

**2014 ISAF REGULATIONS**Updated With [Changes](#) Approved By Council November 2014

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## DEFINITIONS

Word	Meaning
Authority, National	National Authority as defined in Article 1.1.
Authority, Organizing	Organizing Authority as specified in RRS 89.1
Boat	Where the context so admits, 'boat' shall include sailboard, windsurfer, kiteboard and other sailing device.
Class	A Class of boat includes boats which conform to a physical specification intended to allow competitive racing among their Class under the Racing Rules of Sailing. Without limiting the generality of the foregoing, Classes include boats with one-design, restricted, and developmental specifications as these terms are applied generally.
Class, National	A National Class for the purposes of this Regulation is a class where the National Authority has substantial authority in the direction or management of the Class.
Class Association, ISAF	ISAF Class Association designated in accordance with Regulation 10.2.
Class/Owner's Association	A Class/Owners Association is an organization as defined in regulation 10.2.1(b).
Class Rules	Class Rules are rules as defined in The Equipment Rules of Sailing.
Class, ISAF Classic	ISAF Classic Classes as defined in Regulation 11.1.
Competitor	In addition to its natural meaning, a competitor in respect of any boat shall include any person who has the right to use the boat as owner or by charter, loan or otherwise.
Continents	Africa; Asia; Oceania; Europe; North America (including Grenada, Bermuda and the Islands of the Caribbean but excluding Central America) and the Islands of the Caribbean; Central and South America (including Mexico) <i>All as defined by the National Geographic Society in its Atlas of the World</i>
Country	Except in respect of references to Race Officials, for the purposes of these regulations and <i>The Racing Rules of Sailing</i> the country of a person shall be the area of jurisdiction of the member national authority of that person's principal residence For references to Race Officials, refer to Regulation 33.
Event Measurer	An Event Measurer in accordance with the Equipment Rules of Sailing C 4.6 is "A measurer appointed by a race committee".
Events, Class	A Class Event is an event as defined in Regulation 10.5(f).
Events, Graded	An ISAF Graded Event is an event approved as such by ISAF in accordance with ISAF Regulation 27 and included in the ISAF Calendar of Events.
Events, International	An International Event is an event open to entries other than those from the national authority of the venue or any event organized in more than one country.
Events, ISAF	ISAF Events are as designated by Regulation 24.
Events, Major	Major Events are those designated by Regulation 25.8.15(a)
Events, National	A National Event is an event that is open only to the entries from the national authority of the venue.
Events, Recognized	Recognized Events are those designated by Regulation 25.8.17(b)
Group	A Group consists of the nations constituted as such under Article 40(a) and Schedule A of the Articles

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ISAF Race Officials	For the purposes of these regulations an ISAF Race Official is a Race Official appointed by ISAF pursuant to Regulations 31 and Regulation 25.8
ISAF Representative	For the purposes of these regulations an ISAF Representative is a person who is elected, appointed or requested to act on behalf of ISAF in any capacity. Specifically excluded are the ISAF Officers of Honour.
Media Rights	Media Rights, as they apply to Regulation 25 are defined in Regulation 25.11.
Member	Other than a Full Member, as defined in Article 1.1.
Member, Full	As defined in Article 1.1.
Notice	Any communication sent to ISAF addressed to and sent in the manner set out in ISAF Regulation 15.2.
Oceanic	For the purposes of these Regulations, Oceanic is 'Any offshore race over 800 miles'.
Offshore Racing	Racing in any boats capable of complying with the requirements of Category 4 of the Offshore Special Regulations.
Rating or Handicap Systems and Class Associations	Groups with a supporting management and Owners Associations.
Racing Rules and RRS	The racing rules are the rules in the current book called <i>The Racing Rules of Sailing</i> . A particular racing rule, such as racing rule 10, On Opposite Tacks, is referred to as 'RRS 10'.
Regulations	As defined in Section 1 of the Articles.
Submission	A Submission is a request for Council to take action in the form and manner and at the times set out in Regulation 15.

**Words that are defined in the ISAF Articles have the same meaning in the ISAF Regulations.**

**SECTION 1 - ADMINISTRATION AND INTERNAL GOVERNANCE****PART I - Membership and Council****1. ISAF MEMBERSHIP – FULL, ASSOCIATE AND CONTINENTAL**

- 1.1 An applicant for membership shall apply by completing the application form and questionnaire supplied by ISAF in a suitably complete manner with all supplementary documents.
- 1.2 The applicant shall pay the required subscription (subject to any remission sanctioned by ISAF).

***Where there is only one Applicant for Membership that is an existing National Organization representing sailors (Case 1)***

- 1.3 Where there is only one applicant for membership pursuant to Article 5.1 that is, an existing National Organization representing Sailors, the applicant organization shall meet all of the following criteria:  
The applicant:
  - (a) shall be organized on a national basis and capable of exercising its mandate wherever there is significant sailing activity;
  - (b) shall be recognized by the National Sports Authority if there is one, whether it be government sponsored or not;
  - (c) shall be recognized, either at the time of the application or within three months of becoming an ISAF Member, by the National Olympic Committee if there is one;
  - (d) represents officially through membership or affiliation, a significant majority of the yacht or sailing clubs and other sailing organizations of the country;
  - (e) while not mandatory, it is expected that an applicant National Authority shall be a member of regional sailing organizations for which it is eligible;
  - (f) while not mandatory, participation in international racing is desirable and encouraged.

***Challenging the Eligibility for Membership of a National Authority who is applying for Membership (Case 2)***

- 1.4. Where an organization claiming to be exercising the authority to regulate and manage the sport of sailing in one country is seeking membership in the Federation or in the case of two or more such organizations seeking membership in respect of the same country, before the membership of any of such applicant is accepted by the Council:
  - (a) if the Notices calling a pending meeting the Council have been mailed, the Council; or
  - (b) if such Notices have not been mailed, the Executive Committee shall determine whether there is a valid competition between organizations to become a Full Member for that country. The purpose of such determination is to ensure that only organizations having a valid claim to being a National Authority are given status as parties to the determination of competing applications.
- 1.5 The Executive Committee or the Council, whichever has the carriage of the matter, shall direct the applicants to meet the criteria of being a National Authority. The Chief Executive Officer on the completion of his information gathering shall report to the Executive Committee or to the Council as the case may be his opinion as to which, if any, of the organizations are qualified as applicants. The Executive Committee or the Council shall examine the material collected by the Chief Executive Officer and shall make a determination as to which applicants shall be determined to be Applicants with status in

the process of determining the organization, if any, that shall be accepted as a Full Member representing the Country in question.

- 1.6 Once the number of Applicants has been determined, if there is only one Applicant it shall proceed as in the case of an uncontested application for Full Membership under Article 5.1 and Regulation 1.3.
- 1.7 If there is more than one Applicant the process is a Contested Application and the procedure set forth in Regulations 1.30 to 1.40 shall be followed with such changes as are necessary to suit the case. In particular, an Applicant's submission shall be in two parts: (a) an application to become a Full Member, and (b) a submission challenging any or all of the other Applicant's submissions. For the purposes of the procedure in Regulations 1.30 to 1.40, part (b) of each Applicant's submission shall be treated as a submission challenging the other Applicant's part (a) submission pursuant to Regulation 1.31.
- 1.7.1 In determining a Contested Application the Applicant parties, and any official or body of the ISAF considering Applications or any material arising there from shall consider the criteria set forth in 1.8 and 1.9.

***Cases where there is either no Established National Organization meeting the above criteria or where there is a Contested Application (Case 3)***

- 1.8 The suggestions in this section will comprise the criteria for all other cases. These will principally be:
  - (a) cases where there is not a National Authority covering the nation (such as a Club or an organization or one or more clubs who organize racing for themselves or others);
  - (b) where there are competing bodies claiming jurisdiction over sailing in general or particular kinds of sailing;
  - (c) cases where government authority have attempted or succeeded in forcing sailors into a government-sponsored organization but where there are independent organizations of sailors existing.
- 1.9 In general it will not be possible to require all of the criteria necessary in Case 1 for cases in Case 2. The overriding principle will be to choose the organization which represents the most sailors, or the most active sailors, and can best provide the services expected of a Member National Authority. It will be of paramount concern that the organization is organized to provide adequate representation of the club or sailor members:
  - (a) In Case 3 described in 1.8(a) and 1.8(b), it is assumed there will be one or more competently organized sailing organizations in the nation. It will be necessary to balance the degree of representation of sailing activity and the capability to provide adequate services in deciding what organization should be recognized. It should be recognized that in some situations ISAF should encourage a reorganization of sailing within a country and that no membership should be accepted until a reasonable solution is found. It should also be recognized that separate organizations which govern only one aspect of sailing can apply for affiliate membership without being the Member National Authority;
  - (b) Recognition by the National Sports Authority will be a major positive criteria for acceptance as a member but not absolutely mandatory;
  - (c) Recognition by the International Olympic Committee will also be a major positive criteria for acceptance and, except in unusual cases (such as inability to afford contesting in the Olympics), would be mandatory;
  - (d) Criteria 1.3(e) and 1.3(f) of Case 1 would be less important in Cases 1.8(a) and 1.8(b);
  - (e) Cases described in 1.8(c) are probably not capable of having specific mandatory criteria applied in advance. The criteria in Cases 1.3(a) to (f) and 1.10 would need

to be considered. While great consideration should be given to a body which is recognized by either the national sports organization and/or the International Olympic Committee, it should be recognized that this alone is not necessarily sufficient. It should be recognized that where there is existing conflict between organizations purporting to represent sailors as a national authority, ISAF may wish to make suggestions to allow a membership to be accepted.

### ***Specific Requirements (applies to all applications under Regulations 1.3-1.9 inclusive)***

- 1.10. In addition to the criteria set out in Regulations 1.3 to 1.7.1, an applicant shall have a Constitution which has been passed by a majority of the members at a meeting duly called for that purpose. The Constitution shall provide, among other things, for:
- (a) reasonable representation of all sailing bodies which are members. Without limiting the foregoing, members shall include yacht and sailing clubs, multi-sport clubs which provide sailing, class associations, specialized sailing and sailing associations; and
  - (b) at least one annual meeting of members for which notice is provided of the meeting and the business to be conducted at the meeting;
- 1.10.1 However, where the circumstances in the country concerned are such that the provisions of paragraph 1.10.(a) are not practical, ISAF shall be satisfied that such other arrangements have been made that represent the best interests of every class of members referred to in it. Where practical to do so, the Constitution or documents witnessing such other arrangement shall be approved by the members at a meeting duly called for that purpose.
- 1.11 The Constitution or the document witnessing such other arrangements shall be approved by the Constitution Committee and referred to the Executive Committee for its approval and then to the Council for final approval.
- 1.12 Where the Constitution Committee considers that the applicant's constitution or other document does not meet either the requirements of Regulations 1.10(a) or 1.10(b) or where the Executive Committee or Council considers that for any other valid reason the applicant does not meet the requirements for full membership, the Executive Committee may recommend to the applicant that it becomes an Associate Member of ISAF, in which case ISAF shall provide the applicant with such advice and assistance as will enable it to apply for full membership in due course.

