

World Sailing Council met from 09:30 – 18:00 hours Friday 11 November and from 09:30 – 19:30 on Saturday 12 November at the Sheraton Buganvilias Hotel, Puerto Vallarta, Mexico.

Please refer to the World Sailing website www.sailing.org for the details of the submissions referred to in these minutes.

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Before commencing the business of the meeting, those who were present stood for a minute's silence in memory of colleagues, friends and sailors who have passed away since the last meeting of Council: Doug Peterson (USA/NZL), Frans Maas (NED), George Cuthbertson (CAN).

Present:

Kim Anderson (DEN)	President
Jan Dawson (NZL)	Vice-President
Torben Grael (BRA)	Vice-President
Ana Sanchez del Campo Ferrer (ESP)	Vice-President
Nadine Stegenwalner (GER)	Vice-President
Gary Jobson (USA)	Vice-President
Quanhai Li (CHN)	Vice-President
W. Scott Perry (URU)	Vice-President
Yann Rocherieux (FRA)	Athletes' Commission Representative
Andy Hunt (GBR)	Chief Executive Officer (non-voting)
Dick Batt (GBR) Marcus Spillane (IRL) and for various items Sarah Treseder (GBR) was alternate	Representatives of Group A – United Kingdom & Ireland
Goetz-Ulf Jungmichel (GER) George Wossala (HUN)	Representatives of Group B – Central Europe
Tomasz Chamera (POL) Alternate for Kamen Fillyov (BUL) Stanislav Kassarov (BUL)	Representatives of Group C - East Europe
Walter Cavallucci (ITA)	Representatives of Group D – South Europe

Jean-Luc Denecheau (FRA) Alternate for Totos Theodosiou (CYP) Zvi Ziblat (ISR)	
Alternate for Antonio Roquette, Julia Casaneuva (ESP)	Representative of Group E – Iberian Peninsula
Peter van den Bosche (BEL)	Representatives of Group F – Low Countries
Hans Natorp (DEN) Ulfur Hrobjartsson (ISL)	Representatives of Group G – North Europe
Tatyana Ermakova (RUS) Alternate for Oleg Ilyin (RUS) but left after Item 9(e)	Representative of Group H - Euro-Asian
Vacancy for Sheikh Khaled Zayed S Alnehayyan (QAT)	Representative of Group I – Middle East and West Asia
Warwick Downes (HKG) Alternate for Takoa Otani (HKG) Toru Iribe (JPN)	Representatives of Group J - East Asia
Abdur Rehman Arshad (PAK)	Representative of Group K - South and Central Asia
Sarah Kenny (AUS) John Tierney (COK)	Representative of Group L - South West Pacific
Luis F Velasco (ARG) Alternate for Pablo Masseroni (ARG)	Representative of Group M - South & West South America
Marco Aurelio de Sá Ribeiro (BRA)	Representative of Group N – Central & East South America
Cary Lee Byerley (ANT) Hector Duval (DOM)	Representatives of Group O – North South America, Central America and Caribbean
Gary Bodie (USA) Peter Hall (CAN) Cory Sertl (USA)	Representatives of Group P – North America
Alternate for Mohamed Atbi (ALG) Abdelkarim Derouiche (TUN) Philip Baum (RSA)	Representative of Group Q - Africa
Betsy Alison (USA)	Para World Sailing Representative
Stan Honey (USA)	Oceanic and Offshore Representative
Markus Schwendtner (GER)	Classes Representative
Elena Papazoglou (CYP)	Women's Representative

Apologies

HM King Constantine	President of Honour
HM King Harald of Norway	President of Honour
Kamen Fillyov (BUL)	Representative of Group C – East Europe
Totos Theodosiou (CYP)	Representatives of Group D – South Europe
Antonio Roquette (POR)	Representative of Group E - Iberian Peninsula
Oleg Ilyin (RUS)	Representative of Group H – Euro Asia
Sh. Khaled (UAE)	Representative of Group I – Middle East and West Asia
Takao Otani (JPN)	Representative of Group J – East Asia
Pablo Masseroni (ARG)	Representative of Group M – South & West South America
Mohamed Atbi (ALG)	Representative of Group Q – Africa
Abdur Rehman Arshad (PAK)	Representative of Group K – South & Central Asia

Also in Attendance

Alastair Fox	Director of Events
Carlos de Beltran	Head of Technical and Offshore
Dan Reading	Sustainability Manager
Daniel Smith	Communications Manager
Helen Fry	Business Operations Director
Hugh Chambers	Chief Commercial Officer
Jon Napier	Director of Legal Affairs and Governance
Madeleine Dunn	Race Officials Executive
Massimo Dighe	Para World Sailing Manager
Rob Holden	Regional Development Manager
Rowena Farrugia	Membership Services Executive
Simon Forbes	Technical and Offshore Manager

1. Opening of the Meeting

(a) Welcome by the World Sailing President

The President welcomed all present and thanked the Jalisco Tourism Board for sponsoring the conference in Puerto Vallarta.

Council noted the withdrawal of the following submissions: 006-17, 007-17, 010-17, 035-17, 049-17, 079-17, 081-17, 084-17, 095-17, 098-17, 100-17 and 128-17.

(b) Attendees, Alternates and Apologies

Council noted the apologies and alternates.

2. Report by the World Sailing President, VPs and CEO

(a) President's Report

The President welcomed everyone to the Council meeting in Puerto Vallarta and thanked them for attending. He stated that this Council meeting comes at a very important time for World Sailing, and he hopes that the discussions taking place over the next two days will provide some insights for the Council, the organisation and the sport of sailing. The theme for this year's Conference is Uniting the Sport.

He mentioned the terrific opportunity and responsibility to lead the sport to a new, more successful future by working together and using the expertise and knowledge altogether, will be achievable.

He looked back at a year ago when many MNAs expressed concern at the lack of progress being made. He emphasized that Sailing is a broad sport representing many disciplines, creating different ideas, visions and priorities.

The agreement made in May to deliver a strategy document for World Sailing in next mid-year meeting is crucial for setting a clear path including all disciplines from grass roots to elite. He stressed that we have made good progress, however we must do more.

Firstly, we must do more to align ourselves with the Olympic Movement, being more proactive in developing our sport in line with Olympic Agenda 2020, including gender equality and youth participation. Sailing is confirmed for Paris 2024, but the decisions we are making now, are fundamental to a strong proposition of the 10 Olympic events for keeping the platform intact.

The President was pleased to advised that World Sailing has invited and had confirmation that IOC members will be visiting the Worlds in Århus. And in order to continue the strong momentum, we need to ensure that Para Sailing is fully integrated in our framework and has the strongest possible bid for returning to the Olympics in 2024.

The President advised that sport racing keelboats have strong development plans for the future; Americas Cup, Volvo Ocean Racing and the two big rating systems ORC and IRC who are now also combining forces to create a combined World Championship.

Secondly, the President stated that we can do more to make sailing even more accessible for all age groups, with clear emphasis on youth by extending the development programmes. We must build upon the success of the Emerging Nations Programme and spread our sport to new sailing nations. The President acknowledged that we were restrained by funding and budget priorities but by strengthening and the development of our programs will prove attractive for funding. We also need to look at how to optimize existing programs to get more sailors trained for the same investment and this could be done by strengthening our development platform.

The President reported that we have taken major steps to improve media coverage of the sport, using new technologies and data to inform and inspire sailing fans across the world. The numbers are increasing and showing a lot of potential and he was pleased to announce that Sailing won the Bronze Golden Rings Awards for best Olympic Sports Production in the Rio Games 2016. Over the years WS have built strong relationships with OBS, which is at the root of World Sailing now gaining acknowledgement in this area and of the support of SAP analytics with their excellent tools that help to explaining our sport.

