

President & Vice-President Candidate Application Pack

2024

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1. Welcome and instructions from the Election Committee

The World Sailing Election Committee is looking forward to its receipt of nominations for election to the World Sailing Board, as President and/or one of 7 Vice Presidents, at the General Assembly to be held in Singapore on 9 November 2024.

The following is a guide to assist you in completing the Candidate Application Form (CAF) and to understanding the relevant processes and procedures as prescribed in the Election Rules 2024 which are included in this Pack.

1. Please read the Election Rules 2024 before completing the CAF.
2. The Election Rules apply on and from 1 June 2024 until the elections conclude. This is the Campaign Period which applies to all putative candidates from that date regardless of the date on which the CAF is submitted.
3. The closing date for submission of CAFs and MNA letters of nomination is 17 August 2024 at time GMT. No late submissions will be accepted by the World Sailing CEO or considered by the Election Committee.
4. In order to be eligible as a candidate for President or Vice President, a candidate must be nominated by one MNA. MNAs may only nominate one candidate for President and one candidate for Vice President. There is no requirement that the candidate is nominated by his/her own MNA, but they must be a member of the nominating MNA (or a member of an organisation affiliated to the MNA if the MNA does not have personal members).
5. The MNA's written nomination must be on its letterhead and signed and dated by a person authorised to do so by the MNA. The decision to nominate must be authorised by resolution of the MNA's board. A copy of the resolution must be submitted with the nomination and include the date, time, place and names of those present at the meeting.
6. You, as a candidate, are required to account for expenditures by you and/or your entourage, during the campaign period. Those expenditures include travel (both air and ground), accommodation and food/beverages. It includes any amount expended on your behalf by your own or your nominating MNA. Your total expenditure during the campaign period is not to exceed €25,000. The World Sailing CEO will provide you with the instructions and mechanisms to enable you to record and report your expenditures. Please retain all relevant receipts and other documentary evidence from 1 June 2024.
7. No CAF will be accepted by the Election Committee without the MNA letter of nomination.
8. The sections in the CAF requiring you to state why your candidature should be considered favourably by the voting members of World Sailing have been expanded and become more explicit, having regard to the best interests of World Sailing and its future.
9. The compliance section for Isle of Man legal requirements in Section 6 will be assessed by the CEO and World Sailing's lawyers and not the Election Committee.
10. The CEO may return Section 6 to you should there be errors or omissions or if information is required to be clarified with any rectifications to be made.
11. The Election Committee will rely on you as a candidate to properly complete the remaining parts of the CAF and will not correct, or ask you to correct, any errors or omissions.
12. A new Rule 35.11 – Part J Elections has been approved and will be operable with respect to the elections. This Part J establishes a new disciplinary offence. The Judicial Board will appoint an Elections Ad Hoc Investigator and an Elections Independent Panel to manage any alleged Election Rule breaches. You should familiarise yourself with this new provision included on page 18.

2. Introduction

1. The President and seven Vice Presidents will be elected at the General Assembly in Singapore on 9 November 2024. The election will take place under the provision of the New Constitution. This means that, taken together, the President and Vice Presidents must have an equal number of men and women. In order to be eligible as a candidate for President or Vice President, a candidate must be nominated by one MNA. MNAs may only nominate one candidate for President and one candidate for Vice President. There is no requirement that the candidate is nominated by his/her own MNA, but they must be a member of the nominating MNA (or a member of an organisation affiliated to the MNA if the MNA does not have personal members). The election procedure is set out in this Candidate Application Pack (CAP) and will be published on the World Sailing website.
2. CAPs will also be available by request from the World Sailing Executive Office from 1 June 2024.
3. Only completed CAFs, submitted by the closing date of 17 August 2024 will be considered by the Election Committee.
4. An MNA nominating a candidate or candidates must send the letter/s of nomination to the Election Committee no later than 17 August 2024 via elections@sailing.org. Late submissions will not be accepted.
5. CAFs and letters of nomination must be submitted in electronic form only to the Election Committee no later than 17 August 2024 via elections@sailing.org. Late submissions will not be accepted.
6. CAFs shall be acknowledged by the World Sailing CEO upon receipt.
7. In accordance with Article 75 of the current Constitution and Article A6 of the New Constitution, the 2023 Annual General Meeting appointed the Election Committee whose members are:
Margot Foster OLY (AUS) - Chairperson
Phil Cotton (GBR)
Niels Lindholm (FRA)
Jon Napier (GBR)
8. The Election Committee will consider all candidate applications and shall determine whether or not a candidate meets the specified criteria and is eligible for election in which case he or she will be an Eligible Candidate. The decision of the Committee is final within World Sailing.
9. A list of Eligible Candidates, as confirmed by the Election Committee and their profiles will be published on the World Sailing website.
10. The list of all Eligible Candidates with the names of their nominating MNAs will be published on the World Sailing website on or about 19 August 2024.
11. The Election Rules apply to all candidates and World Sailing members and stakeholders. They began to apply on 1 June 2024 and a breach of them is a specific disciplinary offence. The Rules include requirements for candidates to declare their expenditure spent on their campaigns.

3. Election Rules 2024

1. INTRODUCTION

- 1.1 It is in the interests of World Sailing and all candidates for election that, during an election campaign, there is an atmosphere of mutual respect and equality between the candidates.