### ***MNA autonomy and independence***

- 1.13 Member National Authorities must comply with the following obligations:
- (a) manage their internal affairs independently and ensure that no third party (whether state, government or private) interferes with their operations (however a Member National Authority may accept an appropriate level of control over its financial affairs in order to meet any conditions imposed on financial grants or allowances paid to it, provided that such control does not extend to interference in the Member National Authority's strategy or operations);
  - (b) remain autonomous and resist any political, religious or financial pressure that may infringe on their obligations to observe the ISAF Constitution and Regulations;
  - (c) report any interference (or attempted interference) to the Chief Executive Officer as soon as reasonably practicable;
  - (d) make provision for an election or internal appointment system that ensures complete independence of the Member National Authority from state, government or other public authority interference (provided that a Member National Authority may, in its discretion, elect representatives from those authorities); and

- (e) not permit state, government or other public authorities to appoint members of the executive board (or equivalent) of the Member National Authority (provided that the Member National Authority may, in its discretion, permit a limited number of non-voting positions on such board to external representatives).
- 1.14 A Member National Authority may apply to the Chief Executive Officer for exemption from an obligation in Regulation 1.13. The Chief Executive Officer shall investigate the circumstances of the application and make a recommendation to the Executive Committee. The Executive Committee may then exempt a Member National Authority from an obligation in Regulation 1.13 provided that it is satisfied that the principles of autonomy, independence and freedom from government interference remain in place for the Member National Authority in question. The Executive Committee may impose conditions on its approval and may withdraw its approval at any time.
- 1.15 If, upon proper inquiry, the Executive Committee concludes that a Member National Authority is in breach of its obligations under Regulation 1.13, it may:
  - (a) issue a formal warning to the Member National Authority and require it to take such measures as are necessary to comply with its obligations within a certain period of time; and/or
  - (b) not recognize the decisions made by the Member National Authority or any elections or appointments made by it; and/or
  - (c) suspend the Member National Authority and report the suspension to Council at its next meeting for ratification; and/or
  - (d) recommend to Council that the Member National Authority's membership be cancelled under Article 15.4.

### ***Associate Membership***

- 1.16 Associate Membership is available to territorial entities that meet the criteria in Article 4 and are approved under Article 5.1. Subject to the Articles, the following criteria shall be used when determining applications for Associate Membership:
  - (a) the territory in question is an integral part of, or has some dependent (e.g. colonial relationship) with a parent state;
  - (b) the territory is geographically separated from that parent state by the sea, without bordering, or being in close proximity to, it or its coastal waters;
  - (c) the applicant National Authority has autonomous governance of the sport of Sailing in the territory; and
  - (d) the Member National Authority of the parent state has granted its consent to the application.
- 1.17 Associate Members will receive different benefits to ISAF Full Members, and should focus on the development of sailing. Associate Members shall be entitled to:
  - (a) hold ISAF Training Programmes (i.e. Race Officials, Learn-To-Sail Training Programmes);
  - (b) receive specified ISAF Publications;
  - (c) receive ISAF Mailings and Circulars;
  - (d) participate in ISAF Events, World and Continental Championships, and Regional Games, with the approval of the ISAF Council;
  - (e) attend open meetings of the ISAF General Assembly and the ISAF Annual and Mid-Year Meetings as an observer.
- 1.18 Associate Members shall not be entitled to:

- (a) any services or information from ISAF, apart from those detailed above, or as publicly available on the ISAF website;
  - (b) make submissions to ISAF;
  - (c) appoint ISAF Council Members;
  - (d) nominate individuals for the position of ISAF President or Vice-President, or ISAF Committees;
  - (e) be represented at the ISAF General Assembly;
  - (f) participate in the Olympic Sailing Competition..
- 1.19 Associate Members shall pay an annual subscription as determined by the Executive Committee, and every three years their membership shall be reviewed by the Executive Committee and shall continue only if it is satisfied that they still qualify for Associate Membership and have not abused their rights as such a member:
- 1.20 Application for Associate Member status shall be made to the Chief Executive Officer who shall place it before the ISAF Council. The ISAF Council shall take into consideration the status of the sport in the country and of the constitution of the National Authority making the application.
- 1.21 The ISAF Executive Committee may suspend and Council may cancel the membership of an Associate Member which has failed to pay its subscription for a period of at least 12 calendar months after the due date or in the opinion of the ISAF Council has failed to comply with its or his membership obligations in a material respect.

### ***Continental Associations***

- 1.22 Continental Associations may apply to the ISAF for affiliate membership. On applying, it shall satisfy the ISAF that it complies with the following criteria:
- (a) that it represents a Continent;
  - (b) that at least two-thirds of the Member National Authorities existing in the Continent it represents are members;
  - (c) that its objects include:
    - (i) the promotion of the sport of sailing in its area of influence;
    - (ii) the co-ordination, together with local member national authorities of the competition calendars to avoid clash of dates of competitions;
    - (iii) the establishment of the basis for development and promotion of classes, which are popular in its territorial area, though not recognized by ISAF;
    - (iv) the promotion of race officials' education and the encouragement of exchanges of race officials between countries in its area; and
    - (v) the co-ordination of competition activities with the Member National Authorities and the regional sports organizations within their regions which are responsible for organizing sports events in their region.
  - (d) that its Constitution has been passed by a majority of members at a meeting duly called for that purpose. The constitution shall provide, amongst other things, for:
    - (i) reasonable representation of all Member National Authorities that are members;
    - (ii) at least one annual general meeting each year; and
    - (iii) the election of officers.

- (e) that the Constitution has been approved by the Constitution Committee of ISAF and referred to the Executive Committee for their approval and finally to the Council for final approval.
- 1.23 Applications for Continental Affiliate Membership shall be made to the Chief Executive Officer who shall place it before the Executive Committee who will make a recommendation to Council.
- 1.24 Continental Affiliate Members shall pay an annual subscription of such sum as shall be designated by the ISAF Executive Committee from time to time.
- 1.25 The Executive Committee may suspend the membership of a Member National Authority, a Continental Affiliate Member, or an ISAF Class Association if the Chief Executive Officer certifies in writing that having been warned to make a payment at least 30 days previously and remains in arrears on all or any part of a subscription, fees, dues or other payments due to the Federation or any of its subsidiary companies or any of their predecessors. Additionally the Executive Committee may:
  - (a) suspend a Member National Authority, an ISAF Class Association or the rights of any of their members to participate in an ISAF Event, Regional Games or World Championships; and/or
  - (b) suspend the right of an ISAF Class Association to hold a World Championship.
- 1.26 Any suspension under Regulation 1.25 shall be reported by the Executive Committee to the next meeting of Council, which shall vote on whether or not to continue the suspension, or whether to cancel the relevant membership.
- 1.27. Additionally Council may suspend or cancel the membership of a Continental Affiliate Membership if:
  - (a) in its view it has failed to comply with the objects set out in Regulation 1.22(c);
  - (b) its membership no longer complies with Regulation 1.22(b); or
  - (c) that another organisation exists which better represents the sport of sailing in the Continent concerned and that can better comply with the criteria set out in Regulation 1.22.

### ***Member National Authority Questionnaire***

- 1.29 In the second year following a General Assembly, the Chief Executive Officer shall undertake an audit of all Member National Authorities in order to collect relevant statistical and general sailing information. It shall be mandatory for each Member National Authority to complete and return the questionnaire to the ISAF Secretariat, within the timeframe determined by ISAF.

### ***Member Challenging the Membership of a Full Member***

- 1.30 No submission for the cancellation of the membership of a Full Member pursuant to Articles 15 and 16 shall be laid before the Council unless it is made in writing by an organization authorized to make such a submission pursuant to Article 15 and has first been examined together with the evidence, arguments and allegations cited in support thereof, by the Constitution Committee.

The purpose of such an examination shall be to ensure that irrelevant matters shall be excluded from the deliberations of the Council and that the Full Member concerned should have a proper opportunity to be informed and to answer the case that has been submitted in support of the cancellation of the membership of that Full Member.

The Constitution Committee may also advise as to the details of the procedure to be followed in dealing with the submission provided that such advice is not contrary to the Articles and Regulations governing these proceedings.

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- 1.31 A submission for the cancellation of the membership of a Full Member under Article 15 shall:
- (a) state the grounds upon which such cancellation is sought;
  - (b) include a summary of the allegations and evidence that will be cited in support of the submission; and
  - (c) include copies of any documentary evidence upon which it is intended to rely.
- 1.32 Notwithstanding Regulation 15.6, any such submission shall be submitted to the Chief Executive Officer so that it shall be received by him not less than ten weeks before the meeting of the Council at which the submission shall be considered.
- 1.33 The Chief Executive Officer shall forthwith send a copy of all material received by him in respect of the submission to the Full Member concerned by registered first class post.
- 1.34 The Full Member concerned shall submit to the Chief Executive Officer, within thirty days of having received the material referred to in Regulation 1.33, a reply to the submission which shall include a summary of the evidence and arguments which shall be cited against the submission, and copies of any documentary evidence upon which it is intended to rely.
- 1.35 The submission and reply (together with accompanying documents) shall be examined by the Constitution Committee which may direct that any arguments or evidence which is considers irrelevant for the purposes of the Council's deliberations shall be excluded or that documents shall be put forward in or accompanied by a summarized or abbreviated form.
- 1.36 The submission and reply (together with the accompanying documents) shall then, amended as necessary pursuant to the above examination by the Constitution Committee, be submitted to the Council. Each member of the Council shall be provided with copies of all the relevant documents at least seventy-two hours prior to the meeting at which the submission and the reply, if any, is to be considered.
- 1.37 At any such meeting of the Council the Full Member making the submission shall be given an opportunity to make an oral presentation (which may not introduce any new evidence or material not included in the written presentation or introduce any new argument not fairly raised in the written presentation), following which the Full Member which is the subject of the submission (the "Full Member concerned") shall be given an opportunity to supplement its written reply and, in particular, to answer any of the points made in the said oral presentation.
- 1.38 A lawyer retained by the Federation shall be present at such meeting of the Council available to advise the Chairman upon procedural or legal matters that may arise during the course of the meeting. The Chairman may also call on the Chairman of the Constitution Committee (if he is a lawyer) or his nominee from among the legal members of the Constitution Committee to advise on matters arising out of the Committee's participation in the process of preparing the submission. The Chairman shall rule on any procedural matters that may arise, and his ruling thereon shall be final and binding.
- 1.39 The procedure to be followed in respect of any review by the General Meetings of the cancellation of the membership of a Full Member shall be similar to the procedure prescribed above in relation to a cancellation of membership.
- 1.40 Any request by the Full Member concerned for a review by the General Meetings shall be treated in the same manner as a submission referred to in Regulation 15. The Full Member who made the original submission for cancellation of the membership of the Full Member concerned shall be entitled to receive all the relevant documents and to address the General Meeting, and the Full member concerned shall be entitled to speak in reply.