Thirdly, and most importantly, he added that we need to assess the way we work, as a Council and as an organisation. The President is not happy with our current operation as he

finds we are not synchronised in our processes and it is obvious, the present structure is not efficient so enabling World Sailing to have a timely decision process but at the same time staying within the Regulations. This needs to change, for if we are not designed for efficient and effective action, and not focused, the sport that will suffer.

Therefore, two important steps need to be taken:

The Board proposed a Governance Commission at the Mid-Year Meeting 2017 and now the Terms of Reference are ready for the Council to approve so the Commission can start working. Setting out the strategy and proprieties in the Strategy Plan is essential to improving the way we operate. We need to keep operating while we are solving Strategy and Structural issues. We have relocated to London creating an international hub for World Sailing and therefore able to build an international organisation to service our sport. The President mentioned that combining the two together was not an easy process in trying to keep up with daily task's for all involved and the workload has been immense. The President took the opportunity to thank the staff for working hard during the transfer.

But now is the time to regroup our efforts to get the service level to a standard that WS hasn't seen in many years, and now with the team in London this is a joint focus.

The President indicated that there are tendencies at World Sailing that are a cause for concern for example when things go wrong or are not perfect we have a tendency to want to take the "case" for council decision.

He asked, do we want to decide on highly technical matters? On Racing Rules and Equipment Rules of Sailing we trust the specialists and we vote on block.

For equipment evolution and development, do we want to decide around the council table? For example, should it be Council's role to approve all equipment changes and developments for the Olympic Classes? The change is agreed between the Class and the Sailors.

He continued that the evolution of all the Olympic Classes has been done but there have been some major changes in Classes recently, such as the Tornado Carbon masts, 49er sail mast, center-board, etc. and looking back he believes these were good changes for these classes and for sailing in general.

He said everybody is now thinking about the Nacra 17 (Sailors' choice), Technical evaluation. It is a fact that Council approved but it was not tested, there was no reference, it was a new design. The Olympic loads are unknown but are dramatically increasing out of spec and poor-quality production.

These are the issues and major assumptions that need to be addressed for future decisions.

Electronic voting has been a topic throughout the year and in wariest submissions. It is not an ideal process, but before making all sorts of restrains take a look at the reasons; what caused the board to use Electronic voting?

The President concluded that there is a lot of valuable decisions and discussions ahead, there is a full agenda including presentations from which we will learn and great programs and developments in our sport.

(b) Vice-Presidents' Reports

Each Vice-President gave a brief report on their areas of responsibilities.

3. Minutes of Previous Meeting

The minutes can be downloaded at www.sailing.org/meetings

(a) Council Minutes May 2017

The minutes of the Council Meeting of May 2017 (circulated and approved by email) were noted.

There were no matters arising from these minutes.

(b) Board Minutes

Council noted the minutes of the Board Meetings of 5 and 6 May, 29 May, 26 June, 31 July, 3 - 5 September, 2 October and 12 October

4. Finance

(a) Management Accounts

The CEO presented the income and expenditure statement for the period 1 January to 31 August 2017.

There was a request that Council Members receive the financial documents after the Audit Committee had met, so Council had chance to review the numbers.

(b) 2018 Budget

The CEO presented the 2018 Budget

(c) Trust Report

The CEO informed Council of the level of funds held in the ISAF Trust.

(d) Debtors List

The unpaid MNAs and Class Subscriptions were noted.

5. Governance

(a) ASOIF IF Governance Audit

The Director of Legal Affairs and Governance presented the findings of the ASOIF IF Governance Audit.

(b) Terms of Reference for the World Sailing Governance Commission

Board proposed the terms of reference of the new Governance Commission.

Decision

On a proposal by Marcus Spillane, seconded by Sarah Kenny, Council approved the Terms of Reference of the Governance Commission (38 in favour, 1 against, 0 abstain)

(c) Anti-Trust Policy (and associated submissions)

The Director of Legal Affairs and Governance presented the Anti Trust Policy to Council and noted Submission 013-17.

Council debated the Anti-Trust Policy and submission.

Stanislav Kassarov proposed a motion to defer the Anti-Trust Policy and Submissions 013-17 to 018-17.

Decision

On a proposal from Stanislav Kassarov, seconded by Zvi Ziblat, the motion to defer was rejected. (11 in favour, 24 against, 4 abstain)

Decision

On a proposal from Marcus Spillane, seconded by Philip Baum, the Anti-Trust Policy was approved with the amendments recommended by the Constitution Committee (see Appendix E) (27 in favour, 4 against and 7 abstain)

Decision

On a proposal from Marcus Spillane, seconded by Philip Baum, Submission 013-17 was approved with the following amendments (27 in favour, 3 against and 7 abstain):

23.5.1 In addition to the review processes in Regulation 23.1, the Board shall carry out re-evaluations of the equipment selected for Olympic ~~Events equipment~~. The purpose of re-evaluation under this Regulation is to ensure that:

23.5.2 Equipment selected for each Olympic Event shall be subject to re-evaluation ~~at least~~ every eight years (i.e. two Olympic cycles). However, the Board may set a ~~different shorter~~ transitional timetable for initial re-evaluations following the adoption of this Regulation. The Board may amend the date of the subsequent reevaluations in order to ensure re-evaluations are carried out in line with any other reviews undertaken under Regulation 23.1.

Decision

On a proposal from Marcus Spillane, seconded by Philip Baum, Submission 014-17 o was rejected (9 in favour, 25 against and 5 abstain)

Decision

On a proposal from Marcus Spillane, seconded by Philip Baum, Submission 017-17 was rejected (8 in favour, 25 against and 5 abstain)

Decision

On a proposal from Marcus Spillane, seconded by Philip Baum, Submission 018-17 was rejected (7 in favour, 27 against and 4 abstain)

(d) World Sailing Sustainability Agenda 2030

A presentation was given by the Sustainability Manager.

6. Members

Council noted the following Suspended Members:

Federacao Angolana de Vela

Botswana Yacht Racing Association

Federation Djiboutienne de Volie et des Sports Nautique

Iran Canoeing, Rowing and Sailing Federation

Kenya Yachting Association

Kosovo Sailing Federation

Macedonia Sailing Association

Madagascar Yachting and Rowing Squad

Mauritius Yachting Association

Nigeria Rowing Canoe and Sailing Federation

Yacht Racing Association DPR Korea

Federation Senegalaise de Voile
Federacion Venezolana de Vela
St Vincent and Grenadines Sailing Association
Sailing Association of Zimbabwe
Anguilla Sailing Association

7. CEO and Commercial Update

(a) CEO Report

The CEO presented his report to Council.

(b) Presentation on the Commercial Progress of World Sailing

A presentation on the commercial progress of World Sailing was given by the Chief Commercial Officer.

8. Council Symposium

(a) Events – Commercial event Strategy at the 35th America Cup

Sir Russell Coutts was unable to attend. The CCO gave a presentation on eSports and the proposed eSailing World Championships

(b) America's Cup Endeavour Programme

A presentation was given by Tom Herbert-Evans.

(c) Technology – Tracking, Telemetry and Electronic Umpiring at the 35th America's Cup

A presentation was given by Stan Honey and Richard Slater

(d) Equipment – O-Pro

A presentation was given by Matthew Mason and his daughter Emma

The President noted that the Endeavour program and the O-Pro concept were ideal for developing sailings attractiveness at a grassroots level. E-Sports value was as an enabler to attract and continue to be attractive as a sport. The technology presentation provides a good view on how to extend our new technology offerings from visual graphics to umpiring and race management.

9. Events

The Director of Events gave the following presentations on events:

(a) 2018 Youth Sailing World Championships, Corpus Christi USA

(b) 2018 Sailing World Championships, Aarhus, DEN

(c) Para World Sailing Championships 2018

(d) 2018 Youth Olympic Games, Buenos Aires, ARG

(e) 2020 Olympic Games, Tokyo

After the presentations, the Events Committee recommendations on the Tokyo 2020 Format and Qualification were taken.

