

Advertising Code

A submission from the Executive Committee

Proposal 1.

To make the following changes to the existing regulations:

1. Delete Regulation 18.16(a) and renumber as it is already provided for in Regulation 20.9.2.
2. Delete any reference to category C in Regulations 18.16(c)(ii) and Regulation 24.1.1(c)
3. Delete references to category A in Regulation 18.16(c)(ii) and in paragraphs 5 and 6 of Regulation 22.
4. Reference to 20.6.1 in 18.16.4 be amended to 20.6 and that reference to Regulation 20.4.4 (in Regulation 26.11.8) be amended to Regulation 20.5:

18.16 ~~(a)~~ ~~For classes of boat displaying Category C Advertising, only the Member National Authority may introduce an Individual Advertising License System to permit their competitors to display advertising on their boats/sailboats (see Regulation 20.4.2).~~

~~(b)~~ **(a)** For Major Events, Events of Classes and ISAF Events the ISAF shall administer an Event Advertising System and/or Individual Advertising System (see Regulation 18.16.4).

~~(c)~~ **(b)** For ISAF Open Match Racing World Championships (ISAF MRWC) and Open Graded Match Racing Events, the following fees apply:

(i) Grading Fees

ISAF MRWC	€1,500
Grade 1	€1,200
Grade 2	€600

(ii) Advertising Fees

~~Category A~~ ~~No fees~~

Category C	ISAF MRWC	€3,100
	Grade 1	€3,100
	Grade 2-5	€1,500 for events with:

Cash or cashable prizes, appearance payments, individual sponsorship payments by the event organizers or otherwise or other benefits of a similar nature totalling more than €15,500 or the equivalent.

The ~~Category C~~ fee is regardless of the level of advertising.

- (iii) The above fees shall apply to Women's Match Racing events when the event offers cash or cashable prizes, appearance payments, individual sponsorship payments by the event organizers or otherwise, any/or other benefits of a similar nature totalling more than €15,500 or the equivalent.

~~(d)~~ **(c)** The ISAF Executive Committee may adjust the fee under special circumstances.

Major Events, Events of Classes and ISAF Events

- 18.16.4 Fees due to ISAF from Major Events, Events of Classes and ISAF Events (see Advertising Code, Regulation ~~20.6.1~~ **20.6**) in respect of Advertising and Approval Fees (Regulation 18.16 and 18.16.2) shall be negotiated as a single fee to cover all rights, including any Media Rights as defined by Regulation 18.15 owned by the ISAF.

22. ISAF SAILOR CLASSIFICATION CODE

General

The ISAF Sailor Classification Code exists as a service to provide Events and Classes with an international system of classification for sailors.

Events and Classes are not under any obligation to use a classification system but should they wish to do so the ISAF Code is the only system that shall be used.

Events organized for boats currently selected as equipment for the Olympic Sailing Competition shall not include any provision, whether in Class Rules, the Notice of Race or the Sailing Instructions preventing sailors from taking part, whatever their classification.

When the ISAF Sailor Classification Code is selected for an event it shall be stated in the Notice of Race unless already stated in the Class Rules.

The display of advertising on a boat or equipment ~~beyond Category A in the Advertising Code~~, does not influence the competitor's classification in this Code.

The display of advertising on a boat or equipment ~~beyond Category A in the Advertising Code~~ set out in Regulation 20, even if *payment* is received for it, does not influence the sailor's classification in this Code.

Nothing in the provisions of this Code shall permit a sailor to take any action which is contrary to the purpose and spirit of the Code or which is a subterfuge for circumventing the Code. When a sailor is found by the *Classification Authority* to be in breach of this provision it may change his classification as appropriate and /or make a Report under RRS 69 of the Racing Rules.

Class Rule Changes

- 26.11.8 Class Rules shall not modify the Advertising Code, except as permitted under Regulation ~~20.4.4~~ **20.5**. In the case of an application for such modifications, the procedure required above shall apply except that the Executive Committee shall take the place of the Class Rules Sub-committee.

Current Position

As above

Reason

The Working party has dealt with a number of enquiries since last year, most of which reflected misunderstandings as to the code, but some of which noted errors in cross referencing in other Regulations or requested that the text be simplified and less 'legalistic'.

