

ISAF Constitution

Article 46

A submission from the Chairmen of the Racing Rules Committee and the Constitution Committee

Proposal

46. **With the exception of the decisions listed in Articles 46(a) – (f), decisions** ~~Decisions of the Council shall be taken by a simple majority of votes cast~~ **in favour or against the resolution.** ~~with the following exceptions: A Council Member who abstains has not voted.~~
- ~~(a) Decisions requiring a two-thirds vote cast in favour of the resolution are:~~
- ~~(i) a resolution for the election or expulsion of a Full member;~~
 - ~~(ii) an amendment to the Racing Rules of Sailing; however, this provision shall not apply to Regulations incorporated by reference into the Racing Rules of Sailing.~~
- (a) A decision on a resolution for the election or expulsion of a Full Member requires a two-thirds vote cast in favour of the resolution.**
- (b) A decision on a change to a rule in the Racing Rules of Sailing or in the Equipment Rules of Sailing, with an effective date other than 1 January of the year following the year in which the Olympic Sailing Competition is held, requires a 75% vote cast in favour of the motion.**

Renumber current Articles 46(b) – (e) as (c) – (f).

Current Position

As above.

Reason

To make it clear that, whenever a Council vote is taken, the decision is based on only the votes in favour or against the resolution or motion. A Council Member who elects to abstain has not voted and his act of abstention is not counted either in favour of or against the resolution or motion. Note that Robert's Rules of Order states 'The word majority means "more than half"; and when the term majority vote is used without qualification . . . it means more than half of the votes cast by persons legally entitled to vote, excluding blanks or abstentions at a regular or properly called meeting at which a quorum is present.'

There are three reasons for making the change in Article 46(b):

1. to clarify that the super-majority requirement applies only to a change in a racing rule or an equipment rule with an effective other than 1 January of the year following the year in which the Olympic Sailing Competition is held, and
 2. to bring the article into agreement with the Regulations by making it apply to an equipment rule, as well as to a racing rule;
 3. to bring the number of votes required into agreement with the number required in the Regulations (see the two companion submissions proposing changes in the voting requirements in Regulations 31.1.2 and 32.1.2).
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