2. GENERAL

- 2.1 The 2024 Election Rules ("Rules") apply from the date of publication until the conclusion of the General Assembly, whether or not a candidate has submitted their Candidate Application Forms (CAF) ("the Campaign Period"). Candidates will be required to certify in their CAF that they, have complied with, agree to comply with, and will continue for the duration of the Campaign Period to comply with the Election Rules from the date of publication.
- 2.2 The Election Rules apply to:
- (a) candidates (whether or not they have submitted their CAF) and, for the purposes of these Rules, "candidate" includes any person or body providing support to a candidate with that candidate's knowledge; and
 - (b) any other person or body subject to the jurisdiction of World Sailing's Constitution and Regulations.
- 2.3 A candidate shall promote his or her candidature subject to these Rules.
- 2.4 The promotion of a candidature shall be conducted with dignity, respect for other candidates, fairness, good sportsmanship and moderation in order to promote a level playing field between and amongst candidates. A candidate shall not do anything which may bring the sport of sailing, or the reputation of World Sailing, or the reputations of other candidates into disrepute.
- 2.5 A candidate shall comply with the provisions of these Rules, the World Sailing Code of Ethics, the World Sailing Constitution and Regulations and all relevant World Sailing Policies and Procedures, including but not limited to, the Conflict-of-Interest Policy, Anti-Bribery Policy and the Whistle Blowing Procedures.
- 2.6 These Rules replace the previous Election Rules 2020 issued by the Election Committee and any other Rules pertaining to elections issued by World Sailing. In the event of a conflict between these Rules and the Constitution or Regulations, the provisions of the Constitution and the Regulations shall take precedence.

3. RELATIONS WITH WORLD SAILING MNAS, COUNCIL MEMBERS AND DELEGATES

- 3.1 A candidate shall submit a Candidate Statement to Member National Authorities. The Candidate Statement, being a required section in the CAF, should detail the candidate's plans and views for the sport as a prospective World Sailing President or Vice President. The Candidate Statement will be uploaded on the World Sailing website and distributed via email by the Chief Executive Officer to Member National Authorities. The Chief Executive Officer shall publish all the Candidate Statements (received by the specified deadline ("the deadline")) on the same date, as he determines in conjunction with the Election Committee.
- 3.2 The Chief Executive Officer shall stipulate in the CAF, with the agreement of the Election Committee, that this Candidate Statement be provided by the deadline, be in a specific format in standard English and not exceed the stated word and page count limits.
- 3.3 The Candidate Statement is to be submitted as part of and contemporaneously with the whole of the CAF, which includes Isle of Man compliance declarations, by the deadline and in the form specified.
- 3.4 The Chief Executive Officer may, with the agreement of the Election Committee, decline to publish any Candidate Statement (or part of any Candidate Statement) which in his opinion contravenes the Election Rules or which is otherwise inappropriate for World Sailing to publish.
- 3.5 In addition, each candidate may, as he or she chooses, prepare and send to World Sailing a video promoting his or her candidacy which will be uploaded to the World Sailing website (and/or to a social media platform designated by the Chief Executive Officer). The Chief Executive Officer shall, with the agreement of the Election Committee, require that this video be provided by a certain date and time, be in specified format and not exceed a certain length. The Chief Executive Officer may, with the agreement of the Election Committee, decline to publish any video which in his opinion contravenes the Election Rules or which is otherwise inappropriate for World Sailing to publish. The Chief Executive Officer shall publish any candidate videos (received by the specified date) on the same date.
- 3.6 Except as permitted by these Rules, World Sailing will not provide or facilitate any further written or electronic promotional and/or communications campaigns. Ensuring compliance with these Rules, candidates are permitted to have their own social media presence but are not permitted to campaign or communicate using World Sailing email or social media accounts (directly or indirectly) nor may they use the World Sailing or IOC logos or other identifying marks.

4. CAMPAIGN PERIOD AND EXPENDITURE

- 4.1 The Campaign Period will commence on the 1 June 2024 to the end of the General Assembly on the 9 November 2024.
- 4.2 During the Campaign Period each candidate will be required to
- (a) Advise the Chief Executive Officer of their expenditure plans at the time of same being organised or booked including purpose, destination, anticipated costs; and
 - (b) declare their expenditure on their campaign within 7 days of the expenditure being incurred and submit a breakdown of that expenditure. A total sum without a breakdown will not be accepted.
- 4.3 The maximum amount a candidate can spend on their campaign shall be €25,000.
- 4.4 The failure of a candidate to comply with this Rule 4 shall be deemed misconduct for the purposes of Rule 22.
- 4.5 The total expenditure of each candidate will be published by World Sailing following the General Assembly at a time determined by the Election Committee.