Further work by the Working Party has led to their recommendation to further revise the format and text of Regulation 20 (the Advertising Code) to reflect the following:

1. In approving submission 38-08 in November 2008 Council also noted that various consequential amendments would be need to the Regulations in particular to delete references to category A or C and also to refine certain definitions. The first part of this submission records these: Submission "A".
2. Contemporaneously with approving the Advertising Code Council also approved amendments to the ERS and Racing Rules, and we now recommend harmonising Regulation 20 with those.

Proposal 2

To adopt the revised text as follows in place of the current version of Regulation 20.

20. ISAF ADVERTISING CODE

(Note: This Regulation does not apply to the Olympic Sailing Competition)

20.1 Definitions

A term printed in **bold** is used as defined in the Equipment Rules of Sailing.

The following additional definitions shall apply to this ISAF Advertising Code (the "Code") only:

"Advertising"	the name, logo, slogan, description, depiction, a variation or distortion thereof, or any other form of communication that promotes an organization, person, product, service, brand or idea so as to call attention to it or to persuade persons or organizations to buy, approve or otherwise support it;
"Bow Numbers"	an identifier assigned to a boat by the Organizing Authority, which is required to be displayed on the bow of that boat. It may be a combination of numbers and letters, and may include Advertising;
"Class Advertising"	the Advertising of an ISAF Class pursuant to Regulation 20.5;
"Club Event"	is an event ¹ that is organized by a club, which has sailing as one of its principal activities;
"Competitor"	any person who is on board a boat while racing, but excluding any Race Official or media person on board in that capacity;
"Invitational Event"	is an Event to which the Competitors are invited personally and individually and is not open to other Competitors except by invitation;

¹ 'Event' to be defined in the definitions at the beginning of the Regulations.

“National Class”	a Class which is not an ISAF Class but is recognized by a particular National Authority which Authority also has substantial authority in the direction or management of that Class;
“Organizing Authority”	the organization designated in accordance with RRS 89.1 and stated as the organizing authority in the notice of race;
“Person in Charge”	the person designated by RRS 46;
“Race Official”	a person appointed by the Organising Authority or race committee in accordance with RRS 89.2(b) or RRS 91;
“Rating System”	means either an ISAF International or Recognized Rating System.

20.2 General

- 20.2.1 This Regulation 20.2 applies to all Advertising throughout an event from the first day for measurement or if no measurement, from the first scheduled day of racing until the last scheduled day of racing, both days inclusive.
- 20.2.2 The right to display Advertising on a **boat** or by its crew at an Event is only permitted in accordance with this Code, and to the extent that the right to do so is granted by ISAF it is strictly subject to the conditions set out in this Code.
- 20.2.3 Advertising which is political, religious, or racial propaganda shall not be displayed on a **boat**, equipment, clothing or other object at any event. Attention is also drawn to the laws of individual nations which may restrict Advertising within their territory or territorial waters.
- 20.2.4 Advertising and anything advertised shall meet generally accepted moral and ethical standards.
- 20.2.5 A Competitor may choose not to display any Advertising which is for alcohol or tobacco, or which he or she genuinely objects to for substantive moral, political or religious reasons.
- 20.2.6 Advertising on **sails** shall be clearly separated from national letters and sail numbers. Class Insignia, which may include Advertising shall be displayed on the **sails** as required by RRS 77.

20.3 Competitor Advertising

- 20.3.1 Each Competitor may, with the agreement of the Person in Charge, display Advertising on clothing and **personal equipment**.
- 20.3.2 Advertising chosen by the Person in Charge may be displayed on **hulls, spars and sails** except on the spaces reserved under Regulations 20.4 20.5. However when the **class rules** do not permit Advertising or permit limited Advertising only then the Advertising chosen by the Person in Charge shall be similarly prohibited or limited.

20.4 Event Advertising

- 20.4.1 Subject to Regulations 20.5 and 20.6, an Organizing Authority of an Event may permit or require that Advertising is displayed in accordance with Table 1 – Event Advertising or in any combination thereof and if any such Advertising as specified is to be displayed or carried (as appropriate) as above, it shall be so stated in the notice of race, which may also require that a sponsors flag be carried throughout that Event, including when a **boat** is in harbour or ashore.
- 20.4.2 Supplied Equipment

When equipment is supplied by an Organizing Authority, all Advertising on the supplied equipment is available to that Organizing Authority. A bib, or its equivalent, displaying

Advertising and supplied at such an Event may be worn at the absolute discretion of the individual Competitor.

- 20.4.3 Additionally to Regulation 20.4.1 an Organising Authority may also make use of the area of a forward transom (blunt bow) of classes which such a design feature (eg Mirror, optimists).