Marcus Spillane declared a conflict of interest and appointed Sarah Treseder (GBR) as alternate for this item.

Council noted that if Format Proposal 3 was againsted, the format for Men's and Women's Skiff would revert back to the standard medal race format.

Decision

On a proposal by Sarah Treseder, seconded by Hans Natorp, Format Proposals 1, 2 and 4 were approved (39 approve, 2 against, 0 abstain).

Format Proposal 3 was rejected (19 in favour, 21 against and 1 abstain). The votes of Council are attached at Appendix D under Regulation 3.2.4.

Decision

On a proposal by Philip Baum and Ulfur Hrobjartsson, the Tokyo 2020 Qualification system was approved (37 in favour, 3 against, 0 abstain)

(f) World Cup Series 2018 – 2020

(g) 2024 Olympic Games, Paris, FRA

(h) eSports World Championships

The CCO presented the proposed eSports World Championships after which Submission 021-17 was discussed.

Decision

On a proposal by Marcus Spillane, seconded by Hans Natorp, Submission 021-17 on the Virtual World Championships was approved (34 in favour, 3 against and 3 abstain).

10. Activity Reports

(a) Reports from Committee Chairmen on their Committee's activities

The following Chairmen reported to Council:

Audit Committee – Jan Dawson on behalf of Phil Cotton

Constitution Committee – Graham McKenzie

Development and Regions Committee – David Covo

Equipment Committee – Dina Kowalyshyn

Events Committee – Sarah Kenny

Oceanic and Offshore Committee – Stan Honey

Para World Sailing Committee – Betsy Alison

Race Officials Committee – Jan Stage

Racing Rules Committee – John Doerr / Bernard Bonneau

Women's Forum – Elena Papazoglou

World Sailing Classes Committee – Markus Schwendtner

(b) Report from the World Sailing Speed Record Council (WSSRC)

Council received a report from Stan Honey.

(c) Report from the International Radio Sailing Association (IRSA)

Council received a report from IRSA.

11. Submissions Deferred from Previous Council Meetings

Please refer to the 2016 Submissions Booklet for details of all submissions also available online at www.sailing.org/meetings

- (a) Submission 024-16 – Olympic Equipment - Against the Monopolisation of Production of Boats of Olympic Classes

Decision

On a proposal from Marcus Spillane and seconded by Ulfur Hrobjartsson, Council rejected Submission 024-16 (8 in favour, 30 against, 2 abstain)

- (b) Submission 035-16 – Olympic Sailing Competition – New Race Format to Meet the Requirement of “Winner gets Gold”

Decision

On a proposal from Hector Duval and seconded by Marcus Spillane, Council rejected Submission 035-16 (1 in favour, 37 against, 1 abstain)

12. Submissions

- (a) Submissions for which the Board is the Reporting Committee

- (i) Submission 001-17 – World Sailing Regulations – Definition of Continents

Decision

On a proposal from Hans Natorp, seconded by Marcus Spillane, Council rejected Submission 001-17 (5 in favour, 30 against, 4 abstain)

- (ii) Submission 002-17 – Continental Associations – Position within World Sailing
There was no seconder for the submission, which was therefore not discussed.
 - (iii) Submission 003-17 – World Sailing Annual Conference - New Regulation 37.2 – Limiting Costs for Attendees

Decision

On a proposal from Markus Schwendtner, seconded by Zvi Ziblat, Council rejected Submission 003-17 (16 in favour, 24 against, 0 abstain):

- (iv) Submission 004-17 – World Sailing Committees – Olympic Classes Sub-committee – Terms of Reference – New Regulation 6.7.4.3

Decision

On a proposal from Marcus Spillane, seconded by Markus Schwendtner, Council rejected Submission 004-17 (14 in favour, 26 against, 0 abstain)

- (v) Submission 005-16 – World Sailing Committees – Olympic Classes Sub-committee – Terms of Reference – Regulation 15.1

Decision

On a proposal from Marcus Spillane, seconded by Markus Schwendtner, Council rejected Submission 005-17 (12 in favour, 26 against, 0 abstain)

- (vi) Submission 008-17 – Event Fees – Regulation 25.12

Decision

On a proposal from Cory Sertl, seconded by Sarah Kenny, Council approved Submission 008-17 (38 in favour, 0 against, 0 abstain)

- (vii) Submission 009-17 – World Sailing Race Officials – Tracking System for Race Officials

Decision

On a proposal from Marcus Spillane and seconder Cory Sertl, Council deferred Submission 009-17 to May 2018 (24 in favour, 16 against, 0 abstain)

- (viii) Submission 011-17 – World Sailing Race Officials – Conflicts of Interest – New Regulation 34.7

Decision

On a proposal from Zvi Ziblat and seconder Marcus Spillane, Council rejected Submission 011-17 (9 in favour, 26 against, 3 abstain)

- (ix) Submission 012-17 – World Sailing Race Officials – Conflicts of Interest – New Regulation 34.7

There was no seconder for the submission, which was therefore not discussed.

- (x) Submission 020-17 – Athletes' Commission – Paralympic Representation

Decision

On a proposal from Marcus Spillane, seconded by Philip Baum, Council approved Submission 020-17 with the following amendments (39 in favour, 1 against, 0 abstain)

(k) Until sailing is re-included in the Paralympic Games, any references in this Regulation to the "Paralympic Sailing Competition" shall mean the Para World Sailing Championships in the same year of the election and references to "Paralympians" shall mean sailors who had competed in at least two Para World Sailing Championships.

- (b) Submissions for which the Constitution Committee is the Reporting Committee

- (i) Submission 029-17 – World Sailing Constitution – Council Groups – Article 40(f)

Decision

On a proposal from Dick Batt, seconded by Peter Hall, Council approved Submission 029-17 with the following amendments (36 in favour, 1 against, 1 abstain):

- (f) The provisions of the table contained in Schedule A may be varied from time to time by Council in its discretion by a two-thirds majority vote ~~(but any such variation may be reviewed by the Annual General Meeting)~~ or by resolution of the Annual General Meeting, provided that if any National Authority ceases to be a Member National Authority on account of its replacement as a National Authority controlling the sport by some other authority or authorities in the Group concerned, Council may at its discretion make such provision as it thinks fit for the purpose of preserving the regional basis of nomination but any such provision may be reviewed by the Annual General Meeting.**

- (ii) Submission 030-17 – World Sailing Constitution – Age Limit for Board Members – New Article 73.1

Decision

On a proposal from Peter van den Bossche, seconded by Marco Aurelio de Sa Riberio, Council rejected Submission 030-17 (6 in favour, 33 against, 0 abstain):

- (iii) Submission 031-17 – World Sailing Constitution & Regulations – Voting – New Article 102

Decision

On a proposal from Marcus Spillane and seconded by Dick Batt, Council deferred Submission 031-17 to May 2018 (23 in favour, 17 against, 0 abstain)

- (iv) Submission 032-17 – World Sailing Regulations – Electronic Voting for Olympic Sailing Competition – Regulation 7.1.1

Decision

On a proposal from Zvi Ziblat and seconded by Hector Duval, Council rejected Submission 032-17 (9 in favour, 28 against, 1 abstain)

- (v) Submission 033 -17 – World Sailing Regulations – Electronic Voting by Council – New Regulation

Decision

On a proposal from Zvi Ziblat, and seconded by Hector Duval, Council rejected Submission 033-17 (8 in favour, 29 against, 1 abstain)

- (vi) Submission 036-17 – Anti-Discrimination Code - New Regulation 37

Decision

On a proposal from Markus Schwendtner and seconded by Elena Papazoglou, Council deferred Submission 036-17 to the Ethics Commission for re-consideration in May 2018 (34 in favour, 4 against, 0 abstain)

- (c) Submissions for which the Equipment Committee is the Reporting Committee

- (i) Submissions 055-17 to 058-17 - Equipment Rules of Sailing

The submission were voted *en bloc*.