## 2. REPRESENTATION ON COUNCIL

### ***Representation of Full Members on Council***

- 2.1 The representation of Full Members on the Council through the Groups as referred to in Article 40(a) and (b) and Schedule A of the Articles of Association shall reflect the importance and the activity in the sport of sailing in different Regions of the World.
- 2.1.1 ISAF shall publish from time to time its policy with regard to the representation on Council of the two genders and shall circulate Member National Authorities with the policy at the start of the nomination process.
- 2.2 To enable the distribution of seats of representatives of Full Members on the Council in accordance with the principle laid down in Regulation 2.1, the following system shall be used:
  - (a) There shall be six Regions from which representatives of Full Members shall be appointed to the Council, based on the numbers of members (individuals) associated or affiliated with the Full Members in each Region. The Regions are:
    - (i) Africa,
    - (ii) Asia,
    - (iii) Oceania,
    - (iv) Europe,
    - (v) North America and the Caribbean,
    - (vi) Central and South America.
  - (b) Within each Region one or more Groups of Full Members from within that Region shall be formed. Each Group shall have at least one and, except for an exceptional Group representing an unusually large number of sailors, not more than three representatives on the Council, based on the number of members (individuals) associated or affiliated with the Full Members in that Region. The total number of Groups per Region shall not exceed the number of seats of that Region on the Council.
  - (c) In exceptional cases a Full Member from within one Region can join a Group from within another Region. Any application for such re-allocation should be made by the Full Member to the ISAF in writing.
- 2.3 Groups of Full Members as described in Regulation 2.2(b) shall be formed on the basis of the following criteria (in order of priority):  
geography and Racing Co-operation;
  - (a) language;
  - (b) Regional Games;
  - (c) ethnic makeup;
  - (d) balance between large and small nations in a Group;
  - (e) economic interaction and co-operation; and
  - (f) any specific request of a Full Member made in writing.
- 2.4 Every four years, the representation of Full Members on the Council through the Groups as mentioned in Article 40(a) and (b) and Schedule A of the Articles of Association shall be reviewed by the Constitution Committee and any changes considered necessary shall be presented to the Council and the ordinary meeting of the General Assembly for their approval.
- 2.4.1 At any other time on the initiative of the Executive Committee or the Constitution Committee itself, the representation of the Full Members on the Council through the

groups as mentioned in Regulation 2.1 may be reviewed by the Constitution Committee and any changes considered necessary shall be presented to the Council to be dealt with in accordance with Article 40(b).

- 2.4.2 If the provisions of Schedule A are changed by the Council pursuant to Article 40(b) in such a way that there are changes in the number of Groups or the number of the Council members assigned to any Groups, nominations by the Groups of Full Members to reflect the changes in Schedule A shall be notified to the Chief Executive Officer in the manner provided for in Article 40(c) for the next meeting of the Council after the Council has voted such changes in Schedule A.
- 2.4.3 Any changes to Schedule A which require the type of changes referred to in Regulation 8.3 pursuant to Regulations 2.1 to 2.3 shall be made at the next Council meeting after the meeting which made the changes and the term of the Council members so affected shall be changed accordingly as provided in Article 40(c).
- 2.5 In conducting a review of the Groups, the Constitution Committee shall proceed as follows:
  - (a) the relevant information from each Full Member shall be accumulated by means of a written questionnaire;
  - (b) the number of seats representing Full Members on the Council shall be re-allocated according to Regulation 2.2(a);
  - (c) the maximum number of Groups per Region shall be determined, and if necessary, recommendations for re-allocation of Full Members to Groups shall be drawn up;
  - (d) Full Members concerned shall be asked to express themselves concerning their possible re-allocation to Groups; and
  - (e) if the above mentioned actions result in any necessary changes, they shall be presented to the Council and the next ordinary meeting of the General Assembly for approval.

### **3. COUNCIL RULES OF PROCEDURE**

#### **3.1 Agenda**

3.1.1 The agenda for Council meetings shall be settled by the President and shall include the following items:

- (a) apologies;
- (b) minutes of the previous meeting and matters arising;
- (c) report on financial matters;
- (d) submissions, in accordance with ISAF Regulation 15;
- (e) committee Reports and Recommendations; and
- (f) any Other Business.

3.1.2 Without restricting the power of Council to debate any matter it considers appropriate at any time, in normal circumstances the Mid-Year Meeting and other meetings of Council except the Annual Meeting shall be for Council to debate and vote on policy, and urgent matters.

3.1.3 The Annual Meeting shall be for all other matters.

#### **3.2 Minutes**

3.2.1 Minutes of each meeting shall be prepared by the Chief Executive Officer, whose draft shall be approved by the Chairman of the meeting. After such approval the draft will be circulated to all members of Council present at the meeting within three weeks of the

meeting except in exceptional circumstances. Members of Council may propose amendments to any entry in the minutes which they do not consider constitute a fair and true representation of what took place at the meeting. The Chairman shall consider their objections but his decision as to the contents of the minutes to be published shall be final.

- 3.2.2 Council members wishing to propose amendments to the draft shall send them to the Chief Executive Officer within two weeks from the date the draft minutes were circulated to Council.
- 3.2.3 Once the Council minutes have been considered by Council and published, further amendments may only be proposed by a Council member and shall be put on the next Council agenda for consideration.
- 3.2.4 Except when a ballot is secret as provided in Article 46, any Full Member and any member of Council may request within twenty-eight days of the publication of the Council Minutes that a list of the names be published of Council Members who voted and how they voted on an issue specified in the request. That list shall be published by the Chief Executive Officer within fourteen days of the request being made and shall be attached to the minute dealing with the issue concerned.
- 3.3 Rules of Debate
  - 3.3.1 Motions shall be proposed to the Council based on the submissions and recommendations received. Any matter proposed to the Council shall require to be seconded. The proposer will open the debate. At the end of this introduction, there will be an opportunity for questions to clarify any doubtful points.
  - 3.3.2 Members of the Council will then be called upon to speak in turn. They shall address their remarks to the chair. Other members shall not interrupt. No member shall speak until called upon by the chair. Members, other than the proposer, will not normally be entitled to make more than one speech in each debate. There will be no fixed time limit but speeches are to be kept short.
  - 3.3.3 When all members who wish to do so have spoken, the proposer will be given a chance to reply.
  - 3.3.4 The Chairman shall state the final motion to be put to the vote.
  - 3.3.5 The matter will then be voted on. A vote by members of the Council shall be made and in the case of a tie in votes, the Chairman shall have a second or casting vote.
  - 3.3.6 Article 46 of the Constitution deals with ballots.
  - 3.3.7 Apart from minor amendments, which may be accepted at the proposer's discretion, a matter will be passed, rejected or deferred. When a matter is deferred, the Council shall determine to which Committee the matter is deferred and the timeframe for the matter to be re-presented.
- 3.4 Attendance at Council Meetings
  - 3.4.1 Committee Chairmen who cannot attend a meeting should arrange to be represented by a deputy, who shall normally be the Vice-Chairman.
  - 3.4.2 A Council Member shall notify the Chief Executive Officer if he/she is unable to attend a Council meeting and may appoint an alternate in accordance Article 54 of the Constitution.
- 3.5 Financial or other interests
  - 3.5.1 In a debate on any matter in which a member of the Council has a personal vested interest, whether financial or otherwise, the member shall advise the Chairman of that fact, and of the exact nature of the interest, if practicable in advance of the Council meeting, or otherwise at the earliest reasonable opportunity in the course of the debate. Notification of the reasons of the said interest shall be reported to the Council unless there are compelling grounds why such reasons should remain confidential. According to the

exact nature of the interest, the Chairman or Council may require the member concerned to leave the meeting for the whole or part of the debate. The Chairman may require the member to abstain from voting. The declaration and any decision by the Chairman shall be minuted.

3.6 Indemnity

3.6.1 The ISAF will maintain a professional indemnity insurance policy to cover members of its Council when acting in an official capacity.

3.7 General

3.7.1 In the event that these rules of procedure do not cover a particular situation or interpretation, the Chairman shall refer to general rules of procedure currently used in England.

## PART II – Committees, Commission and Advisory Boards

### 4. ELECTION OF PRESIDENT AND VICE-PRESIDENTS

4.1 When there are more candidates for election as President or as Vice-Presidents than there are places available, members of the General Assembly shall be provided with ballot papers listing alphabetically the names of all candidates nominated in accordance with Article 74 and certified to be eligible by the Election Committee in accordance with Article 76(a).

4.2 Election of the office of President

- (a) In an election for the office of President, a candidate must be elected by more than 50% of the votes and, if there are more than two candidates or a tie vote between two candidates, successive ballots may be necessary:
  - (i) the first ballot shall be taken and the members shall be directed to vote for one candidate only. The ballots shall be counted and the candidate with over 50% of the votes shall be declared the elected;
  - (ii) if no candidate receives more than 50% of the votes then a runoff vote will be held between the top two candidates. In the event there is a tie vote between the candidates in the second position, the runoff vote will be between the first candidate and those tied for second place;
  - (iii) in the runoff election, the candidate receiving more than 50% of the votes shall be declared the winner. If no candidate receives more than 50% of the vote, subsequent runoff elections will be held dropping out the person with the least number of votes until a candidate receiving more than 50% of the vote is declared elected.
- (b) A ballot marked for more than one candidate shall be treated as an invalid ballot.