5. TRIPS & VISITS

- 5.1 During the Campaign Period. The cost of travel (which includes but is not limited to airfares, accommodation, food/beverages and ground transportation) made by a candidate with a view to promoting a candidature must not exceed the permitted maximum limit specified in Rule 4.3 in order to avoid excessive expenditure (a factor of inequality between candidates). Any such travel organised in connection with a candidature, or reasonably held to be in connection with a candidature, shall be reported to the Chief Executive Officer in accordance with Rule 4. The Chief Executive Officer will inform the Election Committee of all travel notified to him.
- 5.2 During the Campaign Period all trips/visits between and among candidates and Member National Authorities shall be reported to the Chief Executive Officer in accordance with Rule 4. The Chief Executive Officer will inform the Election Committee of all such trips/visits notified to him.
- 5.3 During the Campaign Period current World Sailing Board Members who are standing for election may make trips/visits to attend meetings, events and functions as required, for the fulfilment of their existing duties as directors. Any such trips/visits should not be used to promote their candidature. Any such trips/visits and any expenditure shall be reported to the Chief Executive Officer in accordance with Rule 4. The Chief Executive Officer will inform the Election Committee of all such trips/visits notified to him.

6. DEBATES AND MEETINGS

- 6.1 During the Campaign Period, except with the permission of the Election Committee, no debate or public meeting (held virtually or in person) of any kind may be organised to promote a candidature.

7. PROFESSIONAL MARKETING ASSISTANCE

- 7.1 A candidate is permitted to receive marketing, public relations or professional campaign management assistance.
- 7.2 A candidate is permitted to receive reasonable financial support provided by a candidate's own Member National Authority:
- (a) to support a candidate in the production of the items referred to in Rules 3.1 and 3.4;
 - (b) to cover the travel and accommodation costs of attending the 2024 Annual Conference if the candidate is a General Assembly delegate, member of Council or committee or commission member; or
 - (c) to the extent normally provided where the candidate is an existing officer or employee of their own Member National Authority, and in that capacity only.
- 7.3 The amount of financial support, and an itemised breakdown of items provided by a candidate's MNA under Rule 7.2, must be notified to the Chief Executive Officer and Election Committee in accordance with Rule 4.
- 7.4 The assistance referred to in Rules 7.1 and 7.2 falls within the limit of expenditure in clause 4.3 save only that the cost of the candidate's travel (airfare only) is excluded from the limit.

8. GIFTS & BENEFITS

- 8.1 Save for nominal gifts of under €20 in value, a candidate shall not give cash, presents, offer donations or gifts, or grant advantages of whatever nature (or promises or inducements or incentives at any time) to procure support for their candidature.
- 8.2 Candidates are required to declare gifts and hospitality, over the value of €100 which they (or their immediate family) have received or been offered during the Campaign Period from anyone involved in any way (directly or indirectly) in World Sailing. Any such gifts and/or hospitality received or offered shall be reported to the Chief Executive Officer within 14 days of either offer or receipt, together with an estimation of the value of the gift and/or hospitality. The Chief Executive Officer will inform the Election Committee of all gifts/hospitality notified to him.
- 8.3 For the purposes of this Rule 8 any reference to "money" or "value" means and includes in kind gifts or benefits.
- 8.4 In the event that a candidate is unsure as to whether or not to offer a gift or receive a benefit he or she should refuse to give and decline to receive or, alternatively, seek direction from the Election Committee.

9. PROMISES

- 9.1 A candidate shall not enter into, or make, any promise, agreement, or undertaking to be performed (regardless of the time and place of performance), for the direct or indirect benefit of Member National Authorities, their representatives and delegates, Council Members, committee and commission members, other organisations (such as Continental Associations or World Sailing Class Associations), regions or other partners.

10. PUBLIC DECLARATIONS

- 10.1 This rule does not prevent private expressions of opinion or intentions.
- 10.2 Member National Authorities, their representatives and delegates, Council Members, committee and commission members, other organisations (such as Continental Associations or World Sailing Classes), regions or other partners shall:
- (a) not announce to the public in any form whatsoever their intention to vote for a particular candidate; and
 - (b) shall refrain from making any public declaration, and shall not in any way, support or oppose a candidature to the public.
- 10.3 Candidates shall not be endorsed by the International Olympic Committee, ASOIF or any other international sporting organisation (or one of their members) and are not permitted to use their logos or identifying marks on any campaign material.

11. MANIPULATION

- 11.1 Concealed promotion of a candidature in the form of technical meetings or other events is not permitted.
- 11.2 Candidates shall not engage in any act, collaboration or collusion by or between Candidates with the intent to defraud, interfere with or manipulate the result of the vote, including but not limited to
- (a) bullying, intimidation or coercion of others (whether voters, other candidates, members of the Election Committee, Ethics Commission, Judicial Board (including its Independent Panels), and World Sailing staff); or
 - (b) being a part of, or a knowing beneficiary of, any order or instruction attempting to mandate the way one or more Member National Authorities must vote (whether on a regional basis or otherwise);

12. UNDERTAKINGS AND MANDATORY INSTRUCTIONS

13. A candidate shall not enter into any form of undertaking with any third party which may affect or has the perception of affecting their ability to make decisions freely and/or would affect their actions as a future director of World Sailing.

14. A candidate shall not accept mandatory instructions from any third party which would affect their ability to make decisions freely and/or would affect their actions as a future director of World Sailing.

15. PROFESSIONAL COMMUNICATION SERVICES

- 15.1 Candidates are not permitted to use the services of a journalist, media company, public relations company or design company to promote their candidacy. For the avoidance of doubt a candidate is entitled to give an interview with a journalist provided he has not been paid to do so and/or they have not paid the journalist for the interview and/or to procure publication.