Decision

On a proposal from Dick Batt, seconded by Marcus Spillane, Council rejected Submissions 055-17 to 058-17 (6 in favour, 31 against, 0 abstain).

- (ii) Submission 062-17 – 2024 Olympic Sailing Competition – Olympic Equipment for Lighter Women

Decision

On a proposal from Dick Batt, seconded by Marcus Spillane, Council rejected Submission 062-17 (5 in favour, 32 against, 0 abstain)

- (iii) Submission 063-17 – 2024 Olympic Sailing Competition – Availability and Affordability of the Olympic Equipment

Decision

On a proposal from Elena Papazoglou, seconded by Markus Schwendtner, Council rejected Submission 063-17 (7 in favour, 30 against, 2 abstain)

- (d) Submissions for which the Event Committee is the Reporting Committee

- (i) Submission 066-17 – Olympic Sailing Competition - Decisions

Decision

On a proposal from Georgy Wossala, seconded by Cory Sertl, Council approved Submission 066-17 with the following amendment (39 in favour, 0 against, 0 abstain):

23.45 All decisions concerning the format, qualification system, and quotas for the 2024 and later Olympic Sailing Competitions shall be ~~determined~~ **decided** no later than 31 May in the year following the previous Olympic Sailing Competition. The Board may change this deadline to a later date in order to comply with any schedule or requirements from the ~~IOC-International Olympic Committee~~.

- (ii) Submission 067-17 – 2024 Olympic Sailing Competition – World Sailing Strategy

Decision

On a proposal from Ulfur Hrobjartsson and seconder Hans Natorp, Council approved Submission 067-17 Proposal 1

- (iii) Submission 068-17 – 2024 Olympic Sailing Competition – Gender Equality and Submission 080 – 17 – 2024 Olympic Sailing Competition – Gender Equal Opportunity

The submissions were discussed *en bloc*.

Decision

A motion to defer was rejected (7 in favour, 32 against, 0 abstain).

Decision

Council approved Submission 068-17 (36 in favour, 3 against, 0 abstain)

Council rejected Submission 080-17 (3 in favour, 32 against, 1 abstain)

- (iv) Submission 069-17 2024 Olympic Sailing Competition – Mixed Gender Events

Decision

Council approved Submission 069-17 (30 in favour, 7 against, 2 abstain)

- (v) Submission 070-17 – 2024 Olympic Sailing Competition – Athlete Physiques

Decision

On a proposal from Markus Schwendtner and seconder Jean-Luc Denechau, Council approved Submission 070-17 (35 in favour, 3 against, 0 abstain)

- (vi) Submission 071-17 – 2024 Olympic Sailing Competition – Universally/Innovation

Decision

On a proposal from Dick Batt and seconder Philip Baum, Council approved Submission 071-17 (36 in favour, 0 against, 2 abstain)

- (vii) Submission 075-17 – 2024 Olympic Sailing Competition – Establish Review Criteria & Parameters

Decision

On a proposal from Zvi Ziblat, seconded by Stanislav Kassarov, Council rejected Submission 075-17 (11 in favour, 25 against, 3 abstain)

- (viii) Submission 076-17 - 2024 Olympic Sailing Competition – Data Collection and Evaluation

Decision

On a proposal from Zvi Ziblat, seconded by Stanislav Kassarov, Council rejected Submission 076-17 (11 in favour, 26 against, 3 abstain)

- (ix) Submission 077-17 – 2024 Olympic Sailing Competition – Vision and Criteria for Events

Decision

On a proposal from Zvi Ziblat, seconded by Stanislav Kassarov, Council rejected Submission 077-17 (6 in favour, 30 against, 3 abstain)

- (x) Submission 085-17 Olympic Class Events – RS:X Class – Medal Race Format

Decision

On a proposal from Markus Schwendter and seconder Goetz-Ulf Jungmichel, Council approved Submission 085-17 (34 in favour, 1 against, 3 abstain)

- (xi) Submission 087-17 – Youth Sailing World Championships – December Date Change – Regulation 24.5.1

Decision

On a proposal from Cory Sertl and seconder Marcus Spillane, Council approved Submission 087-17 (38 in favour, 1 against, 0 abstain)

- (xii) Submission 088-17 - Youth Sailing World Championships – Decision Process for Venue Selection – Regulation 24.5.4 and Submission 089-17 - Youth Sailing World Championships – NOR Approval

Council discussed both submissions *en bloc*.

Decision

Council approved Submissions 088-17 and 089-17 (36 in favour, 1 against, 0 abstain)

- (xiii) Submission 090-17 – World Championships – Class World Championships – Regulation 25.2

Council rejected Submission 090-17 by the approval of Submission 091-17.

- (xiv) Submission 091-17 – World Championships – Class World Championships – Regulations 25.2

Decision

Council approved Submission 091-17 with the following amendments (25 in favour, 11 against, 1 abstain):

Friendly amendment 25.2.1 a) b. replace “or” with “and/or”

Change “men” and “women” for “male” and “female”.

Clarify that the text above the table in Regulation 10.4(b) remains unchanged. Submission 091-17 is the preferred submission.

- (xv) Submission 092-17- World Championships – Women’s World Championships

Decision

Council rejected Submission 092-17 (15 in favour, 25 against, 0 abstain)

- (xvi) Submission 093-17 - World Championships – Youth & Junior World Championships

There was no proposer for the submission, which was not discussed.

- (xvii) Submission 094-17 - World Championships – World Sailing Keelboat Classes World Championship

Decision

On a proposal from Marcus Spillane and seconder Peter Hall, Council approved Submission 094-17 with the following amendments (31 in favour, 4 against, 1 abstain):

2c) Equipment: supplied, One Design Keelboat 8-12m long, ~~high performance~~

3. ~~The World Sailing Classes Committee~~ will supervise the long term consistency of the event delivery and work with varying World Sailing Classes to provide the boats and varying organizing authorities from year to year.

- (xviii) Submission 096-17 – Match Racing Sub-Committee – Terms of Reference – Regulation 6.6.7 and Submission 097-17 – World Sailing Rankings – Regulation 27.2.3(d)

Council discussed the submissions *en bloc*.

Decision

On a proposal from Stanislav Kassarov and seconded by Zvi Ziblat, Council approved Submissions 096-17 and 097-17 (34 in favour, 0 against, 3 abstain)

- (xix) Submission 099-17 2020 Olympic Sailing Competition – Quotas

Decision

On a proposal from Zvi Ziblat and seconder Hector Duvall, Council rejected Submission 099-17 (4 in favour, 32 against, 1 abstain)

- (e) Submissions for which the Events, Para World Sailing Committee is the Reporting Committee

- (i) Submission 101-17 Sailing World Championships – Para World Sailing Events

Decision

Council approved Submission 101-17 (37 in favour, 0 against, 0 abstain):

Amend Regulation 24.3.2 as follows:

Only the events and equipment included in the next Olympic Sailing Competition and the next Paralympic Sailing Competition (if and when applicable) shall be included in the programme of the Championships.

- (f) Submissions for which the Oceanic and Offshore Committee is the Reporting Committee

- (i) Submission 108-17 –World Championships – Offshore World Championship

The proposer of the submission did not accept the amendment from the Reporting Committee as friendly.