4.3 Election for Vice-Presidents

- ~~(a) In an election for Vice Presidents, a candidate must be elected by more than 50% of the votes and, as there are seven offices to be filled, successive ballots shall be necessary:~~
  - ~~(i) the first ballot shall be taken and the members shall be directed to vote for one candidate only. The ballots shall be counted and the candidate with over 50% of the votes shall be declared elected;~~
  - ~~(ii) if no candidate received more than 50% of the votes then a run-off vote will be held between the top two candidates. In the event there is a tie vote between the candidates in the second position, the runoff vote will include all of them;~~

- ~~(iii) in the runoff election, the candidate receiving more than 50% of the votes shall be declared the winner. If no candidate receives more than 50% of the vote, subsequent runoff elections will be held dropping out the person with the least number of votes until a candidate receiving more than 50% of the vote is declared elected.~~
- ~~(b) Successive ballots shall be taken with the names of already elected candidates deleted or crossed out from the ballot. In each case the members shall be directed to vote for one candidate only. In each case the ballots shall be counted and the candidate with more than 50% of the votes shall be declared elected. If a candidate receives less than 50% of the vote then runoff elections shall be held according to 4.3(a)(ii) and (iii).~~
- ~~(c) If, after five Vice Presidents have been elected and:~~
  - ~~(i) there is not a woman elected as a Vice President, the remaining men who are candidates shall become ineligible and a sixth and seventh ballot shall be taken among the women candidates only;~~
  - ~~(ii) there has been at least one woman elected, the sixth ballot shall be taken with all the remaining unelected candidates eligible for the ballot;~~
  - ~~(iii) there having been two women elected, the seventh ballot shall be taken with all remaining unelected candidates eligible for the ballot.~~
  - ~~(iv) in the event that no woman candidate has been nominated or no woman is willing to stand for election, the Council shall appoint two women as Vice Presidents and no further ballots shall be taken.~~
- ~~(d) A ballot marked for more than one candidate shall be treated as an invalid ballot.~~
- (a) At least two Vice-Presidents of each gender shall be elected. However if there are fewer than two candidates of one gender, the number of Vice-Presidents of the other gender shall be increased accordingly.
- (b) The ballot paper for the election of Vice-Presidents shall list all candidates and shall identify male and female candidates.
- (c) Members of the General Assembly shall vote in one ballot for their preferred seven candidates.  
To be valid, a completed ballot paper shall have seven votes, including votes for at least two candidates of each gender. This requirement will be varied in accordance with Regulation 4.3(a) if there are fewer than two candidates of a gender
- (d) Counting the votes  
Within candidates of the same gender, the two candidates receiving the most votes shall be elected (Stage 1). The remaining three Vice-Presidents shall be elected from all the candidates on the basis of total votes received (Stage 2). If there are fewer than two candidates of a gender, the number of candidates to be elected at Stage 1 shall be reduced accordingly and Stage 2 increased accordingly.
- (e) Breaking Ties:
  - (i) When there is a tie that needs to be broken, a separate run-off ballot shall 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 shall be held between those who are still tied.
  - (ii) When all candidates remain tied after a run-off ballot, a toss of a coin (or other game of chance) shall be used to break the tie.

4.4 All voting shall be by secret ballot.

## 5. APPOINTMENT OF COMMITTEE MEMBERS

5.1 Nominations

- (a) Except in the case of the Audit Committee, nominations of candidates for membership of Committees and Sub-committees may be made by Member National Authorities.
- (b) The Audit Committee shall be appointed by the Executive Committee but no employee of ISAF or its subsidiary and associated companies shall be appointed. In making the appointment the Executive Committee will take into account the need for experience in matters of finance and/or investment.
- (c) Nominations for the Disabled Sailing Committee (IFDS) may only be made by Member disabled sailing programmes National Authorities, who, in the assessment of that Committee, have.

5.1.1 In addition to provide for special representation required for organizations of sailors which are not directly represented through the process set out in Regulation 5.1 or for required specialty knowledge the following additional nominations may be made:

- (a) ISAF Classes Committee
  - (i) An ICA Member may appoint one member to the ISAF Classes Committee. The ICA Members which have specific fleets for disabled sailing may appoint a second member to the ISAF Classes committee to represent the interests of disabled sailing. The names of these members shall be advised to the ISAF Secretariat in writing not less than fourteen days prior to any meeting of the ISAF Classes Committee. There shall be only one vote per class association so represented.
  - (ii) The Chairman and Vice-Chairman of the ISAF Classes Committee shall be elected by the ISAF Classes Committee at the meeting held during the session of an ordinary meeting of the General Assembly or at any other time should a vacancy arise.
  - (iii) The Women referred to in Article 36.1(g) may select a women's representative for membership of the ISAF Classes Committee. The woman selected for this position shall be drawn from the women referred to in Article 36.1(g).
  - (iv) The ISAF Classes Committee may nominate candidates for membership of the Equipment, Events, Equipment Control, International Measurers Sub-committee, Class Rules Sub-committee and Windsurfing and kiteboarding Committees.
- (b) Race Officials Committee
 

The Chairman of the Race Officials Committee may nominate candidates for membership in the Race Officials Committee and the International Judges, International Umpires, Race Management and International Measurers Sub-committees.
- (c) Regional Games Committee
  - (i) Membership of the Regional Games Committee shall represent Regional Games organizations and specific geographic regions where Regional Games are likely to occur as defined from time to time by the Executive Committee.
  - (ii) The Member National Authorities represented as defined according to Regulation 5.1.1(c)(i) may collectively nominate candidates for membership in the Regional Games Committee, however only one nominee for each Regional Games Organization or Regional Organization may be recommended by the Executive Committee to the Council as provided by Regulation 5.2.1. The Member National Authorities from a particular Regional

Games Organization or regional organization shall agree on their representative to be nominated. The process of such nomination is to be decided by the collective Member National Authority members of the particular organization.

- (iii) Member National Authorities who are members of more than one Regional Games Organization or such regional organization as defined according to Regulation 5.1.1(c)(i) may participate in the selection of candidates in any of the organizations of which they are a member.
- (iv) The foregoing provisions do not prevent additional members being nominated for the Regional Games Committee by the process in Regulation 5.1.

### **Nomination Process**

- 5.1.2 All individuals nominated to an ISAF committee must sign, prior to their nomination being accepted, the following 'release waiver' as set out in on the 'Committee Nomination Form':

*"In consideration of my appointment or election to the Executive Committee, Council or any ISAF committee, sub-committee, commission or working party (collectively, 'ISAF committee'), and the payment of £1.00, the receipt and sufficiency of which is hereby acknowledged, I assign and release to the International Sailing Federation (IOM) Ltd any copyright or other rights I may have in Rules, Regulations, Class Rules, manuals, publications, or derivatives of any of these, to which I have contributed in my capacity as a member of an ISAF committee."*

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

- 5.1.3 By signing the 'Committee Nomination Form' individuals also accept that the Federation may store their personal data electronically for use by the International Sailing Federation (IOM) Ltd and its subsidiaries.
- 5.1.4 All individuals nominated to an ISAF Committee must be able to communicate using e-mail.
- 5.1.5 All nominations for membership of Committees shall be received by the Chief Executive Officer not later than 1200 hours UTC 1 August in the year of the General Assembly save that nominations from the ISAF Classes Committee shall be received not later than the day before an Ordinary Meeting of the General Assembly.
- 5.1.6 A Member National Authority may nominate an individual who is neither a national nor resident of the nominating country, but before doing so shall obtain the consent of the individual's Member National Authority.
- 5.1.7 Nominating Member National Authorities must pay all the respective travel/accommodation cost for the Committee Member to attend ISAF Meetings or, as may be arranged between the Member National Authority and the delegate.

### **Appointment Process**

- 5.2 The Executive Committee shall, four days before a General Assembly, publish a list of all those nominated for appointment as members of committees.
- 5.2.1 The Executive Committee shall, subject to any specific provisions in the Regulations relating to a particular committee and so far as is practicable, follow the following guidelines:
  - (a) first consideration should be given to persons for their expertise rather than geographical location;

- (b) preference shall be given to those nominations from Member National Authorities whose nominations, taken together with other nominations from their Council group, include at least 25% of each gender;
- (c) not less than 25% of the members of each committee should be drawn from each gender;
- (d) not less than 20% of the chairmen and vice-chairmen of all committees should be drawn from each gender;
- (e) not more than two persons from any one Member National Authority should be included on any committee;
- (f) there should not be a set number of members of any committee, but ordinarily each committee shall not exceed eighteen (including any ex officio members);
- (g) there should not be a maximum period of time for any individual to sit on a particular committee; and
- (h) consideration should be given to the relevant sailing experience of nominees.

5.2.2 Following the General Assembly, the committees shall be appointed in the following manner:

- (a) within 60 days of the General Assembly, the new Executive Committee shall publish the proposed members of the committees (including the chairman and vice-chairman of each committee) and that list shall be circulated to Council;
- (b) within 10 days of the circulation of the list to Council, any member of Council may propose an addition or deletion to the list provided that:
  - (i) any proposed name to be added must have been originally nominated in accordance with Regulation 5.1;
  - (ii) any proposal must be in writing and be received by the Chief Executive Officer within the 10 day period;
  - (iii) the proposal must be supported by at least two other Council members from two other Council groups;
- (c) following the deadline for the receipt of amendments, the Council shall vote on whether or not to approve the Executive Committee's nominations and any amendments proposed;
- (d) if the Council rejects the nominations of the Executive Committee, the Executive Committee shall submit a revised list within 14 days and the process above shall be repeated; and
- (e) if by the first day of February following the General Assembly (or such later date determined by the President) the Council has not approved or rejected the list, the list shall be deemed approved by the Council.

5.2.3 Re-nominations, taken from those names nominated in due time under Regulation 5.1, 5.1.1 and 5.1.5 may be made by members of the Council in writing at least 30 hours before commencement of the General Assembly.

5.2.4 The New Executive Committee formed by the election of officers at the General Assembly shall, having considered any re-nominations, put its recommendations for the appointment of Chairmen, Vice-Chairmen and members of committees to the new Council within 60 days of the General Assembly. The ISAF Council via email vote shall confirm the recommendations.

5.2.5 The new Council may delete names from or add names to the list, provided that the names added had been nominated in accordance with Regulations 5.1, 5.1.1 and 5.1.5.

### ***Vacancies in Committee Membership***

- 5.3 A vacancy in a committee or sub-committee caused by resignation, lengthy inability to attend, incapacity or death may be filled at any Council meeting. The notification of the Chief Executive Officer referred to in Article 54 may be made at any time up to six weeks before the start of the next Council meeting.
- 5.3.1 The Chief Executive Officer shall prepare a list of those duly nominated to that committee or sub-committee at the last General Assembly, who are still willing to serve. The Chief Executive Officer shall provide that list to the Executive Committee and to Council. The Executive Committee shall choose from it a suitable nominee to fill each vacancy using the criteria listed in Regulation 5.2.2 and shall recommend the names of such candidates to Council.
- 5.3.2 The Council may approve the candidate or candidates submitted to fill the vacancy or may substitute the names of other nominees on the list

### ***Responsibility of Committee Members***

- 5.4 Under Article 5.1, once appointed, a committee member becomes automatically an 'ISAF Member' and therefore a member of the Federation. The obligations of Articles 6 to 9 therefore apply. Committee members will also understand that he or she has been appointed in a voluntary capacity.
- 5.4.1 Any work undertaken in his or her capacity as a committee member shall belong to the Federation in accordance with Regulation 5.1.2.
- 5.4.2 A committee member will respect and keep confidential any information which he or she receives as a result of being a member of the Federation, at least until that information becomes public.
- 5.4.3 Any input by a committee member to the work of the Federation should be offered in the interests of the sport worldwide and, therefore, not nationally biased.
- 5.4.4 A committee member is expected to be at all properly scheduled meetings. Should two or more consecutive meeting be missed, the Executive Committee will review his or her membership.
- 5.4.5 A committee member is responsible for his or her own medical/travel insurance.
- 5.4.6 A committee member's appointment will be withdrawn if he or she is no longer a member of his/her respective Member National Authority, or a constituent member of a Member National Authority.
- 5.4.7 When it is brought to the attention of the Executive Committee that a committee chairman or vice-chairman is not fulfilling his or her obligations as chairman or vice-chairman the Executive Committee may make a recommendation to Council.