Table 1 : Event Advertising

'Boats' in rows 1, 2 and 3 of the table below excludes sailboards and radio-controlled boats.

	Allowed Advertising	Hull	Boom	Backstay (if fitted)	Sails
	Boat Type or Size	On each side of the hull , but not aft of the longitudinal distance below from the foremost point on the hull	On the forward part of each side of the boom , displayed so that any Manufacturer's mark (regulation 20.10) is not obscured	A Sponsor's flag, attached to the backstay	<i>On each side of the sail, placed between the sail numbers and the boom (wishbone) and aft of the foot median line</i>
1	Boats less than 2.5m hull length	40% of hull length	Not exceeding 20% of the boom length	No Advertising	No Advertising
2	Boats between 2.5m and 8m hull length	Greater of 1m or 25% of hull length		A flag which shall fit within a 500mm x 750mm rectangle	
3	Boats over 8m hull length	Greater of 2m or 20% of hull length			
4	Sailboards	No Advertising	No Advertising	No Advertising	An area not exceeding 0.4 sq m
5	Radio-controlled boats	40% of hull length	No Advertising	No Advertising	No Advertising

20.5 Classes & Rating Systems

- 20.5.1 The rules of ISAF **classes** and Rating Systems may prohibit or limit Advertising that may be displayed pursuant to Regulation 20.3.2. Any limitation shall be stated in its **class rules** [or the rules of that Rating System]. If such rules do not restrict Advertising, it shall be permitted.
- 20.5.2 If an ISAF Class wishes to enter into a sponsorship contract which would require **boats**/boards of that ISAF Class to display Advertising ("Class Advertising") then it may do so provided that:
- the members of that ISAF Class have previously approved the entering into of a sponsorship contract in accordance with that ISAF Class's constitution; and
 - such Class Advertising is restricted to part of any of the areas reserved for Event Advertising according to the Regulation 20.4; and

- (c) **boats** are only required to display such Class Advertising in events of which that ISAF Class is the Organising Authority, or if the ISAF Class is not the Organising Authority then if there is a written agreement between such ISAF Class and the Organising Authority permitting such Class Advertising

20.5.3 Any Person in Charge of a **boat** in an ISAF Class, who has agreed with his or her National Authority that he or she will display Advertising that would prevent or conflict with Class Advertising, shall not be required to display Class Advertising.

20.5.4 The management group of a Rating System may also prescribe in the same terms as an ISAF Class at Regulation 20.5.2.

20.5.5 Conflicts between **class rules** and Rating System rules:

if the limitations on Advertising of a particular ISAF Class conflict with those for a Rating System the more limiting shall apply. Any breach of this Regulation 20.5.5 may invalidate that **boat's** ISAF Class certificate, which may in turn may also invalidate its rating certificate.

20.5.6 Transitional Provisions:

- (a) any **ISAF** Class or Rating System that has previously elected not to permit any Advertising on **boats** – formerly Category A – shall be deemed (until such time as it may prescribe otherwise) to have prescribed that no Advertising may be displayed pursuant Regulation 20.3.2 and

- (b) any ISAF Class or rating System that has previously prescribed Advertising with limitations shall be deemed (until such time as it chooses otherwise) to have prescribed in the same terms for the purposes of Regulations 20.3. and 20.5.

- (c) Regulation 20.5.6 shall not apply after the 31st December 2011.

20.5.7 National Classes: the National Authority which has recognized a National Class shall, on application by such National Class, decide whether Advertising shall be permitted or not and if so subject to limitations or not.

20.6 Olympics, ISAF, Special and Invitational Events

20.6.1 This Code does not apply to the Olympic Sailing Competition, at which the International Olympic Committee charter applies. Any **class rule** of a Class selected by ISAF to be an equipment at the next Olympic Sailing Competition which restricts Advertising by the competitor or on the **boat** shall not be applied from the date of the selection by ISAF and until the completion of that Olympic Sailing Competition.

20.6.2 For an Invitational Event, the Organizing Authority may, unless the event includes equipment which has been selected for the next Olympic Sailing Competition, with the prior approval of its National Authority restrict Advertising to be displayed pursuant to Regulation 20.3.2.