Decision

On a proposal from Gary Jobson, seconded by Dina Kowalshyn, Council approved Submission 108-17 (30 in favour, 5 against, 0 abstain)

- (ii) Submission 109-17 – World Championships – Offshore Sailing World Championship

Decision

On a proposal from Hector Duval and seconded by Dick Batt, Council approved Submission 109-17 with the following amendments (32 in favour, 2 against, 1 abstain):

ORC commits to work together with RORC to create a combined Offshore Sailing World Championship ~~as series of most important offshore races around the world~~: to

include the best results from the joint **ORC/IRC Offshore World Championship and a separate long distance offshore component selected from existing major events.**
~~RORC Caribbean 600, Rolex Fastnet Race, Rolex Middle Sea Race, Rolex Sydney Hobart Race with possible addition of Newport to Bermuda Race in the following editions.~~

~~All selected~~ Races to be double-scored with ORCi and IRC (Endorsed) with all boats having both certificates. Scoring system to be defined between the RORC and the ORC with following principles:

~~Best three results out of 4 races~~

- Prizes to be awarded to skippers and crews, not the boat – chartering thus permitted
 - No restrictions on sailors Classification
- (g) Submissions for which the Para World Sailing Committee is the Reporting Committee
- (i) Submission 116-17 World Sailing Para Sailing Events – Mixed Two Person Event
There was no seconder for the submission, which was therefore not discussed.
- (h) Submissions for which the Race Officials Committee is the Reporting Committee
- (i) Submission 123-17 – World Sailing Race Officials – Umpired Fleet Racing – Regulation

Decision

On a proposal from Ulfur Hrobjartsson, seconded by Marcus Spillane, Council approved Submission 123-17 Proposal 1 and Proposal 2 Option 1 (30 in favour, 6 against, 0 abstain)

- (ii) Submission 124-17 – World Sailing Race Officials – Regulation 31.8

Decision

A proposal from Markus Schwendtner and seconded by Cary Lee Byerley, Council approved Submission 124-17 Option 2 (27 in favour, 10 against, 1 abstain)

- (iii) Submission 125-17 – World Sailing Race Officials – Regulations 25.8.10 & 27.2.3(d)

Decision

Council approved Submission 125-17 (24 in favour, 9 against, 1 abstain)

- (iv) Submission 126-17 – Olympic Sailing Competition – Olympic Jury – Regulation 23.2

Decision

On a proposal from Dick Batt, seconded by Zvi Ziblat, Council rejected Submission 126-17 (7 in favour, 27 against, 3 abstain)

- (v) Submission 127-17 World Sailing Race Officials – Olympic Jury – Regulation 23.3

Decision

On a proposal from Ulfur Hrobjartsson and seconded by Jean-Luc Denecheau, Council approved Submission 127-17 with the following amendment (22 in favour, 1 against, 1 abstain):

- (1) If any of the persons listed in this Regulation ~~have~~ **has** a conflict of interest, the remaining persons shall make a recommendation on that appointment. Once decided, the conflicted person can participate in the remainder of the appointments.

- (i) Submissions for which the Racing Rules Committee is the Reporting Committee

(i) Bloc Vote

Council considered all submissions for which the Racing Rules Committee is the Reporting Committee (except Submissions 133-17, 142-17, 164-17 and 165-17) *en bloc*

Decision

All submissions for which the Racing Rules Committee is the Reporting Committee, except Submissions 133-17, 142-17, 164-17 and 165-17, are determined by Council in accordance with the recommendation of the Racing Rules Committee (35 in favour, 0 against, 0 abstain).

- (ii) Submission 133-17 – World Sailing Committee – Regulations 6.5, 6.11 and 28

Decision

On a proposal by Zvi Ziblat and seconded by Marcus Spillane, Council approved Submission 133-17 with following amendments (35 in favour, 1 against, 0 abstain):

28.3.7 The Racing Rules Committee shall review proposed rapid response calls from any World Sailing International Umpire or a Racing Rules Committee working party. The chief umpire or protest committee chairman at an event shall report new event calls published made during the event to World Sailing.

- (iii) Submission 142-17 – Racing Rules of Sailing – Definition Party, Rules 63.1, 64.4, New Rule 63.8 & Urgent Rule Change

Decision

On a proposal from Dick Batt, seconded by Marcus Spillane, Council approved Submission 142-17 with the following amendments (36 in favour, 0 against, 0 abstain):

Proposal 1

Party A party to a hearing is

[...]

(e) a support person subject to a hearing under rule 60.3(d) or 69; and any competitor or boat supported by that person supports; a person appointed to present presenting an allegation under rule 60.3(d).

However, the protest committee is never a party.

Proposal 3

64.4 Decisions Concerning Support Persons

- (a) When ~~after a hearing~~, the protest committee decides that a *support person* who is a *party* to a ~~the~~ hearing under rule 60.3(d) or 69 has broken a rule, it may.....
- (b) The protest committee may also penalize a ~~competitor~~ boat that is a party to a hearing under rule 60.3(d) or 69 ~~after a hearing~~ for the breach of a rule by a *support person* by changing the boat's score in

a single race, up to and including DSQ, when the protest committee decides that

- (1) the ~~competitor~~ **boat** may have gained a competitive advantage as the result of the breach by the *support person*, or
- (2) the *support person* ~~commits~~ **committed** a further breach after ~~the competitor has been warned by~~ the protest committee **warned the boat in writing, following a previous hearing**, that a penalty may be imposed.

Proposal 4

63.9 & Hearings under rule 60.3(d) – Support Persons

If the protest committee decides to call a hearing under rule 60.3(d), it shall promptly ~~inform the person in writing of the alleged breach and of the time and place of the hearing and~~ follow the procedures in rules 63.2, 63.3, 63.4 and 63.6, except that the information given to the parties shall be details of the alleged breach and a person may be appointed by the protest committee to present the allegation.

Council approved urgent rule implementation on 1 January 2018 (36 in favour, 0 against, 0 abstain).

- (iv) Submission 164-17 – Racing Rules of Sailing – New Case

Decision

On a proposal from Markus Schwendtner and seconded by Tomasz Chamera, Council approved Submission 164-17 with the following amendments (25 in favour, 1 against, 1 abstain):

Decision

Rule 89.1 defines those bodies authorized to organize racing under the Racing Rules of Sailing. Since the club that organized the race was not a member of the national authority, it was not affiliated with World Sailing. It therefore was not a valid organizing authority under Rule 89.1. Consequently, **no national authority exists that is compliant with RRS 70.3 and so** decisions made by the event's protest committee were not eligible to be appealed to ~~the~~ **any** national authority under RRS 70.

When Boat A entered in the race organized by the unaffiliated club, she, perhaps unwittingly, participated in what was, in effect, an event that was not authorized under the Racing Rules of Sailing. Her expectation that the procedures of Rule 70 were available to her were misplaced because neither the organizing authority nor the race itself satisfied the requirements of Rule 89.1.

The Appeals Committee must, therefore decline to hear the appeal ~~because the race was not conducted as required by rule 89.1.~~

Subject to editing by the Case Book Working Party and approval of the final text of the Case by the Committee prior to publication.

- (v) Submission 165-17 – Racing Rules of Racing – Case 78

Decision

On a proposal from Marcus Spillane and seconded by Markus Schwendtner, Council approved Submission 165-17 Proposal 1 only (34 in favour, 2 against, 0 abstain)

13. Recommendations

(a) Recommendations from the Board

(i) Judicial Board & Ethics Commission

Council received a recommendation from the Board concerning appointments to the Judicial Board and Ethics Commission:

Judicial Board:

1. Ruth Miller (ISV) – Vice-Chairman
2. Bruce Collins QC (AUS)
3. Ben Goodburn (GBR)
4. Luis Velasco (ARG)

Ethics Commission:

1. John Faire (NZL) - Chairman
2. Dieter Neupert (SUI) – Vice-Chairman
3. Manuel J Martin (ESP)
4. Ser Miang Ng (SGP)
5. Jo Keen (AUS)
6. Nicolas Henard (FRA)
7. Ulfur Hrobjartson (ISL)
8. Helen-Mary Wilkes (IRL)

Decision

On a proposal from Hector Duval, seconded by Sarah Kenny, Council approved the appointments (31 in favour, 0 against, 0 abstain)

(ii) Entries to Olympic Class World and Continental Championships that have restricted entries and quota

Decision

Council approved the following procedures as recommended by the Board (34 in favour, 4 against, 1 abstain):

Olympic Class Associations shall publish the qualifying rules for a championship no less than 1 year before the start of the event, or as stated in the NOR, event manual or championship rules.