### ***Sub-committees and Working Parties***

- 5.5 A Committee may have one or more sub-committees appointed in accordance with Regulations 5.1, 5.1.1, 5.1.5 and Article 42.
- 5.5.1 Working parties
- (a) A Committee may appoint working parties to deal with particular subjects.
  - (b) The appointing committee shall assign members of the committee to the working party, but may include any other person where it needs specific expertise.
  - (c) Council may appoint a joint working party from two or more committees with the consent of the Chairmen of those Committees.
  - (d) The appointing Committee shall select the working party for a set project or period. Unless dismissed earlier, membership of working parties automatically finishes in line with the term of appointment of the appointing committee.
  - (e) Working parties shall work under a standard terms of reference as follows:

- (i) members of the working party may work by e-mail;
- (ii) where meetings are necessary, working parties will use the offices of the ISAF Secretariat;
- (iii) at the first meeting of the appointing committee after the working party's appointment, the members will present a defined set of objectives for their work; and
- (iv) the working party will present a record of its work at each subsequent meeting of the appointing committee.

5.5.2 Sub-committee and working parties shall not be entitled to financial or extra-ordinary assistance from the Secretariat without prior approval by the Executive Committee.

### ***Committee Terms of Office***

5.6 The ordinary term of office for a committee member shall be 4 years from 1 February following the last ordinary General Assembly.

## **6 COMMITTEES**

### **Audit Committee**

6.1 Audit Committee

#### ***Constituting the committee***

6.1.1 The Audit Committee shall consist of at least four members who shall include:

- (a) a Chairman who shall be a person with skills in financial reporting and knowledge of ISAF and who shall not be a member of the Executive Committee;
- (b) one Vice President; and
- (c) one other member who may be a member of Council but not a member of the Executive Committee.

6.1.2 The Committee shall meet at least twice in every year and the quorum shall be two (at least one of whom shall not be a member of the Executive Committee).

6.1.2.1 The President, the Chief Executive Officer and the external auditor shall attend meetings when invited by the Committee. Other members of the Executive Committee may be invited to attend all or part of the Committee's meetings.

6.1.2.2 The Committee shall meet with the external auditor at least once a year without the Executive Committee, the Chief Executive Officer or members of the ISAF staff present.

6.1.3 The Committee is authorized to take all such steps as it deems appropriate to:

- (a) investigate any activity of the ISAF and its subsidiaries within its responsibilities;
- (b) seek and obtain any information that it requires from any employee of the ISAF or its subsidiaries; and
- (c) obtain outside legal or other independent professional advice as it requires. Such advisors may attend meetings as the Committee considers advisable.

### ***Terms of reference***

6.1.4 Responsibilities

The responsibilities of the Committee shall be:

- (a) to ensure the financial reports of ISAF and its related entities comply with the relevant accounting standards and to be satisfied that they are true and fair;
- (b) to consider the appointment of the external auditor and assess the independence of the external auditor;

- (c) to discuss with the external auditor, the nature, scope and results of the audit;
- (d) to review the effectiveness of internal controls and their application;
- (e) to consider management's response to any major external or internal control recommendations;
- (f) to review the procedures for handling allegations from whistleblowers;
- (g) to review management's and auditor's reports on the effectiveness of systems for financial control, financial reporting and risk management; and
- (h) to consider other topics, as defined by the Council or the Executive Committee.

### 6.1.5 Reporting Procedures

- (a) The Committee shall, after each meeting, report the Committee's findings to the Executive Committee.
- (b) The Committee members shall conduct an annual review of their work and these terms of reference and make recommendations to the Council.
- (c) The Committee's duties and activities during the year shall be disclosed in the annual financial statements.
- (d) The Chairman shall attend Council meetings and the AGM and shall answer questions, through the President, on the Audit Committee's activities and their responsibilities.

## Constitution Committee

### 6.2 Constitution Committee

#### ***Constituting the committee***

- 6.2.1 The Constitution Committee has been established by the Council pursuant to Article 42.
- 6.2.2 The Constitution Committee shall consist of a Chairman, a Vice-Chairman and the number of members that shall be appointed by the Council from time to time as provided by Article 42.

#### ***Terms of reference***

### 6.2.3 The Constitution Committee shall:

- (a) review the structure, Constitution, Regulations, of the Federation and recommend such changes to the Council as may be necessary;
- (b) review the terms of reference of committees, when appropriate;
- (c) review all submissions affecting the Constitution and Regulations;
- (d) recommend the groupings of Member National Authorities and the assignment of Members to appropriate groups;
- (e) recommend the subscription categories into which each Member National Authority should fall, having regard to the active sailing and racing in the country represented by the Member National Authority and the latest Member National Authority Questionnaire issued by the Chief Executive Officer;
- (f) review items on the agendas of the Council and General Assembly dealing with political matters;
- (g) advise, in conjunction with counsel for the Federation, the President and the Council in the event of a proceedings under Article 14 of the Constitution;
- (h) provide liaison with any committees or working parties dealing with matters affecting the Constitution and Regulations;

- (i) be the sole body responsible for interpreting the Constitution and Regulations of the ISAF and ensure that the ISAF operates consistently within its Constitution and Regulations.

## Development and Youth Committee

### 6.3 Development and Youth Committee

#### ***Constituting the committee***

- 6.3.1 The Development and Youth Committee has been established by the Council pursuant to Article 42.
- 6.3.2 The Development and Youth Committee shall consist of a Chairman, a Vice-Chairman and the number of members that shall be appointed by the Council from time to time as provided by Article 42.

#### ***Terms of reference***

- 6.3.3 The Development and Youth Committee shall:
  - (a) be responsible for the appointment and removal of \*ISAF nominated experts to run ISAF technical courses for coaches;
  - (b) recommend to the Council the ISAF Development Plan, agree priorities and monitor progress;
  - (c) recommend to the Council strategic development issues, budget requirements and policy;
  - (d) ensure that the ISAF Development Plan is consistent with the ISAF Strategic Plan;
  - (e) ensure that the ISAF Development Plan and other Committee activities are focused on achieving the stated objectives of the Committee; and
  - (f) consult with other ISAF Committees and other organisations on issues relevant to Development.

\*The list of ISAF nominated experts can be found in the Training and Development section of the Yearbook.

## Disabled Sailing Committee (IFDS)

### 6.4 Disabled Sailing Committee (IFDS)

- 6.4.1 The Disabled Sailing Committee (IFDS) has been established by Council pursuant to Article 42.
- 6.4.2 The Disabled Sailing Committee (IFDS) shall consist of a Chairman, a Vice-Chairman and not more than eight members that shall be appointed by Council from time to time.
- 6.4.3 Regulation 5.1(c) applies to the nomination of members of the Committee.
- 6.4.4 Until 1 February 2017 and notwithstanding Regulation 5, the chairman and members of the Disabled Sailing Committee (IFDS) shall be the IFDS President and members of the IFDS Executive Committee respectively (as they were at the time of the adoption of this Regulation 6.4.4). This Regulation will cease to apply on 1 February 2017.

#### ***Terms of reference***

- 6.4.5 The Disabled Sailing Committee (IFDS) shall:
  - (a) be responsible for the Paralympic Sailing Programme including events and equipment selection;
  - (b) be responsible for IFDS World Championships;
  - (c) develop and monitor the ISAF Disabled Sailor Ranking System;

- (d) provide one of its members to be a representative on the International Paralympic Committee;
- (e) monitor the activities of Paralympic sailors and assist ISAF and its committees in the administration of the disabled sailor classification programme, classifier instruction and evaluation, and to recommendations to the Race Officials Committee on the appointment and administration of International Classifiers;
- (f) promote, assess and support programmes for disabled sailing run by MNA's;
- (g) decide the criteria for and advise upon the development of equipment, aids and adaptations for disabled and Paralympic format sailing;
- (h) liaise with the IFDS Trust;
- (i) liaise with all other relevant ISAF committees as necessary or appropriate to ensure consistency across ISAF processes and activities with disabled sailing and
- (j) appoint the Disabled Sailing Committee (IFDS) representatives to the Equipment Committee and the Equipment Control Sub-committee.

## Equipment Committee and Sub-committees

### 6.45 Equipment Committee

#### ***Constituting the committee***

6.45.1 The Equipment Committee has been established by the Council pursuant to Article 42.

6.45 The Equipment Committee shall consist of:

- (a) a Chairman, a Vice-Chairman and the number of members that shall be appointed by the Council from time to time as provided by Article 42.  
  
In appointing committee members the following experience and competencies shall be properly represented: centreboard boats, keelboats, multihulls, offshore, windsurfing and kiteboarding;
- (b) In addition, specialist expertise will be represented as follows:
  - (i) a representative of the Equipment Control Committee – normally the Chairman;
  - (ii) a representative of the Class Rules Committee – normally the Chairman;
  - (iii) a representative of the Special Regulations Committee – normally the Chairman;
  - (iv) a representative of the Oceanic and Offshore Committee;
  - (v) a representative of the Windsurfing and Kiteboarding Committee;
  - (vi) a representative of the ISAF Classes Committee;
  - (vii) a representative of the Racing Rules Committee.
  - (viii) a representative of the Disabled Sailing Committee (IFDS).

6.45.3 The Chairman of the Equipment Committee may, for the purposes of liaison, appoint himself/herself or another member of the committee as an ex-officio, non-voting member of the Race Officials Committee.

#### ***Terms of reference***

6.45.4 The Equipment Committee shall:

- (a) be responsible for recommending to the Council planning and policy recommendations on equipment matters;

- (b) consider submissions on equipment matters and make recommendations thereon to the Council;
- (c) be responsible for recommending equipment policy with regard to the Olympic Sailing Competition and: at ISAF Events, conducting equipment trials or other evaluation, and making recommendations to Council on any change or evolution of Olympic Equipment, in accordance with the strategy and timescales in Regulation 23;
- (d) review applications by classes for ISAF Status and make recommendations thereon to the Council;
- (e) maintain a liaison with and be responsible for the supervision of the constitutions of ISAF Classes and to develop the concept of these classes to help them promote world sailing;
- (f) periodically review the ISAF Classes and make recommendations where thought appropriate for the withdrawal of ISAF status;
- (g) liaise with other ISAF committees on matters affecting equipment.

## 6.45.5 Class Rules Sub-committee

### ***Constituting the committee***

6.45.5.1 The Class Rules Sub-committee has been established as a Sub-committee of the Equipment Committee by the Council pursuant to Article 42.