16. RELATIONS BETWEEN CANDIDATES

- 16.1 A candidate shall, during the course of promoting his or her candidature, respect the Election Committee, Member National Authorities, their representatives and delegates, and World Sailing itself.
- 16.2 A candidate shall strictly respect the other candidates. A candidate shall not, by spoken word, written text or other representation, harm or do anything likely to harm the image of another candidate or cause any prejudice to them.

17. WORLD SAILING STAFF AND CANDIDATES

- 17.1 The World Sailing staff shall maintain a strict duty of neutrality at all times which shall be respected by all candidates at all times.
- 17.2 Candidates shall limit their relations and communication with World Sailing staff to the scope of the requirements of each staff member's duties which do not include the provision of support or service to any candidature.

18. The Election Committee may issue directions as to the nature and manner of relations and communications between candidates and staff. Conflicts

19. Candidates shall disclose any personal interests in their Candidate Application Form as required by the World Sailing Conflicts of Interest Policy.

20. Candidates shall comply with the World Sailing Conflict of Interest Policy.

21. If there is doubt in relation to an existing or potential conflict of interest or perception of conflict of interest the candidate may refer to the Election Committee for guidance.

22. BREACHES AND SANCTIONS

- 22.1 Interested Parties (World Sailing Council, committee or commission member, World Sailing Member National Authorities (including their delegates), World Sailing directors and officers, World Sailing staff, and candidates) have a positive duty to report and are required to bring any alleged breach of these Rules by persons named in clause 2.2 to the attention of the Election Committee (in writing or by email addressed to the Chief Executive Officer) within 24 hours following discovery of the circumstances. The Election Committee may extend this time limit if there is good reason to do so.
- 22.2 The Election Committee may investigate an alleged breach of the Rules brought to its attention and will give the relevant candidate the opportunity to respond within such time frame as the Committee considers appropriate. The Committee may determine its own procedures. Candidates are required to attend a meeting of Election Committee upon reasonable notice to do so.
- 22.3 If the Election Committee concludes there has been a minor or technical breach of the Rules, it may in its discretion:
- (a) make written observations to the candidate, which may be made public by the Committee; or
 - (b) issue a Notice of Concern to the candidate, which shall be made public by the Committee.
- 22.4 In addition to Rule 22.3, if the Election Committee concludes there has been a breach of the Rules which is not minor nor technical, it may, in its discretion, refer the matter to the Judicial Board under the provisions of Regulations 35.

23. GUIDANCE AND DIRECTIONS

- 23.1 Candidates may at any time during the Campaign Period request guidance from the Election Committee on the conduct of their candidatures with respect to the application of these Election Rules. Any such requests shall be made via the CEO.
- 23.2 The Election Committee may, as it deems appropriate, issue directions to candidates on any matter pertaining to the conduct of candidatures which shall be binding on candidates in accordance with these Rules.

Election Committee 20 May 2024

4. Candidate Application Form

ARE YOU A CANDIDATE FOR (tick as appropriate) - candidates can run for both President and Vice-President

PRESIDENT

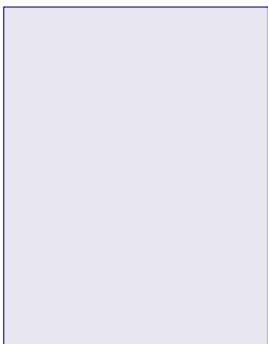
VICE-PRESIDENT

Please return the completed form to elections@sailing.org

CAFs (excluding Part A of Section 4 and Section 6) for all Eligible Candidates shall be published on the World Sailing website – www.sailing.org

YOUR PICTURE:

A profile picture is required as part of your application. The picture should be a good quality jpeg image of your head and shoulders only (passport style). Please import your photo below to size 35mm x 45mm or send the picture as an attachment at the same time you send your completed Candidate Application Form to elections@sailing.org



Part A: Personal & contact information

The information in this Part A will remain confidential to the Election Committee and World Sailing and will not be published.

MNA INFORMATION

Name of Nominating MNA		
Date of Nomination		
Name of Nominator		
Role/Position of Nominator in MNA		
This is the only candidate nominated by the MNA	Yes	No

PERSONAL INFORMATION

Family Name		
Given Name		
Gender	Male	Female
Country of Residence (If not country of nationality)		
First Language		
Other Languages (Please include details of fluency)		
MNA Membership (list country)		
Proof of Personal MNA Membership provided (insert image below)	Yes	No



CONTACT INFORMATION

House / Apartment No.

Road / Street

Town / City

County / State

Postcode

Telephone (Daytime)

Telephone (Evening)

Mobile

Email

Residential Address

OTHER ADDRESS *(please give details of when we should use this address)*

Use this Address for

House / Apartment No.

Road / Street

Town / City

County / State

Postcode

Country

Part B: Your application information for publication

Family name

Given name

Gender

Male

Female

Date of birth

Nationality

Nominating MNA

Nominating for

President

Vice-President

Part C: Experience profile

Please detail only the most significant achievements across each of the following areas of sports involvement

SAILING CAREER *i.e. sailing achievements*

SAILING ADMINISTRATION *i.e. involvement with sailing administration, MNAs, classes, clubs, race officials (on a national/regional Level). It is mandatory to declare any positions held in World Sailing MNAs, World Sailing Classes, World Sailing Affiliate Continental Members, World Sailing Affiliate Members, Associate Members and Recognized Organisations.*

OTHER SPORTS ADMINISTRATION *i.e. involvement with sports other than sailing whether national, regional or international*

ROLES WITHIN WORLD SAILING *i.e. Committees, Race Official status and involvement with significant World Sailing Events*

OTHER *Please detail other significant experiences to be included on your profile:*

CANDIDATE GOALS Please type in the box your main goals if elected. You will also be contacted by the World Sailing Executive Office in due course to see if you wish us to publish a manifesto document or video (see Election Rules 3.2 and 3.3). Do not exceed 800 words.