The International Class Association and the respective MNA shall agree on the list of their national sailors before completing the entry process. The International Class Association shall liaise with any national class association.

If the MNA and the International class Association cannot resolve the matter through discussions, the dispute may be referred by either body to the World Sailing Board and the Board will make a final decision (which both bodies must respect).

This procedure is subject to any national laws or regulations.

This procedure will apply only to Olympic Classes championships that are not age restricted and that have the same gender restrictions as the corresponding Olympic Games event (e.g. not youth, masters or open gender events).

(iii) Water Quality Standards

Council received a recommendation from the Board concerning the Water Quality Standard.

Decision

On a proposal from Marcus Spillane, seconded by Sarah Kenny, Council approved the Water Quality Standards as set out in Appendix A (34 in favour, 0 against, 0 abstain)

- (b) Recommendations from the Audit Committee

There were no recommendations not based on submissions from the Audit Committee.

- (c) Recommendations from the Constitution Committee

- (i) Terms and Conditions of Affiliate Membership

Council received a recommendation from the Constitution Committee concerning the terms and conditions of Affiliate Membership.

Decision

On a proposal from Peter Hall, seconded by Marcus Spillane, Council approved the terms and conditions of Affiliate Membership as set out in Appendix B (33 in favour, 0 against, 2 abstain)

- (ii) Model Procedure for Electronic Voting

Council received a recommendation from the Constitution Committee concerning model voting procedures.

Decision

On a proposal from Peter Hall, seconded by Philip Baum, Council approved the model voting procedure as set out in Appendix C (33 in favour, 1 against, 2 abstain)

- (d) Recommendations from the Development and Youth Committee

Council received a recommendation from the Development and Youth Committee concerning a joint Working Party between World Sailing Classes Committee, Development & Regions Committee and the Regional Games sub-committee.

Decision

On a proposal from Markus Schwendtner, seconded by Ulfur Hrobjartsson, Council approved the joint working party (33 in favour, 1 against, 2 abstain)

- (e) Recommendations from the Equipment Committee

Council received recommendations from the Equipment Committee concerning applications for World Sailing Class Status:

- (i) Nacra 15 Class Application
- (ii) Club Swan 50 Class Application
- (iii) Diam 24 Class Application
- (iv) GC32 Class Application
- (v) Techno 293+ Class Application

Decision

On a proposal from Dina Kowalshyn, seconded by Markus Schwendtner, Council approved the recommendations of the Equipment Committee (36 in favour, 1 against, 0 abstain)

- (f) Recommendations from the Events Committee.

The recommendations have already been covered and approved by Council.

- (g) Recommendations from the Oceanic and Offshore Committee.

The recommendation that Swan 50 Class receives World Sailing Class Status has previously been approved by Council.

- (h) Recommendations from the Para World Sailing Committee.

Council received a recommendation from the Para World Sailing Committee concerning Equipment and Format for 2018 calendar year and 2018 Para Sailing World Championship:

Decision

A proposal from Betsy Alison, seconded by Marcus Spillane, Council approved the following equipment and formats (26 in favour, 1 against, 0 abstain)

Single Person Keelboat (Technical) – Open Gender. Equipment – 2.4 Norlin OD. Format – Fleet Racing with medal race

Single Person Keelboat (Non-Technical) – Male. Equipment – Hansa 303. Format – Short Course Fleet Racing, Supplied Boat with medal race

Single Person Keelboat (Non-Technical) – Female. Equipment – Hansa 303. Format – Short Course Fleet Racing, Supplied Boat with medal race

Two Person Keelboat – Open Gender. Equipment – RS Venture Connect. Format – Short Course Fleet Racing, Supplied Boat with late stage knockouts. Winner of final race wins the event

- (i) Recommendations from the Race Officials Committee.

Council received a recommendation from the Race Officials Committee concerning World Sailing should ensure that the level of equipment inspection at Sailing World Cup Series is increased as soon as practically possible. To implement this, a working party between International Measurers Sub-committee, Equipment Committee and Coaches Committee should be formed to analyse the needs and to define the inspection level for each event.

Decision

A proposal from Marcus Spillane, seconded by Ulfur Hrobjartsson, Council approved the joint working party (27 in favour, 8 against, 1 abstain)

Council received a recommendation from the Race Officials Committee concerning World Sailing should change the schedule for the Race Official sub-committees from half a day to a full day.

Decision

Council approved the recommendation (30 in favour, 5 against, 0 abstain)

- (j) Recommendations from the Racing Rules Committee.

Council received a recommendation from the Racing Rules Committee concerning Addendum Q (the rules for Olympic medal races) be amended to allow a boat to delay taking a penalty turn until signalled to do so by an umpire

Decision

A proposal from Dick Batt, seconded by Walter Cavallucci, Council rejected the recommendation (9 in favour, 26 against, 2 abstain)

- (k) Recommendations from the World Sailing Classes Committee.

Council received recommendation from the World Sailing Classes Committee when selecting new Olympic Equipment, it shall be selected from existing equipment with World Sailing class status that meet the criteria. Alternatively, non-World Sailing Classes equipment may be considered

Decision

A proposal from Markus Schwendtner, seconded by Hans Natorp, Council rejected the recommendation (5 in favour, 31 against, 1 abstain)

- (l) Recommendations from the Olympic Classes Sub-committee.

The recommendations not based on submissions from the Olympic Classes Sub-committee was withdrawn.

14. Any other Business

- (a) Nacra Foiling Format

Council noted that there was no intention to change the current format.

- (b) Regulation 23.1.2b

Stanislav Kassarov stated that Regulation 23.1.2(b) is not clear on making a decision. The Director of Legal Affairs and Governance confirmed all submissions and recommendation not based on submissions should be in by 19 March 2018, 8 weeks before the Mid-Year Meeting of Council.

- (c) Up-coming conference venues and dates

The CEO announced that the Mid-Year venue is now in London between 12 and 15 May 2018 and the Annual Conference will be in Sarasota, USA between the 27 October and 4 November 2018.

The President thanked all council and committee members, the staff for the hard work in a very difficult year.

Circulation: Council, World Sailing Executive Office

APPENDIX A – WATER QUALITY STANDARDS

The Board recommends the following water quality standards to Council:

Sailing is not a primary water contact sport like swimming where the body and mouths are constantly exposed (immersed or submerged) in water. However, World Sailing has adopted the highest possible water quality standards for the Field of Play. World Sailing has adopted the recreational water whole-body contact standards (primary contact) as laid out by the WHO Guidelines for Safe Recreational Water Environments and EEA standard –directive 2006/7/EC. For launching areas, World Sailing will apply secondary contact standards. For secondary contact standards, World Sailing will use the criteria established by the WHO/IOC/IF Workgroup on Water Quality for the Rio 2016 Olympics.

WS Water Quality Standards

	E. Coli	Enterococci
Primary contact (NMP/100ml)	800	200
Secondary contact (NMP/100ml)	2000	500

In order to ensure the water quality standards are met it is essential that for World Sailing events and the Olympic Games a complete risk assessment has been carried out. The Organizing Committees shall carry out water quality testing on a minimum of 60 water samples from launching areas and the Field of Play. These tests should be carried out over a 3 year period prior to the competition where possible. Where World Sailing has concerns over the water quality the Organizing Committee may be required to carry out daily testing of the water quality the month before the competition starts during the competition.

It is essential that all World Sailing events and the Olympic Games takes place on water that meets the E. Coli and Enterococci. minimum standard as established by World Sailing.

