
Other Committee:
Recommendation to Council: Reject
Notes: This is an important issue and it is essential that there is consistency within the sport.
World Sailing is in the process of developing a policy which will be presented to Council in May 2024. It would therefore be premature to amend the Regulations before such policy is presented.

To consider and give an opinion on the following submissions for which the Oceanic and Offshore Committee is the Reporting Committee

- 098-23 Proposal to amend Regulation 10.2.1 (d)(e) to allow for recognition of offshore classes which due to the cost of the boats and nature of racing are not likely to meet the current criteria despite the providing competition for a wide range of nationalities.**
Reporting Committee: Oceanic and Offshore
Other Committee: Equipment
Recommendation to Council: Approve subject to policy
Notes:
- 106-23 Proposal to amend Regulation 10.5 To allow time for current Offshore classes such as IMOCA and Class 40 which do not hold World Championships to qualify as International Measures. Alternative Proposal.**
Reporting Committee: Oceanic and Offshore
Other Committee: Equipment
Recommendation to Council: Approve subject to policy
- 114-23 Proposal to amend Regulation 30.3 To introduce a process for the issuing of Offshore Special Regulations interpretations**
Reporting Committee: Oceanic and Offshore
Other Committee: Equipment
Recommendation to Council: Approve with the following amendment

Notes: Regulation 30.3:
(e) delete "the validity of"
(g) insert recommend "to the Oceanic and Offshore Committee"....

To consider and give an opinion on the following submissions for which the Race Officials Committee is the Reporting Committee

- 108-23** **Proposal to amend Regulation 23.3.1 and 25.8.2 For the Board to approve the Chief and Deputy Chiefs to the Olympic Games**
Reporting Committee: Race Officials
Other Committee:
Recommendation to Council: Approve with the following amendment
Notes: To undo the proposed deletion of the Chair of the Racing Rules Committee and to change references from Chairman to Chair.
- Regulation 23.3.1.
The Board shall appoint the Chair~~man~~ and Vice-Chair~~man~~ of the Olympic Jury, **Principal Race Officer and Deputy Principal Race Officer of the Olympic Race Committee, Chief Umpire and Deputy Chief Umpire of Olympic Medal Racing, Chair and Vice Chair of the Olympic Technical Committee** after having considered the recommendations of the Event Appointment Working Party, and the Chair~~man~~ of the Race Officials Committee, and **the Chairman of the Racing Rules Committee**. No recommendation from a person with a conflict of interest shall be considered
Regulation 25.8.2 (a) an experienced current or former World Sailing Race Official (as Chair~~man~~)
- 115-23** **Proposal to amend Regulation 31.15 To amend the Regulation 31.15 by changing the reapplication time for WS Race Officials after the termination of their appointment.**
Reporting Committee: Race Officials
Other Committee:
Recommendation to Council: Approve subject to policy
Notes:
- 116-23** **Proposal to amend Regulations 31.7 and 6.10.7.3(i), 6.10.8.3(i), 6.10.9.3(i) and 6.10.10.3(i) To propose an alternative Grouping system for Race Officials.**
Reporting Committee: Race Officials
Other Committee:
Recommendation to Council: Reject
Notes: No change to the current Regulation is required to achieve this.

To consider and give an opinion on the following submissions for which the Events Committee is the Reporting Committee

- 107-23** **Proposal to amend Regulation 15.6 To allow the 2024 Mid-Year Council meeting to approve regulation changes to Regulation 23 Olympic Sailing Competition.**
Reporting Committee: Events
Other Committee:
Recommendation to Council: Approve subject to policy
Notes: If submission 107-23 is approved by Council, then submissions 153-23 and 154-23 are redundant.
- 111-23** **Proposal to amend Regulation 27.2 To update the Regulations to clarify that there can be three principal national championships, open, women and youth**
Reporting Committee: Events

Other Committee:

Recommendation to Council: Approve subject to policy

Notes:

113-23 **Proposal to amend Regulation 27.2.3**
To level the playing field and make the weight limit in open match racing fair and inclusive to people of all weight ranges
Reporting Committee: Events
Other Committee:
Recommendation to Council: Approve subject to policy
Notes:

153-23 **Proposal Option 1**
Timeline and selection of new events for the Olympics
Reporting Committee: Events
Other Committee: Classes
Recommendation to Council: Reject
Notes: See comment in submission 107-23. Uses terms which purport to be definitions but there are no definitions for such terms.

154-23 **Proposal Option 2**
Timeline and selection of new events for the Olympics
Reporting Committee: Events
Other Committee: Classes
Recommendation to Council: Reject
Notes: See comment in submission 107-23. Uses terms which purport to be definitions but there are no definitions for such terms.

To consider and give an opinion on the following submissions for which the Equipment Committee is the Reporting Committee

101-23 **Proposal to amend Regulation 10.4 (a) To adjust the timeline to notify World Sailing of the next World Championship of an international class**
Reporting Committee: Equipment
Other Committee: Classes
Recommendation to Council: Approve subject to policy
Notes:

102-23 **Proposal to amend 102-23 Regulation 10.4.(d) To clarify that the chair of the Event Technical Committee is an International Measurer of the Class.**
Reporting Committee: Equipment
Other Committee: Classes
Recommendation to Council: Reject
Notes: Incorrect terminology and would be incompatible with Sailing World Championships.

If approved, amend wording of Regulation 10.4 (d) to read as follows:
appoint an International Measurer **of the class** to **act as chair of** the **event** technical committee for the world championships unless otherwise agreed with World Sailing

- 103-23** **Proposal to amend 103 -23 Regulation 10.4.(d)**
To allow classes the opportunity to have a Class approved Measurer who may not be an International Measurer.
Reporting Committee: Equipment
Other Committee: Classes
Recommendation to Council: Reject
Notes: Already provided for in the Regulations
- 151-23** **Proposal to amend Regulation 10.2.1.(d) and (e) and Regulation 10.4 –**
To differentiate between having the right to host a World Championship and
being classified as a WS class and allow flexibility in terms of global
distribution criteria.
Reporting Committee: Equipment
Other Committee: Events
Recommendation to Council: Approve with the following amendment
- Notes: Proposal 2 Regulation 10.2.1(e) additional amends:
- the Committee consider ~~sing a that~~ the class which serves a unique aspect of sailing. **is actively racing and meets equivalent global distribution demonstrated by any other means.**

To consider and give an opinion on the following which are for approval not based on submissions:

- Item 7a** **Proposal to approve Governance Reform Documents**

Recommendation to Council: Approve
Notes: Noted that some minor amends (typos in Regs) which will be corrected.
- Item 7b** **Proposal to approve MNA Review Recommendations**

Recommendation to Council: Approve
Notes:
Recommendation 1- Philippines MNA to move from Group J to Group K.
Recommendation 2 – That an additional Council seat be allocated to Group K.
If approved, this matter is a change to the Articles and will go to the AGM for approval by way of Special Resolution.
- Item 7c** **Proposal to approve the Safeguarding Policy and Procedures**

Recommendation to Council: Approve
Notes: The Committee recommends an amendment to the burden of proof in the Safeguarding Procedures from “on the balance of probabilities” to “comfortable satisfaction” and also some minor typos will be corrected in Regulations 35 and 36.

Authenticated by email

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Chairman, Constitution Committee

November 2023