5. Extracts of World Sailing Constitution and Regulations

Constitution 2024 Part VII – Elections & Appointments

47. ELECTIONS: GENERAL

- 47.1 Elections for the President and the Vice Presidents must be undertaken by secret ballot in accordance with this Constitution and under the authority of the Elections Panel.
- 47.2 Only Member National Authorities may nominate candidates to be elected as President or as a Vice President. Nominations must be received by the Chief Executive Officer not less than twelve weeks before the date of the election.
- 47.3 To be eligible, a candidate must:
- (a) be nominated by at least one Member National Authority (which has not already nominated another candidate for that position);
 - (b) be a member of at least one Member National Authority which has nominated them (or if the Member National Authority has no personal members, a member of an organisation affiliated to the Member National Authority);
 - (c) be eligible to hold office as a director under the Constitution; and,
 - (d) submit their candidacy, including all documents required by the Elections Panel, before the deadline for nominations.
- 47.4 The administrative procedure for nominating candidates is decided by the Elections Panel. The decision of the Elections Panel on whether candidates meet any eligibility requirements set out in the Constitution or Regulations is final.
- 47.5 The Elections Panel may require candidates for election to provide information for publication about their candidacy in such form as the Panel may decide. Failure to provide such information does not disqualify a candidate from election, but the Panel may publish a notice that the candidate has not complied with these requirements in such terms as it thinks fit.
- 47.6 Delegates to the General Assembly are to be provided with ballot papers listing, alphabetically by family name, the names of all eligible candidates.

48. ELECTION OF THE PRESIDENT

- 48.1 In an election for the President, a candidate must be elected by more than 50% of the votes cast and, if there are more than two candidates or a tie vote between two candidates, successive votes may be necessary.
- 48.2 A first vote must be taken. The votes are then counted and any candidate with more than 50% of the votes is declared elected.
- 48.3 If no candidate receives more than 50% of the votes, then a run-off vote must be held between the top two candidates. In the event there is a tie to determine the top two candidates, a run-off vote must be held first.
- 48.4 In a run-off vote, a candidate receiving more than 50% of the votes is declared the winner. If no candidate receives more than 50% of the vote, subsequent run-off votes must be held which eliminate the person with the least number of votes until

a candidate receiving more than 50% of the vote wins.

- 48.5 Delegates must vote for one candidate only in each round of voting for the President and a ballot marked for more than one candidate is an invalid ballot.

49. ELECTION OF VICE PRESIDENTS

- 49.1 In an election for the Vice Presidents, Delegates must vote in one ballot for their preferred candidates and their votes cast on their ballot must equal the number of vacancies (e.g. if there are seven vacancies, each ballot paper must have seven votes on it). To be valid, a completed ballot paper must have the required number of votes on it and must contain a correct combination of votes for each gender in order to comply with Article 23.3.
- 49.2 Candidates must be ranked in order of the most votes received. The highest polling candidate(s) on the ranking list for each gender as required by Article 23.3 are declared elected. Candidates are elected in the order in which they appear in the ranking list.
- 49.3 Prior to the ballot, any candidate who is a national of the same country as the President shall be withdrawn from the ballot. Thereafter, once a candidate is elected, any other candidates who are a national of the same country as the newly elected candidate are withdrawn from the ballot. If two or more candidates from the same country have the same number of votes, a run-off ballot must be held between them before the remainder of the positions are filled.
- 49.4 If there is a tie that needs to be broken, a separate run-off ballot must be held between the tied candidates to break it. When a tie involves more than two candidates, and a run-off ballot only partially breaks that tie, another run-off ballot must be held between those who are still tied.
- 49.5 If candidates remain tied after a run-off ballot, a toss of a coin (or other game of chance as decided by the Elections Panel) is to be used to break the tie. The member of the Elections Panel presiding over the election administers the tie-break

APPENDIX A

1. Transitional Provisions

- 1.1. In order to provide for an appropriate transition, elections and appointments shall occur under the provisions in this Appendix.
- 3.1 The election of directors in 2024 is to be conducted under the provisions of this Constitution