In appointing committee members the following experience and competencies shall be properly represented: centreboard boats, keelboats, multihulls, offshore and windsurfing.

6.45.5.2 The Class Rules Sub-committee shall consist of:

- (a) a Chairman, a Vice-Chairman and the number of members that shall be appointed by the Council from time to time as provided by Article 42.
- (b) In addition, specialist expertise will be represented as follows:
  - (i) a representative of the Equipment Control Committee;
  - (ii) a representative of the Special Regulations;
  - (iii) a representative of the ISAF Classes Committee;
  - (iv) a representative of the Oceanic and Offshore Committee;
  - (v) a representative of the Racing Rules Committee.

### ***Terms of reference***

6.45.5.3 The Class Rules Sub-committee shall:

- (a) establish, maintain and publish the policies for the approval process of proposed class rules changes referred to in Regulation 10.11.4;
- (b) review class rules change applications referred to it in accordance with Regulation 10.11.5;
- (c) monitor and advise the process reviewing the format and content of class rules of classes applying for ISAF Status;
- (d) keep under review and, where appropriate, recommend changes to class rules to Class Associations;
- (e) give interpretations of class rules of ISAF Classes in accordance with Regulation 10.12; and
- (f) liaise with the Equipment Committee, the Equipment Control Committee, the Special Regulations Committee and other Committees on matters affecting class rules.

6.45.6 Equipment Control Sub-committee

***Constituting the committee***

6.45.6.1 The Equipment Control Sub-committee has been established as a Sub-committee of the Equipment Committee by the Council pursuant to Article 42.

6.45.6.2 The Equipment Control Sub-committee shall consist of:

- (a) a Chairman, a Vice-Chairman and the number of members that shall be appointed by the Council from time to time as provided by Article 42.
- (b) In addition, specialist expertise will be represented as follows:
  - (i) a representative of the Class Rules Committee;
  - (ii) a representative of the Special Regulations Committee;
  - (iii) a representative of the Windsurfing and Kiteboarding Committee;
  - (iv) a representative of the Oceanic and Offshore Committee;
  - (v) a representative of the ISAF Classes Committee;
  - (vi) a representative of the Racing Rules Committee;
  - (vii) a representative of the International Measurers Sub-committee;
  - (viii) a representative of the Disabled Sailing Committee (IFDS).

6.45.6.3 The Chairman of the Equipment Control Sub-committee may, for the purposes of liaison, appoint himself/herself or another member of the committee as an ex-officio, non-voting member of the International Measurers Sub-committee.

6.45.6.4 The Chairman of the Equipment Control Sub-committee shall appoint the members and chairman of the ERS Working Party.

***Terms of reference***

6.45.6.5 The Equipment Control Sub-committee shall:

- (a) formulate, revise and publish the Equipment Rules of Sailing (ERS) every four years after approval by the Council, in accordance with Regulations 29.1 and 29.2;
- (b) approve and publish interpretations of the ERS submitted in accordance with Regulation 29.3;
- (c) ensure uniformity of rules for equipment control for all ISAF classes recommending in particular:
  - (i) uniform certification control procedures and methods;
  - (i) uniform format and working of class rules;
- (d) keep under constant review:
  - (i) the ISAF Guide to Equipment Control;
  - (ii) the ISAF Standard Class Rules;
- (e) work for improvement of the standard of certification control in the ISAF Member National Authorities particularly through:
  - (i) arranging equipment control courses and symposia;
  - (ii) developing and maintaining the ISAF In-house Certification system;
- (f) keep building processes under review and through inspection of licensed builder's premises maintain standards of construction;
- (g) liaise with relevant ISAF committees in all matters affecting equipment control.

*Equipment Rules of Sailing Administration: See Section 2, Regulation 29*

## **Events Committee and Sub-committees**

### **6.56 Events Committee**

#### ***Constituting the committee***

6.56.1 The Events Committee has been established by the Council pursuant to Article 42.

6.56.2 The Events Committee shall consist of a Chairman, a Vice-Chairman and the number of members that shall be appointed by the Council from time to time as provided by Article 42.

#### ***Terms of reference***

6.56.3 The Events Committee shall:

- (a) every four years, at the meeting immediately after the Olympic Games, provide to Council a review of the Olympic Sailing Competition, and identify possible opportunities for change to ISAF's Olympic strategy, or to Olympic Sailing Events or Equipment;
- (b) recommend to Council any change to Olympic Events, and any change or evolution of Olympic Equipment, in accordance with the strategy and timescales in Regulation 23.1
- (c) in conjunction with the President and Chief Executive Officer of ISAF recommend to Council the format of courses to be sailed at the Olympic Sailing Competition;
- (d) recommend to Council the policy (and implementing actions) to be used in ISAF events and other major international events, including the Olympic Qualification system and events;
- (e) recommend to Council the policy (and implementing actions) to be used concerning the ISAF Calendar and World Sailing Ranking Lists;
- (f) in matters concerning Equipment, Olympic or otherwise, liaise with the Equipment Committee.

### **6.56.4 Sail Rankings Sub-committee**

#### ***Constituting the committee***

6.56.4.1 The Sail Rankings Sub-committee has been established as a Sub-committee of the Events Committee by the Council pursuant to Article 42.

6.56.4.2 The Sail Rankings Sub-committee shall consist of a Chairman and the number of members that shall be appointed by the Council from time to time as provided by Article 42.

#### ***Terms of reference***

6.56.4.3 The Sail Rankings Sub-committee shall:

- (a) monitor and develop World Sailing Ranking System;
- (b) make recommendations to the Events Committee on how to administer and control the World Sailing Rankings;
- (c) make recommendations to the Events Committee on how to promote the World Sailing Rankings;
- (d) decide on the grading of events for the World Sailing Rankings.
- (e) through the Chief Executive Officer, maintain a close liaison with sailors, organizers, Olympic Classes and Member National Authorities concerning World Sailing Ranking issues.

6.56.5 Team Racing Sub-committee

***Constituting the committee***

6.56.5.1 The Team Racing Sub-committee has been established as a Sub-committee of the Events Committee by the Council pursuant to Article 42.

6.56.5.2 The Team Racing Sub-committee shall consist of a Chairman and the number of members that shall be appointed by the Council from time to time as provided by Article 42.

***Terms of reference***

6.56.5.3 The Team Racing Sub-committee shall:

- (a) be responsible for the planning and approval for the conduct of the ISAF Team Racing World Championship;
- (b) review and maintain the conditions and requirements for the selection of countries and venues to host the ISAF Team Racing World Championship;
- (c) liaise with the Chief Executive Officer on matters regarding finance, sponsorship and the contractual arrangements with the host MNA, organizers and suppliers of equipment
- (d) be responsible for developing and implementing strategies concerning the equipment to be used in the ISAF Team Racing World Championship;
- (e) be responsible for promoting the ISAF Team Racing World Championship as the premier Team Racing event in order to encourage as many worldwide countries as possible to participate;
- (f) keep under constant review the Championship Guidelines and other relevant information to maintain and improve the quality and standards of the ISAF Team Racing World Championship;
- (g) make recommendations to the Events Committee on the promotion and co-ordination of team race sailing throughout the world; and
- (h) monitor and develop all technical aspects of team race sailing organization in conjunction with relevant ISAF Committees and make any necessary recommendations to the Events Committee.

6.56.5.4 Team Racing Definition:

Team Racing is a discipline of sailing. Team Racing and Team Sailing have the same meaning. A team race consists of two or more boats sailing as a team against the same number of boats from an opposing team. The boats used by the competitors are of the same class and should be equalized to the highest possible standard.

6.56.6 Youth World Championship Sub-committee

***Constituting the committee***

6.56.6.1 The Youth World Championship Sub-committee has been established as a Sub-committee of the Events Committee by the Council pursuant to Article 42.

6.56.6.2 The Youth World Championship Sub-committee shall consist of a Chairman and the number of members that shall be appointed by the Council from time to time as provided by Article 42.

***Terms of reference***

6.56.6.3 The Youth World Championship Sub-committee shall:

- (a) be responsible for the planning and approval for the arrangements of the ISAF Youth Sailing World Championship (YSWC) each year;

- (b) review and maintain the conditions and requirements for the selection of countries and venues to host the ISAF Youth Sailing World Championship;
- (c) liaise with the Chief Executive Officer on matters regarding finance, sponsorship and the contractual arrangements with the host MNA, organizers and suppliers of equipment;
- (d) be responsible for developing and implementing strategies concerning the equipment to be used in the ISAF Youth Sailing World Championship;
- (e) be responsible for promoting the ISAF Youth Sailing World Championship as the premier Youth Sailing Event in order to encourage as many countries as possible to participate; and
- (f) keep under constant review the Championship Guidelines and other relevant information to maintain and improve the quality and standards of the ISAF Youth Sailing World Championship.

## ISAF Classes Committee and Sub-committee

### 6.67 ISAF Classes Committee

#### ***Constituting the committee***

- 6.67.1 The ISAF Classes Committee has been established by the Council pursuant to Article 42.
- 6.67.2 The ISAF Classes Committee shall consist of a Chairman, a Vice-Chairman and one member that shall be appointed by each of the ISAF Classes from time to time.

#### ***Terms of reference***

- 6.67.3 The ISAF Classes Committee shall:
  - (a) maintain a close liaison with all ISAF Classes and sailors;
  - (b) promote the welfare and growth of ISAF Classes;
  - (c) debate issues, excluding class rule matters, from ISAF class associations and make recommendations thereon;
  - (d) debate other matters that may be relevant to ISAF Classes' interests;
  - (e) review all relevant agenda items and comment to appropriate committees of the Council;
  - (f) propose members to the Equipment Committee, Events Committee, Equipment Control Sub-committee, Class Rules Sub-committee, International Measurers Sub-committee, Windsurfing and Kiteboarding Committee. *The member proposed to the Events Committee shall be a representative from an Olympic class.*

### 6.67.4 Olympic Classes Sub-committee

#### ***Constituting the committee***

- 6.67.4.1 The Olympic Classes Sub-committee has been established as a Sub-committee of the ISAF Classes Committee by the Council pursuant to Article 42.
- 6.67.4.2 The Olympic Classes Sub-committee shall consist of members appointed from time to time by the Classes selected as equipment for the next Olympic Sailing Competition. Each class may appoint one member. The Chairman and Vice-Chairman shall be selected from the members by the Sub-committee.

- 6.67.4.3 *The Olympic Classes Sub-committee shall be entitled to make recommendations directly to Council on matters which relate primarily to Olympic classes, and not to other classes.*

#### ***Terms of reference***

6.67.4.3 The Olympic Classes Sub-committee shall:

- (a) maintain a close liaison with the Olympic Classes and it's sailors;
- (b) promote the welfare and growth of the Olympic Classes;
- (c) debate issues, other than class rules, raised by the Olympic Classes and make recommendations thereon to the ISAF Classes Committee;
- (d) debate other matters that may be relevant to the Olympic Classes' interests;
- (e) review all relevant agenda items and comment to appropriate committees of the Council.