APPENDIX B – AFFILIATE MEMBERSHIP TERMS & CONDITIONS

1. Affiliate members must comply with the World Sailing Constitution and Regulations, so far as they apply to them.
2. In particular, Affiliate Members must comply with Articles 6 and 7 of the Constitution.
3. Affiliate Members receive different benefits to World Sailing Full Members, and should focus on the development and promotion of sailing. Affiliate Members are entitled to:
 - 3.1. hold World Sailing Training Programmes (i.e. Race Officials, Learn-To-Sail Training Programmes);
 - 3.2. receive World Sailing publications;
 - 3.3. receive World Sailing mailings and circulars; and
 - 3.4. attend open meetings at the World Sailing Annual and Mid-Year Meetings as an observer.
4. Affiliate Members are not entitled to:
 - 4.1. other services or information from World Sailing, apart from those detailed above, or as publicly available on the World Sailing website;
 - 4.2. make submissions to World Sailing;
 - 4.3. appoint Council Members;
 - 4.4. nominate individuals for the position of President or Vice-President, or committees;
 - 4.5. be represented at Annual General Meetings; or
 - 4.6. participate in sailing competitions.
5. Affiliate Members shall pay an annual subscription as determined by the Board, and every three years their membership shall be reviewed by the Board and shall continue only if it is satisfied that they still qualify for Affiliate Membership and have not abused their rights as such a member.

APPENDIX C – VOTING PROCEDURE

1. Any request for an electronic vote shall be considered and decided on by the Chairman. The Chairman must consider whether or not the matter is appropriate to be decided by an electronic vote.
2. Following consultation with the Chairman, the Chief Executive Officer shall send an email to all the members stating:
 - 2.1. the intention to call an email vote;
 - 2.2. the subject matter, including any documents;
 - 2.3. the proposed voting deadline;
 - 2.4. a request for members to notify the Chairman and Chief Executive Officer of any conflicts of interest, or any inability to take part in the vote. This does not change the obligation to declare a conflict of interest should one arise.
3. The Chief Executive Officer shall ascertain that a quorum is available to participate in the vote. The procedure shall not continue unless the Chairman is satisfied a quorum is available to participate.
4. The Chairman shall set a discussion period, which should normally not be less than 7 days. In cases of urgency, this period may be shortened but members must have sufficient time to consult with members of their Group (if applicable), exchange their opinions and discussion on the items to be voted on. Reasons for urgency must be given by the Chairman.
5. Any request for procedural motions (such as a motion to defer or a motion requesting the matter be discussed by conference call) shall be notified to the Chairman and the Chief Executive Officer. The Chairman shall decide on what order to take any motions.
6. At the end of the discussion period, the Chief Executive Officer shall commence an electronic vote on the matters discussed. The voting period shall be at least 7 days or until the number of returned votes is sufficient to determine the outcome of the vote.
7. Members shall send his/her email to the Chief Executive Officer. The Chief Executive Officer shall count the votes and announce the results at the end of the voting period along with a list showing the vote of each member. A vote cannot be changed once cast.
8. The Chief Executive Officer will record the discussion and vote in a written resolution of the Committee, which shall be approved by the Chairman and communicated to the members after such approval. The resolution shall be published on the World Sailing website.
9. In the event these rules of procedure do not cover a particular situation, the Chairman shall refer to the normal procedures used at World Sailing meetings and to the general rules of procedure in English law. The Chairman of the Constitution Committee may be consulted for his or her opinion before any ruling is made.

APPENDIX D – VOTES ON MEN’S AND WOMEN’S SKIFF FORMAT

Elena Papazoglou	Reject
Stan Honey	Approve
Betsy Alison	Approve
Markus Schwendtner	Approve
Abdur Rehman Arshad	Approve
Hans Natrop	Approve
Ulfur Hrobjartsson	Approve
Julia Casaneuva	Approve
Hector Duval	Approve
Cary Lee Byerley	Approve
Stanislav Kassarov	Reject
Tomasz Chamera	Reject
Philip Baum	Approve
Abdelkarim Derouiche	Approve
Sarah Treseder	Approve
Dick Batt	Approve
Nadine Stegenwalner	Reject

Yann Rocherieux	Reject
Ana Sanchez	Reject
Scott Perry	Reject
Kim Andersen	Reject
Jan Dawson	Approve
Gary Jobson	Reject
Torben Grael	Reject
Quanhai Li	Reject
Goetz-Ulf Jungmichel	Reject
Georgy Wossala	Abstain
Dina Kowalyshyn	Approve
Cory Sertl	Approve
Peter Hall	Approve
Walter Cavallucci	Reject
Jean-Luc Denecheau	Reject
Zvi Ziblat	Reject
Luis Velasco	Reject

Marco Aurelio de Sa Ribeiro	Reject
Peter van den Bossche	Approve
Sarah Kenny	Reject
John Tierney	Reject

Tatyana Ermakova	Reject
Warwick Downes	Approve
Toru Iribe	Reject
Approve: 19 Reject: 21 Abstain: 1	

APPENDIX E – ANTI-TRUST POLICY

ANTI-TRUST POLICY FOR OLYMPIC EQUIPMENT

1 The scope of competition (antitrust) law

- 1.1 Sports federations, including World Sailing, are subject to competition laws. The practice of sport is subject to competition laws as far as it constitutes an economic activity.
- 1.2 Competition law, in general, governs two main areas of World Sailing's work:
 - 1.2.1 The law prohibits agreements which may affect trade between countries and which prevent, restrict or distort competition; and
 - 1.2.2 The law prohibits bodies in a dominant position in a market from abusing that position in a way which may affect trade adversely.
- 1.3 These prohibitions are enforced by national and international governmental bodies. Breaches can lead to substantial sanctions (including fines of up to 10% of worldwide turnover), damages and court orders prohibiting the conduct in question.
- 1.4 Sailing authorities, such as World Sailing and its MNAs, are covered by these laws and our rules amount to decisions which are subject to review under the laws. In particular, because World Sailing makes the rules governing Olympic and World Sailing events – including what equipment and suppliers can be used by competitors – it could be viewed as having a dominant market position in the organisation of sailing events, in which case the abuse of dominance prohibition is potentially applicable. ~~it has a dominant market position which it cannot abuse.~~
- 1.5 The legal prohibitions apply to the rules and standards established by World Sailing when setting the conditions for equipment to be used in competition. There are recognised restrictions that are permitted for a variety of sporting reasons, such as:
 - 1.5.1 safety reasons;
 - 1.5.2 providing sporting performance or spectator appeal; or
 - 1.5.3 ensuring that similar equipment is used by all competitors in the interests of fairness.
- 1.6 However, even these rules may breach the prohibitions where they impose disproportionate or arbitrary restrictions on equipment manufacturers/suppliers. In particular, it is important that any rules are objective and only exclude manufacturers from the market where there are legally justifiable reasons to do so.

2 How World Sailing complies with competition law

- 2.1 World Sailing is committed to complying with its obligations under all applicable antitrust and competition laws.
- 2.2 There are two areas of World Sailing that require particular attention.