World Sailing Regulations Extract

PART II – Committees, Commission and Advisory Boards

35.11 PART J - ELECTIONS

- 35.11.1 The Judicial Board shall appoint an Elections Ad Hoc Investigator and Elections Ad Hoc Independent Panel in the year that World Sailing Elections will take place.
- 35.11.2 The Judicial Board shall issue Judicial Board (Elections) Rules of Procedure for the process of any complaints contemplated under this Part J Elections section of the Disciplinary Code.
- 35.11.3 Any complaint of an alleged breach of the World Sailing Election Rules, shall be considered and adjudicated upon in accordance with the World Sailing Election Rules and the Judicial Board (Elections) Rules of Procedures and may not form the basis of an action under any other part of the Code.
- 35.11.4 Any complaint of an alleged breach of the World Sailing Election Rules shall be made to the World Sailing Election Committee. Complaints shall be made within 5 working days of the alleged breach occurring or within 14 days of the conduct relating to an Election coming to light.
- 35.11.5 The World Sailing Election Committee shall have absolute discretion to extend the deadlines specified in 35.11.4 on good cause shown.
- 35.11.6 Upon receipt of a complaint, or upon becoming aware of an alleged breach of the World Sailing Election Rules the World Sailing Election Committee shall act in accordance with the Election Rules and may determine, in its absolute discretion, (against which there is no appeal):
- (a) to make written observations to the candidate or nominee; or
 - (b) to issue a notice of concern to the candidate or nominee; or
 - (c) to take no further action; or
 - (d) to refer the complaint to the Elections Ad Hoc Investigator for process in accordance with the Judicial Board (Elections) Rules of Procedure.
- 35.11.7. The Elections Ad Hoc Independent Panel shall have the power to sanction a Participant where a breach of the World Sailing Election Rules is proved. The following are examples of sanctions that may be imposed by the Panel where a breach is proved:
- (i) a formal warning;
 - (ii) a reprimand;
 - (iii) a fine;
 - (iv) a declaration that a candidate or nominee is required to make a corrective statement
 - (v) a declaration that a candidate or nominee is disqualified from standing in the World Sailing Elections.
- 35.11.8 World Sailing, MNAs and Participants hereby agree to respect and be bound by the decisions of the Elections Ad Hoc Investigator and/or Elections Ad Hoc Independent Panel subject only to the right of appeal set out in Part H of this Code.

6. Isle of Man Legal Requirements for Membership of the World Sailing Board

Once complete, the personal data provided in this section is confidential and will not be published by World Sailing. Declared interests will be published.

DIRECTORS IN THE ISLE OF MAN

The guidance is general in scope and is intended to assist candidates understand the legal duties of a company director under Isle of Man law. It is not exhaustive and further guidance should be obtained in cases of doubt.

1. INTRODUCTION

The company directors of World Sailing Limited are the President, seven Vice Presidents and the Chair of the Athletes' Commission. Together they form the Board of Directors ("the Board").

Under the World Sailing Constitution (the Articles of Association of the Company), the directors are "non-executive directors". This means they are not paid members of the company's management team. The law makes no distinction between the standards to be observed by executive and non-executive directors in discharging their duties. The responsibilities and duties they are subject to do not differ. Non-executive directors are widely recognised as having a useful and independent role to play in ensuring that the company's activities are undertaken in compliance with the law and adhere to principles of good corporate governance.

2. HOLDING OFFICE AS A DIRECTOR

Directors are appointed upon their election. They continue hold office until their successors are elected or until they are removed from office by a method permitted by law or under the Constitution or Regulations.

In order to be eligible, a director must upon election, and throughout their term of office

- be eligible under the law of the Isle of Man to hold office as a company director;
- have delivered to the Chief Executive Officer such documents as are required by law to be delivered on appointment as a company director;
- not have been convicted of a serious criminal offence or other offence or regulatory finding (whether imposed by a court, tribunal or disciplinary body) which brings or may bring World Sailing into disrepute, barred from holding office as a director by the Disciplinary Tribunal; or be convicted of an anti-doping rule violation;
- not be an Employee of World Sailing; and
- not be an Employee, board member, president, or other officer of a Member at the time as being a director of the Federation (but may seek to be elected as a director whilst holding a conflicting office provided that they have resigned from holding such office within three months of election).

Under the Constitution, there can be only one director from each country (excluding the Chair of the Athletes' Committee). The Constitution has a set procedure for deciding how to deal with this principle during the voting process.

Under the Constitution, a director automatically vacates their office if:

- the director resigns by notice in writing to the Chief Executive Officer;

- the director dies;
- the director ceases to be eligible to hold office;
- the director fails to attend at least three meetings of the Board (without leave from the President or the Board) and the Board then resolves to remove the director for that reason;
- the director is removed from office by the General Assembly or the Disciplinary Tribunal; or,
- in the case of the Chair of the Athletes' Commission, the Chair ceases to be chair of the Committee.

3. TERMS OF OFFICE

No director may hold office for more than two terms of office in total (consecutively or non-consecutively). However, the following exceptions apply:

- a director may serve for up to two additional terms of four years as President (consecutively or non-consecutively); and,
- in calculating the time served under this Article for the President or a Vice President, no account is to be taken of time served as Chair of the Athletes' Committee.

For the avoidance of doubt, this applies to terms of office served before and after November 2024.

4. DUTIES OF DIRECTOR

Directors must understand the nature and extent of the duties they owe in their role as directors. Where a director is in any doubt, they should take appropriate professional advice.

Failure to properly execute the duties and responsibilities of a director may result in civil and/or criminal proceedings being brought and subsequent disqualification as a director.