### **Match Racing Committee and Sub-committee**

6.78 Match Racing Committee

#### ***Constituting the committee***

6.78.1 The Match Racing Committee has been established by the Council pursuant to Article 42.

6.78.2 The Match Racing Committee shall consist of a Chairman, a Vice-Chairman and the number of members that shall be appointed by the Council from time to time as provided by Article 42.

#### ***Terms of reference***

6.78.3 The Match Racing Committee shall:

- (a) Promote and co-ordinate match racing throughout the world;
- (b) be responsible for planning, promoting and approving the arrangement for the World Championships of Match Racing and the ISAF Nations Cup and, in liaison with the World Match Racing Tour Advisory Committee, the World Match Racing Tour;
- (c) With the recommendation of the Match Race Rankings Sub-committee administer, promote and control the World Match Race Ranking System;
- (d) monitor and develop all technical aspects of match racing organization in conjunction with relevant ISAF Committees.
- (e) Liaise with the Events Committee regarding Olympic Match Racing;
- (f) Through its Match Racing Rankings Sub-Committee and the Chief Executive Officer maintain a close liaison with sailors, organizers, classes and Member National Authorities concerning World Match Race Rankings and Qualification issues.

6.78.4 Match Race Rankings Sub-committee

#### ***Constituting the committee***

6.78.4.1 The Match Race Rankings Sub-committee has been established as a Sub-committee of the Match Racing Committee by the Council pursuant to Article 42.

6.78.4.2 The Match Race Rankings Sub-committee shall consist of a Chairman and the number of members that shall be appointed by the Council from time to time as provided by Article 42.

#### ***Terms of reference***

6.78.4.3 The Match Race Rankings Sub-committee shall:

- (a) monitor and develop the Match Race Ranking System;
- (b) make recommendations to the Match Racing Committee on how to administer and control the Match Race Rankings;

- (c) make recommendations to the Match Racing Committee on how to promote the Match Race Rankings;
- (d) decide on the grading of events for the Match Race Rankings.
- (e) through the Chief Executive Officer, maintain a close liaison with sailors, organizers and Member National Authorities concerning World Match Race Ranking issues.

## **Oceanic and Offshore Committee and Sub-committee**

### **6.89 Oceanic and Offshore Committee**

#### ***Constituting the committee***

- 6.89.1 The Oceanic and Offshore Committee has been established by the Council pursuant to Article 42.
- 6.89.2 The Oceanic and Offshore Committee shall consist of a Chairman, a Vice-Chairman, the Chairmen of its sub-committees and not more than 14 other members that shall be appointed by the Council from time to time as provided by Article 42. Members shall have expertise in Oceanic or Offshore racing, and shall have relevant experience and current involvement in such racing or its administration. The Chairmen of the International Regulations and Sailor Classification Commissions shall also be members of the committee.
- 6.89.3 The Committee shall have the following Sub-committees, namely the Special Regulations and Empirical Handicap.
- 6.89.4 The Chairman of the Committee shall appoint a group of the committee's members to work with the secretariat as the Oceanic Panel.
- 6.89.5 The Chairman shall appoint the members of groups or working parties to liaise with Offshore Classes, rating systems and cruising groups and clubs.

#### ***Terms of Reference***

- 6.89.6 The Committee shall:
  - (a) be responsible to Council for planning and policy recommendations on Oceanic and Offshore matters.
  - (b) promote Oceanic and Offshore racing and cruising throughout the world.
  - (c) monitor safety experience in Oceanic and Offshore racing and cruising.
  - (d) on behalf of the Council adopt and publish the ISAF Special Regulations.
  - (e) set criteria for designation as International or Recognised Rating Systems and Offshore Classes, review applications and make recommendations on them to Council. Promote dual-purpose cruiser/racer boats in competition.
  - (f) promote and maintain a calendar of Oceanic and Offshore Events and races within the overall ISAF Calendar, and assist organisers to achieve an orderly schedule.
  - (g) monitor the activities of all elements of Oceanic and Offshore Racing, conducted in one design or level rating classes of boats, as well as under handicap or rating systems, and report to Council making any appropriate recommendations.

### **6.89.7 Empirical Handicap Sub-committee**

#### ***Constituting the committee***

- 6.89.7.1 The Empirical Handicap Sub-committee has been established as a Sub-committee of the Oceanic and Offshore Committee by the Council pursuant to Article 42.
- 6.89.7.2 The Empirical Handicap Sub-committee shall consist of a Chairman and the number of members that shall be appointed by the Council from time to time as provided by Article 42.

**Terms of reference**

6.99.7.3 The Empirical Handicap Sub-committee shall:

- (a) encourage research and development in the application of empirical methods for performance handicapping of sailboats and monitor the use of such methods;
- (b) develop and promote standard parameters and notations for boat descriptions to facilitate global exchange of boat data between empirical handicapping systems;
- (c) establish and promote criteria for best practices for empirical handicapping systems based on liaison with administrators of such systems worldwide;
- (d) maintain liaison with Member National Authorities and relevant ISAF committees and sub-committees.

6.99.8 Special Regulations Sub-committee

**Constituting the committee**

6.99.8.1 The Special Regulations Sub-committee has been established as a Sub-committee of the Oceanic and Offshore Committee by the Council pursuant to Article 42.

6.99.8.2 The Special Regulations Sub-committee shall comprise as follows:

- (a) Chairman and not more than eight members that shall be appointed by the Council from time to time as provided by Article 42; and
- (b) a representative of the Offshore Racing Congress.

**Terms of reference**

6.99.8.3 The Special Regulations Sub-committee shall:

- (a) be responsible for the maintenance, revision and changes to the ISAF Offshore Special Regulations governing offshore racing, under licence from ORC Ltd. Such changes be biennial with revised editions published in January of each even year, except that matters of an urgent nature affecting safety may be dealt with by changes to the Regulations on a shorter time scale;
- (b) monitor developments in offshore racing relative to the standards of safety and seaworthiness.

**Race Officials Committee and Sub-committees**

6.910 Race Officials Committee

**Constituting the committee**

6.910.1 The Race Officials Committee has been established by the Council pursuant to Article 42.

6.910.2 The Race Officials Committee shall consist of a Chairman, a Vice-Chairman, the Chairmen of its Sub-committees and the number of other members that shall be appointed by the Council from time to time as provided by Article 42.

6.910.3 The Race Officials Committee shall have the following Sub-committees: International Judges, International Umpires, International Measurers and Race Management Sub-committee as provided in Regulations 6.9.7, 6.9.8, 6.9.9 and 6.9.10.

6.910.4 The Chairman of the Race Officials Committee shall, together with the Chairman of the Racing Rules Committee, appoint the members of the Racing Rules Question and Answer Panel and the chairman of the panel.

6.910.5 The Chairman of the Race Officials Committee may, for the purposes of communication and cooperation, appoint himself/herself or another member of the Committee or its Sub-committees as an ex-officio, non-voting member of the Racing Rules Committee. Such appointee shall, if not already a member of the Race Officials Committee, be an ex-officio, non-voting member of that committee.

**Terms of Reference**

6.910.6 The Race Officials Committee shall:

- (a) be responsible for the education and certification of ISAF Race Officials to the highest caliber for the sport of sailing;
- ~~(b) be responsible for the education of International Judges, International Umpires, International Race Officers and International Measurers;~~
- ~~(eb)~~ maintain an oversight management of its four Sub-committees: the International Judges, the International Umpires, the Race Management and the International Measurers Sub-committee and liaise with committees responsible for any other ISAF Race Official disciplines; ~~and approve policies for the conduct and processes of race officials recommended by the Sub-committees;~~
- (c) approve policies for the conduct and processes of ISAF Race Officials recommended by the responsible committees and Sub-committees;
- (d) (working together with the Racing Rules Committee) publish on the ISAF website the ISAF Racing Rules Questions and Answers;
- (e) develop a relationship with organizations that have resources and ISAF Associations and make recommendations to the Council on matters relating to the training and certification of ISAF Race Officials ~~Race Officers~~;
- (f) liaise with such other ISAF committees as may be beneficial for achieving Committee goals;
- (g) determine whether or not there is a conflict of interest in response to a request for clarification from ISAF Race Officials;
- (h) in conjunction with the Executive Committee deal with reports about the conduct and competence of ISAF Race Officials and make commendations and administer sanctions where appropriate.

6.910.7 International Judges Sub-committee

**Constituting the committee**

6.910.7.1 The International Judges Sub-committee, which shall administer the International Judges programme, has been established by the Council as a Sub-committee of the Race Officials Committee pursuant to Article 42.

6.910.7.2 The International Judges Sub-committee shall consist of a Chairman and the number of members that shall be appointed by the Council from time to time as provided by Article 42.

**Terms of reference**

6.910.7.3 The International Judges Sub-committee shall:

- (a) administer the International Judges Programme;
- (b) recommend to the Race Officials Committee the appointment of International Judges in accordance with these regulations;
- (c) disseminate information to and communicate with International Judges and Member National Authorities;
- (d) be responsible for the instruction and evaluation of International Judges and candidates to become International Judges, which shall include:
  - (i) the development and conduct of seminars to train and qualify International Judges and candidates to become International Judges; and

- (ii) the formulation of the examinations which applicants must pass to qualify as International Judges and, if required, the establishment of the criteria for a performance assessment and its administration;
- (e) assist Member National Authorities in training and in developing national judges programmes;
- (f) recommend policies regarding the conduct of International Judges and International Juries;
- (g) administer programmes to promote uniform application and consistent interpretation of the Racing Rules and other ISAF documents by International Judges;
- (h) propose rule changes and submit interpretations of the Racing Rules to the Racing Rules Committee, the Race Officials Committee and other appropriate bodies;
- (i) develop and administer a procedure for the grouping and classification of International Judges according to their abilities and to place them in groups based on agreed criteria;
- (j) update International Judges Sub-committee documents, such as the Judging Manual, the International Judge application form and International Judges' Reference Form;
- (k) address questions from International Judges;
- (l) deal with such matters as any ISAF Committee may request.

*International Judges Programme Administration: See Part VI, Regulation 31*

## 6.910.8 International Measurers Sub-committee

### **Constituting the committee**

6.910.8.1 The International Measurers Sub-committee (IMSC), which shall be responsible for administering the International Measurers Programme, has been established by the Council as a Sub-committee of the Race Officials Committee (ROC) pursuant to Article 42.

6.910.8.2 The International Measurers Sub-committee shall consist of a Chairman and the number of members that shall be appointed by the Council from time to time as provided by Article 42.