20.6.3 No Competitor participating either in any event of a Class listed at Regulation 20.6.3.1 or on any **boat** in any Events of any of the Classes listed at Regulation 20.6.3.2 (or added to either list) shall display any Advertising nor be required to display any Event Advertising without the prior written agreement of ISAF, either in respect of a specific Event, series of Events or for a specific Class:

20.6.3.1 Events

America's Cup Match and Challenger/Defender Series
Global Ocean Races
Professional Windsurfers Association Events (PWA)

Regional Games
Trans-Oceanic Races
Volvo Ocean Race
World Match Racing Tour
and all ISAF Events

20.6.3.2 Classes

International America's Cup Class
Open 60 Monohull Class
Open 60 Multihull Class
Volvo 70'

20.6.3.3 Any other Event and/or Class of equal or similar status may be added to the above lists by the ISAF Executive Committee on its initiative. Any such addition shall be reported to the next Council meeting.

20.6.4 National Classes and Club Events

National Classes and the Organizing Authority of a Club Event may, either with the specific or a general permission given by the National Authority for Events within the territory of which it is the governing body, restrict Advertising for races of that Class or for Club Events within such territory as appropriate.

20.6.5 At ISAF Events, and in particular at the ISAF Sailing World Championships and at the ISAF Sailing Word Cup, the bib, or its equivalent, provided to the Competitors/**boats** in accordance to that Event notice of race shall be worn by the Competitors as prescribed in such notice of race or in the relevant sailing instructions.

20.8 Conflicts between Competitor and Event Advertising

20.8.1 The Organizing Authority of an Event may not reject or cancel the entry of a **boat** or exclude a Competitor because that **boat's** or Competitor's Advertising is or may be in conflict with the Advertising or sponsor of that Event.

20.9 Fees

20.9.1 All Events being either one of those listed under Regulation 20.6.3.1 or of any Class listed from time to time under Regulation 20.6.3.2 shall pay a fee to ISAF.

20.9.2 When a Competitor chooses to display Advertising on his **boat** or board pursuant to Regulations 20.3.2, the National Authority of the Person in Charge may prescribe pursuant to RRS 80 that a fee shall be paid in respect of that **boat**.

20.10 Manufacturers and Sailmakers

20.10.1 The Advertising specified in Table 2 is permitted at all times:

(a) Sailmaker's marks

A sailmaker's mark may include the name logo or other mark of the sailmaker or sailcloth manufacturer and the pattern or model of the **sail**.

(b) Manufacturers' marks

A manufacturers mark may include the name logo or other mark of the designer or manufacturer of the equipment.

Table 2 : Manufacturers' and Sailmakers' Marks

'Boats' in rows 1, 2 and 3 of the table below excludes sailboards and radio-controlled boats.

	Allowed Advertising	Hull	Spars and Equipment	Sails
	Boat Type or Size	On each side of the hull , and may include the name or mark of the designer or builder	On each side of spars and on each side of other equipment	On each side of sails
1	Boats less than 2.5m hull length	One mark to fit within a rectangle measuring 15% of hull length x 150mm	One mark not exceeding 300mm length	One mark to fit within a 150mm x 150mm square. Except on spinnakers, no part of the mark shall be placed farther than the greater of 300mm or 15% of foot length from the tack point
2	Boats between 2.5m and 8m hull length	One mark to fit within a rectangle measuring 500mm x 150mm		
3	Boats over 8m hull length			
4	Sailboards	Unlimited		One mark to fit within a 150mm x 150mm square. No part of the mark shall be placed farther than 20% of foot length from the tack point or 500mm from the clew point
5	Radio-controlled boats	One mark to fit within a rectangle measuring 15% of hull length x 150mm		One mark to fit within a 50mm diameter circle

20.11 Protests under the Code

20.11.1 Protests alleging a breach of this Regulation 20 shall be made and hearings conducted in accordance with Part 5 of the RRS. When, after finding the facts, a protest committee decides that a **boat** or any of her Competitors has broken any part of this Code, it shall:

- (a) give a warning; or
- (b) impose a penalty or disqualify the **boat** in accordance with RRS 64.1; or
- (c) disqualify the **boat** from more than one race or from the series when it decides that the breach warrants a stronger penalty; or
- (d) act under RRS 69.1 when it decides that there may have been a gross breach.

Table 1: Event Advertising – reserved areas

Table 2: Manufacturers and Sailmakers Marks – permitted sizes and locations

Current Position

Current regulation 20.

Reason

1. The section dealing with Special Events and Invitational Events was rather complex and has therefore been split into two separate sub-regulations to make it more easily understood.
2. It was also felt that it would be easier for sailors and event organisers to understand where advertising can be displayed if we produce two tables showing this and delete the relevant, and rather complex wording, that this now reflects.