A summary of the main duties of a director towards their company is set out below. This summary is not an exhaustive and complete statement of a director's duties and is subject to change:

- A director must act in good faith in what they consider to be the best interests of the company.
- A director must act in accordance with the Constitution and must exercise their powers only for the purposes allowed by law.
- A director must not agree to restrict their power to exercise independent judgement.
- A director must not use the company's property, information, or opportunities for their own or anyone else's benefit, unless a General Meeting has agreed for this to happen.
- Directors must exercise great care if a situation arises which could lead to a conflict (actual or potential) between their personal interests and their duties owed to the company or to a third party. A director must account (pay) to the company for any benefit received from an unauthorised transaction that arises from a conflict of interest or duty.

- A director must disclose to the full board of directors any interests in contracts or proposed contracts with the company.
- A director owes the company a duty to act with the care, skill and diligence that a reasonable person would exercise. In determining whether a director has acted with due care, skill and diligence, consideration will be given to:
 - The general knowledge, skill and experience that may reasonably be expected from a person carrying out the same functions as are carried out by that director in relation to the company, and
 - The actual knowledge, skill and experience which the director has.

A director must ensure that their dealings with MNAs are conducted impartially.

Every director has an equal duty of responsibility to the company. Directors should not allow others to unduly influence them in a way as to undermine the exercise of their powers, in good faith, in the best interests of the company. Any attempted "stringpulling" by other directors, MNAs, or other third parties, should be firmly resisted.

The directors must make their own decisions, after receiving appropriate professional advice if necessary.

They must not simply "rubber stamp" decisions made by others.

Directors who are unsure about their duties as a director in any particular set of circumstances should seek professional advice.

5. POWERS OF DIRECTORS

The powers of directors are derived from law, however the Constitution sets out their powers in relation to the management of the company (see Article 22).

The powers of the directors must be exercised:

- in what a director honestly believes to be the best interests of the company; and
- for the purpose for which the power is intended.

The directors exercise their powers collectively at meetings.

No director has any individual authority to issue instructions to the Chief Executive Officer or the World Sailing staff.

Instructions to the Chief Executive Officer are made by the Board collectively and the Chief Executive Officer then instructs the staff to carry them out.

However, in certain circumstances (as permitted by Article 22.6), certain powers may be delegated to one or more directors, the Chief Executive Officer, or a Board Subcommittee or Commission.

A director cannot never delegate responsibility for their actions. They can only delegate authority to decisions to be taken on their behalf.

The directors are not agents or representatives of MNAs and MNAs cannot determine how the directors should exercise their powers. It is important that directors are mindful of any

attempts by others to influence either themselves or any other board member in such a way so as to undermine the exercise of their powers.

A director cannot delegate or abrogate his overall responsibility for the affairs of the company and remains responsible for the exercise of powers delegated. Where delegation is properly authorised, the directors must monitor properly the exercise of the delegated powers. Provided it is duly authorised to do so, the board of directors may delegate its powers to a third party.

A director is entitled to rely on information given by an employee, expert, professional adviser or another director in relation to matters within that person's competence or responsibility, provided that the director acted in good faith, made proper enquiries and had no grounds for suspicion.

It is the responsibility of the directors to meet, discuss and if appropriate, approve material transactions the company is entering into. While the directors can rely on opinions provided by the company's employees, lawyers, accountants and other advisers, the decision whether or not to enter into a transaction remains one for the directors.

6. LEGAL KNOWLEDGE

A director must operate within the legal framework of the laws of the Isle of Man (or be reasonably able to rely on someone who possesses the relevant knowledge) and ensure that the company's operations comply with all relevant laws. In addition, directors must also have sufficient knowledge (or be reasonably able to rely on someone who does) of the laws of any other countries within which their companies may operate or do business with and ensure that such operations comply with those laws.

In addition to complying with relevant laws, a director should ensure that he has knowledge of the Constitution.

7. CRIMINAL AND CIVIL LIABILITIES

Many provisions of the Isle of Man legislation impose specific duties on a company's officers (particularly directors) in connection with the conduct of the company's business. In many instances, the legislation provides that a failure to perform such duties constitutes a criminal offence.

Where a director acts in breach of his duties, he may be liable to indemnify the company for any loss it has suffered as a result, and to pay to the company any profit made.

A director must always remember that he may be held accountable for losses if he has not complied with his duties or failed to exercise the requisite duty of care, diligence and skill.

8. ADMINISTRATION AND ACCOUNTS

The directors are responsible for the company's administration, including maintenance of proper accounting records, minutes of meetings, statutory books and filing of information at the Companies Registry. It is usual for these duties to be delegated but this does not relieve the directors of ultimate responsibility.

It is the duty of the directors:

- to ensure that proper accounting records are kept by the company;
- to prepare and approve annual accounts which comply with the Companies Acts;
- to ensure that the company sends a copy of the accounts to parties entitled to receive them; and
- to lay the accounts and reports before the MNAs in a general meeting.

9. BOARD MEETINGS

The powers of directors are not individual but collective. The directors should therefore exercise their powers by holding board meetings at which collective decisions are taken. The Constitution requires the Board to meet regularly. Every director is entitled to receive notice of a meeting. The President, or any two directors, can summon a Board meeting. Board meetings are held in private, however the Chief Executive Officer is required to attend unless the Board decides otherwise. The quorum is five directors.

Minutes must be kept of the proceedings of board meetings. Once approved by the chair of the meeting they are evidence, though not conclusive evidence, of the proceedings to which they relate.