- 2.3 First, the governance, administration and management of Olympic Events and World Sailing Events. As the world governing body for the sport of sailing, World Sailing controls a number of areas such as the rules and technical, sporting and some economic aspects of competitions. The economic aspects include commercial payments being made by participants in sports competitions in order to access the competition (including the use of equipment). Therefore, World Sailing must ensure where its rules impose restrictions on the commercial enterprises' (such as equipment suppliers) commercial conduct, such restrictions are objectively justified and proportionate. ~~it does not abuse its dominant position in relation to these events.~~
- 2.4 Second, there is the market for the production and supply of boats to teams participating in Olympic, World Sailing and Class Events. The supply of boats for each Olympic Class can be a separate market. This means where a Class has restricted or sole manufacturers/suppliers, there is a ~~exclusivity monopoly~~ (as there is no other competition for the supply of boats). As World Sailing rules to a certain extent sets the conditions for this market, its rules, decisions and agreements as regards boats and related equipment ~~in this market~~ need careful assessment under competition law.
- 2.5 In order to ensure compliance in these areas, World Sailing uses a number of policies and agreements:
- 2.5.1 Once equipment is selected for an Olympic Event, there is a mandatory regular review of its selection. This ensures that, even though the original selection decision was based on an open and fair evaluation, a subsequent ~~exclusivity monopoly~~ situation if only one supplier is selected is not permitted to continue without review. These reviews permit competing equipment and competing manufacturers of existing equipment to bid to access the market on a fair and objective basis. This reduces risk of monopolies and ensures existing manufacturers do not become complacent or abuse their position.
- Note: the fact that an evaluation results in the grant of the exclusive right to supply equipment for a given event organised by World Sailing to one supplier (e.g. where the selected equipment may only lawfully be manufactured by one supplier) is not, in itself, incompatible with the competition rules.
- 2.5.2 Via its contracts with Olympic Classes and their manufacturers, World Sailing monitors production quality and prices of manufacturers, in particular sole manufacturers, to ensure that the supplier(s) is satisfying demand at acceptable quality and service levels. ~~to ensure that there is no abuse of a dominant market position.~~ In the event of a breach of the contracts (e.g. consistent failure by the supplier to maintain acceptable quality and service levels), World Sailing has the right to require re-tendering for the production of equipment of the Class.
- 2.5.3 When selecting equipment for a new Olympic Event (or when reviewing the equipment in an existing Olympic Event), evaluations are held. These are based on open tender processes with assessment against objective criteria. These ensure that a fair and competitive process is followed in awarding the economic rights that are associated with producing and selling the equipment.

3 Reviews of Olympic Events

- 3.1 Under World Sailing Regulation 23.5, World Sailing carries out regular reviews of the equipment used to compete in Olympic Events. This review process is in addition to the sporting reviews of the Olympic Events. These reviews ensure that:
- 3.1.1 competing equipment and competing manufacturers of existing equipment can bid to be selected for Olympic Events and therefore access the market on a fair and objective basis;

- 3.1.2 the risk of monopolies is reduced; and
- 3.1.3 manufacturers do not become complacent, remain price-competitive, produce high-quality equipment, and do not abuse their market positions.
- 3.2 Under the review procedure, the equipment selected for each Olympic Event is subject to re-evaluation every eight years (i.e. two Olympic cycles). This timeframe has been selected in order to balance the need for regular reviews and the need for manufacturers and commercial bodies to have a sufficient period of time to justify the financial investment needed to supply Olympic equipment. It also provides certainty to competitors, MNAs and teams as they invest and plan for the Olympic cycles.
- 3.3 When a review is carried out, the Board is required to ensure that the review procedures meet the following requirements:
 - 3.3.1 classes and manufacturers of other equipment suitable for the Event in question are allowed to tender for its use in the Event;
 - 3.3.2 the criteria to be used are open, fair and non-discriminatory;
 - 3.3.3 the criteria to be used are approved by the specialist policy committee for equipment matters (the Equipment Committee) and are published publicly as part of the 'invitation to tender'; and
 - 3.3.4 the procedures must be approved by World Sailing's Council prior to publication.
- 3.4 Once a review is complete, the World Sailing Board makes a recommendation to the World Sailing Council to either retain the current Equipment, evolve the current Equipment, or to select new Equipment. At this time, the Board can also make other recommendations to Council which it considers necessary to secure compliance with legal requirements.

4 Olympic Class Contracts

- 4.1 Once equipment has been selected for an Olympic Event, World Sailing enters into a contract with both the relevant Class Association and each of the commercial parties involved in the selected equipment. One of the central purposes of this contract is to protect the integrity of the equipment and to ensure fairness (in both sporting and economic terms) for competitors. This contract governs a number of areas including:
 - 4.1.1 evolution of the equipment;
 - 4.1.2 price stability (including the factors which may justify an increase in price);
 - 4.1.3 the minimum number of manufacturers and their locations;
 - 4.1.4 quality assurance (including consistency of production, production tolerances, prohibitions on customer-requested changes, compliance with equipment certification programmes and the reporting of material deviations or problems);
 - 4.1.5 rights for World Sailing to input into equipment building specifications to ensure that equipment is robust and will have longevity of use (a review of the design of all elements of the 'as sailed' boat);
 - 4.1.6 requirements that any new Olympic equipment has a prototype period to ensure robust equipment has been defined, in the 'as sailed' condition (extending trials after selection to validate the building specifications prior to high rates of production);
 - 4.1.7 inspections of shipments prior to delivery to ensure that the quality system is having the desired effect on the finished products delivered to the sailors;

- 4.1.8 standardisation of warranties to customers and the reporting of warranty claims; and
- 4.1.9 compliance with antitrust and competition laws.
- 4.2 Through the contract, World Sailing is committed to complying with ~~takes~~ its obligations under all applicable antitrust and competition laws ~~seriously~~. Manufacturers and suppliers agree that if World Sailing considers that they have consistently breached contractual quality and service levels ~~the contract~~ (or a breach is not remedied within 30 days of direction to do so) then they can be required to ~~will~~ license all necessary rights to a third party selected ~~nominated~~ by World Sailing through objective criteria. This licence will be on fair, reasonable and non-discriminatory terms to enable the new third party to manufacture and supply the Class equipment, ~~at market prices, to customers in a similar market as them~~ as an alternative source of supply to the Class supplier. Any dispute over this licensing is referred to an independently appointed expert for determination.
- 4.3 Through this approach, World Sailing ensures that there is sufficient economic incentive and reward for commercial parties who participate in the Olympic equipment market. However, the contract also provides that any ~~monopolies in place due to~~ sole or restricted supplier exclusivity ~~status~~ cannot be abused and there are effective sanctions in place to ensure compliance with the legal and contractual requirements.
- 4.4 World Sailing has also considered the possibility that all commercial parties involved in the production and supply of Olympic equipment could be required, as a blanket condition of participating in this market, to surrender their commercial and intellectual property rights to World Sailing (which could then allow any other parties to access the market). This policy carries substantial risk that it could be challenged under the competition rules as an anticompetitive decision and/or an abuse by World Sailing of its position as the sport's governing body ~~would not be compliant with competition law as it would form a barrier for entry for new manufacturers who would be required to turn over their intellectual property rights on entering the market.~~

5 Equipment evaluations

- 5.1 As part of its processes for selecting new Olympic equipment, and for reviewing existing equipment, World Sailing undertakes equipment evaluations. World Sailing Regulation 23.1.3(e) states that new equipment shall only be selected following Equipment trials or other evaluation against the specified criteria.
- 5.2 Evaluations are held following a tender process which is open to all interested manufacturers to participate in. Tenders are assessed against specified criteria and then selected bidders are invited to participate in the evaluation. The criteria are defined in advance and published as part of the request for proposals.
- 5.3 Following the evaluation process, a report is presented to the Equipment Committee which then makes a formal recommendation to the World Sailing Council.

6 Monitoring of antitrust and competition law compliance

- 6.1 Under the World Sailing Constitution, the World Sailing Board is responsible for the corporate and financial affairs of World Sailing. It is also responsible for implementing the policy decisions of Council.
- 6.2 The World Sailing Council considers and determines the policy and strategic priorities of World Sailing. It is advised in this task by the Equipment Committee (the specialist policy committee for equipment matters).
- 6.3 Under these responsibilities, the Board and the World Sailing staff monitor compliance with competition and antitrust law, taking expert external advice and putting in place the relevant

contractual requirements. The Equipment Committee is consulted on competition matters, and any recommendations for policy changes are made to Council.

- 6.4 Any requests, complaints or concerns about antitrust or competition law matters should be sent to the Chief Executive Officer at office@sailing.org