[Click here for the Isle of Man Requirements](#)

- **Form 9N**
- **Isle of Man Documentation**
- **Declaration of Related Party Interest Form**
- **Proof of Residence x2** - see page 25 for further details.

Please submit all documents by 17 August 2024

Declarations

DECLARATION OF INTERESTS

You must now complete the declaration of interests form. This must be completed in accordance with the World Sailing Conflict of Interest Policy which can be [found here](#). You can complete the declaration of interest form [at this link](#). Do not submit your application until you have completed the form.

DECLARATION OF ELIGIBILITY

Under the World Sailing Constitution, directors are only eligible to be elected and hold office if they meet the following requirements.

1. You must deliver to the Chief Executive Officer such documents as are required by law to be delivered on appointment as a company director.
2. You must not have been convicted of a serious criminal offence or other offence or regulatory finding (whether imposed by a court, tribunal or disciplinary body) which brings World Sailing into disrepute.
3. You must not be barred from holding office as a director by the Disciplinary Tribunal.
4. You must not be convicted of an anti-doping rule violation.
5. You must not be an Employee* of World Sailing (as defined by the Constitution).

6. You must not be an Employee*, board member, president, or other officer of a Member at the same time as being a director of World Sailing. However, you may seek election as a World Sailing director whilst holding one of these conflicting positions provided you resign from the conflicting position by 9 February 2025. In addition, this rule does not apply to an honorary president or other honorary officer of a Member provided that this position involves no role in, or influence over, the management or operations of the Member.

* "Employee" has a defined meaning. It means a person (i) engaged under a contract of service with a Member or (ii) who is seconded under a contract of service to work for a Member or (iii) engaged under a contract for services on an equivalent full-time basis to work for a Member.

By submitting this application to World Sailing, you irrevocably declare that, to the best of your knowledge and belief, you are eligible to hold office as a director under the Constitution.

If you have any doubts, you must submit a separate letter to the Election Committee disclosing the reason for the doubts and the Committee will then consider the matter.

I agree that work undertaken, carried out, produced or contributed to in my capacity as a World Sailing President or a Vice President shall:

1. be the property of the World Sailing;
2. not be nationally biased;
3. where necessary, be carried out by e-mail and/or via the World Sailing website;
4. not incur charges to be carried by the World Sailing unless previously agreed with the World Sailing Board;
5. be treated as confidential together with the relevant information and data, and shall not be disclosed or communicated to any party or disseminated otherwise, except to those who have a need to know the work, the information and the data concerned and only if such third party
 - (a) is informed of the confidential nature of such work, information and data and
 - (b) is subject to confidentiality obligations similar to those stated herein; and
6. be used exclusively for accomplishing the purposes pursued by World Sailing and for no other purpose.

In consideration of my election, and the payment of £1.00 GBP, the receipt and sufficiency of which is hereby acknowledged, I assign and release to World Sailing Limited any copyright or other rights I may have in documents, work, rules, regulations, class rules, manuals, publications, or derivatives of any of these, to which I have contributed in my capacity as a World Sailing director.

The foregoing assignment and release is irrevocable, and intended to be without restriction as to time or geography.

I agree to comply with the Constitution, Regulations, Code of Ethics and policies of World Sailing. I accept the jurisdiction of the World Sailing Judicial Board and Ethics Commission and I agree not to resort to any external court or tribunal except as permitted by the Constitution and Regulations.

I agree to comply with the Election Rules. I declare that I have complied with the Election Rules since their publication.

I will comply with the World Sailing Conflict of Interest Policy and I will freely and promptly declare the full extent of any interests in accordance with the Policy and the Regulations.

I understand World Sailing Limited and its subsidiary companies will process and store my personal data by electronic means for the purposes of their legitimate interests. I declare I have read the Privacy Notices on the World Sailing website at <https://www.sailing.org/legal.php>

SIGNED

A digital signature is acceptable

DATE

7. Candidate Application Form Checklist

The complete application packs containing

CAF requirements

- a) **Signed original candidate application form with photograph**
A profile picture is required as part of your CAF. The picture should be a jpeg image of your head and shoulders only (passport style), and a minimum size of 240x240 pixels. Please send the picture as an attachment, alongside your completed form.
- b) **Completed the World Sailing declarations of interests form online**
- c) **Certified proof of identity (x 3 certified copies)**
The relevant pages of the passport should be photocopied and certified as:
"I certify this to be a true copy of the original and that this is a true likeness of the individual"
The certifier should be either a qualified accountant or lawyer, serving police officer or bank manager who should sign and date the copied pages, print their name clearly below their signature and state their position and business address.
Direct family members cannot be used as certifiers.
If you are in any doubt, please contact World Sailing.
We will need three certified copies.
- h) **One nomination from a Member National Authority is attached to your CAF**

Isle of Man requirements ([click here](#))

- d) **Signed document Form 9N**
- e) **Signed documentation for Isle of Man Requirements**
- f) **Signed Declaration of Related Party Interest Form**
- g) **Proof of Residence x2:**
Please provide two original utility bills (a gas, electricity or land line telephone provider) or bank statements (each from a different source) which show your name and current residential address.
These documents should be dated within the last three months and will be returned in due course.
We cannot accept mobile phone bills and the documents must either be in English or be clearly understandable as to what they relate to.

Please submit all documents by 17 August 2024



World Sailing

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MUSTO

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