### **Terms of reference**

6.910.8.3 The International Measurers Sub-committee shall:

- (a) administer the International Measurers Programme including the review and maintenance of high standards of equipment inspection and uniform application of ISAF standards by International Measurers at events;
- (b) recommend to the Race Officials Committee the appointment of International Measurers in accordance with these regulations;
- (c) disseminate information to and communicate with International Measurers and Member National Authorities;
- (d) be responsible with the relevant classes for the instruction and evaluation of International Measurers and candidates to become an International Measurer, which shall include:
  - (i) the development and conduct of seminars, related manuals and materials to train and qualify International Measurers and candidates to become International Measurers; and

- (ii) the formulation of the examinations which applicants must pass to qualify as International Measurers and, if required, the establishment of the criteria for a performance assessment and its administration;
- (e) assist Member National Authorities in training and in developing national measurer / equipment inspector programmes;
- (f) recommend policies regarding the conduct of International Measurers;
- (g) administer programmes to promote uniform application and consistent interpretation of the Racing Rules of Sailing and other ISAF documents by International Measurers;
- (h) propose rule changes and submit interpretations of the Racing Rules and the Equipment Rules of Sailing to the Racing Rules Committee, the Race Officials Committee and the Equipment Control Sub-committee and other appropriate bodies;
- (i) develop and administer a procedure for the grouping and classification of International Measurers according to their abilities and to place them in groups based on agreed criteria;
- (j) update International Measurers Sub-committee documents, such as the Championship Equipment Inspection Report, the International Measurers Manual and the International Measurer application form and comment to the relevant committee on any ISAF document;
- (k) consider and recommend equipment inspection policies for the Olympic Sailing Competition and ISAF Events, in consultation with the Equipment Committee;
- (l) address questions from International Measurers;
- (m) deal with such matters as any ISAF Committee may request;
- (n) liaise with the Disabled Sailing Committee (IFDS) on technical issues regarding equipment adaptations.

*International Measurers Programme Administration: See Part VI, Regulation 31*

## 6.10.9 International Umpires Sub-committee

### **Constituting the committee**

6.10.9.1 The International Umpires Sub-committee, which shall administer the International Umpires programme, has been established by the Council as a Sub-committee of the Race Officials Committee pursuant to Article 42.

6.10.9.2 The International Umpires Sub-committee shall consist of a Chairman and the number of members that shall be appointed by the Council from time to time as provided by Article 42.

### **Terms of reference**

## 6.10.9.3

The International Umpires Sub-committee shall:

- (a) administer the International Umpires Programme;
- (b) recommend to the Race Officials Committee the appointment of International Umpires in accordance with these regulations;
- (c) disseminate information to and communicate with International Umpires and Member National Authorities;
- (d) be responsible for the instruction and evaluation of International Umpires and candidates to become International Umpires, which shall include:

- (i) the development and conduct of seminars to train and qualify International Umpires and candidates to become International Umpires; and
  - (ii) the formulation of the examinations and establishment of the criteria for the performance assessment which applicants must pass to qualify as International Umpires;
- (e) assist Member National Authorities in training and in developing national umpires programmes;
- (f) recommend policies regarding the conduct of International Umpires;
- (g) administer programmes to promote uniform application and consistent interpretation of the Racing Rules and other ISAF documents by International Umpires;
- (h) propose rule changes and submit interpretations of the Racing Rules and calls for match racing and team racing to the Racing Rules Committee;
- (i) develop and administer a procedure for the grouping and classification of International Umpires according to their abilities and to place them in groups based on agreed criteria;
- (j) update International Umpires Sub-committee documents, such as the Umpiring and Match Racing Manual, the Umpiring and Team Racing Manual, Performance Assessment forms and the International Umpire application form;
- (k) address questions from International Umpires;
- (l) deal with such matters as any ISAF Committee may request.

*International Umpires Programme Administration: See Part VI, Regulation 31*

### 6.910.10 Race Management Sub-committee

#### **Constituting the committee**

6.910.10.1 The Race Management Sub-committee, which shall administer the International Race Officers programme has been established by the Council as a Sub-committee of the Race Officials Committee pursuant to Article 42.

6.910.10.2 The Race Management Sub-committee shall consist of a Chairman and the number of members that shall be appointed by the Council from time to time as provided by Article 42.

#### **Terms of reference**

6.910.10.3 The Race Management Sub-committee shall:

- (a) administer the International Race Officers Programme;
- (b) recommend to the Race Officials Committee the appointment of International Race Officers in accordance with these regulations;
- (c) disseminate information to and communicate with International Race Officers and Member National Authorities;
- (d) be responsible for the instruction and evaluation of International Race Officers and candidates to become an International Race Officer, which shall include:
  - (i) the development and conduct of seminars to train and qualify International Race Officers and candidates to become International Race Officers; and
  - (ii) the formulation of the examinations which applicants must pass to qualify as International Race Officers and, if required, the establishment of the criteria for a performance assessment and its administration;

- (e) assist Member National Authorities in training and in developing national Race Officers programmes;
- (f) recommend policies regarding the conduct of International Race Officers;
- (g) administer programmes to promote uniform application and consistent interpretation of the Racing Rules and other ISAF documents by International Race Officers;
- (h) propose rule changes and submit interpretations of the Racing Rules to the Racing Rules Committee, the Race Officials Committee and other appropriate bodies;
- (i) recommend to the Racing Rules Committee standards for the Notice of Race Guide, and the Sailing Instructions Guide to achieve a high and uniform standard;
- (j) update International Race Officers Sub-committee documents, such as the Umpiring and Match Racing Manual, Performance Assessment forms and the International Race Officer application form;
- (k) develop and administer a procedure for the grouping and classification of International Race Officers according to their abilities and to place them in groups based on agreed criteria;
- (l) work towards standardization and improvement of sailing instructions;
- (m) consider and propose race management policies for the Olympic Sailing Competition and ISAF Events;
- (n) address questions from International Race Officers;
- (o) deal with such matters as any ISAF Committee may request.

*Race Management Programme Administration: See Part VI, Regulation 31*

### **Racing Rules Committee**

#### **6.101 Racing Rules Committee**

##### ***Constituting the Committee; Other Appointments***

- 6.101.1 The Racing Rules Committee has been established by the Council pursuant to Article 42.
- 6.101.2 The Racing Rules Committee shall consist of a Chairman, a Vice-Chairman and the number of members that shall be appointed by the Council from time to time as provided by Article 42. Members should have thorough knowledge of the Racing Rules and extensive experience as competitors or as race officials.
- 6.101.3 The Chairman of the Racing Rules Committee shall appoint the members and chairmen of the Racing Rules Committee Working Party, the Case Book Working Party, the Match and Team Racing Rules Working Party, the Match Racing Rapid Response Call Panel, and the Team Racing Rapid Response Call Panel.
- 6.101.4 The Chairman of the Racing Rules Committee shall, together with the Chairman of the Race Officials Committee, appoint the members of the Racing Rules Q&A Panel and the chairman of the panel. At least one member of the Case Book Working Party and of the Match and Team Racing Rules Working Party shall be on the panel.
- 6.101.5 The Chairman of the Racing Rules Committee shall appoint the Racing Rules Committee representatives to the Equipment Committee, the Class Rules Sub-Committee and the Equipment Control Sub-Committee.
- 6.101.6 The Chairman of the Racing Rules Committee may, for the purposes of communication and cooperation, appoint himself/herself or another member of the committee as an ex-officio, non-voting member of the Race Officials Committee.

### ***Terms of Reference***

6.101.7 The Racing Rules Committee shall:

- (a) formulate, revise and publish *The Racing Rules of Sailing* every four years after approval by the Council, in accordance with Regulation 28.1.1;
- (b) consider submissions that propose or suggest changes in the Racing Rules in accordance with Regulation 28.2.1;
- (c) consider recommendations from and decisions of other committees that might affect the Racing Rules;
- (d) include in the Racing Rules the following:
  - (i) the authority given to national authorities, organizing authorities, race committees, protest committees, umpires and measurers in the conducting of races;
  - (ii) procedures to be used when conducting races;
  - (iii) the responsibilities of boats, competitors and boat owners before, during and after racing;
  - (iv) rules that apply when boats meet;
  - (v) methods of dealing with breaches of rules and the imposition of penalties;
  - (vi) other disciplinary measures;
  - (vii) provisions for appealing decisions of protest committees; and
  - (viii) references to appropriate regulations, including the Eligibility, Advertising and Anti-Doping Codes.
- (e) approve and publish interpretations of the Racing Rules and calls for match and team racing submitted in accordance with Regulation 26.3;
- (f) approve the sailing instructions for the Olympic Sailing Competition;
- (g) (working together with the Race Officials Committee) publish on the ISAF website the ISAF Racing Rules Questions and Answers;
- (h) publish on the ISAF website the ISAF Match Racing Rapid Response Calls and the ISAF Team Racing Rapid Response Calls;
- (i) communicate and cooperate with other committees on matters related to the Racing Rules;
- (j) work for continued improvement of rule observance;
- (k) work for standardization and improvement of notices of race and sailing instructions;
- (l) consider and debate other subjects related to the Racing Rules; and
- (m) formulate and revise the Introductory Rules for Racing.

*Racing Rules Administration - See Part VI, Regulation 28.*

**Regional Games Committee**

6.142 Regional Games

***Constituting the committee***

6.142.1 The Regional Games Committee has been established by the Council pursuant to Article 42.

6.142.2 The Regional Games Committee shall consist of a Chairman, Vice-Chairman and the number of members that shall be appointed by the Council from time to time as provided by Article 42.

**Terms of Reference**

6.1~~4~~2.3 The Regional Games Committee shall:

- (a) encourage and promote:
  - (i) sailing at any Games that already include sailing in their sports programme;
  - (ii) the inclusion of sailing on the sports programme in all major Regional Games and as many other Games as is feasible;
- (b) use the inclusion of sailing in Regional Games to promote the sport of sailing generally throughout the various regions;
- (c) use the technical and instructional resources of the ISAF to maintain and improve the standard of competitive sailing and the standards of technical supervision at Regional Games to a level that these events could serve as qualifying events for the Olympics and Paralympics;
- (d) provide guidance on the format and programme of the Regional Games sailing events and Regional Sailing Championships;
- (e) encourage and promote the organization of Regional Sailing Championships in addition to the Regional Games;
- (f) encourage particularly the full participation of women and youth in all Regional Games sailing events.

**Windsurfing & Kiteboarding Committee**

6.1~~2~~3 Windsurfing and Kiteboarding Committee

**Constituting the committee**

6.1~~2~~3.1 The Windsurfing and Kiteboarding Committee has been established by the Council on matters affecting the ISAF windsurfing and kiteboarding classes pursuant to Article 42.

6.1~~2~~3.2 The Windsurfing and Kiteboarding Committee shall consist of a Chairman, a Vice-Chairman and the number of members that shall be appointed by the Council from time to time as provided by Article 42.

**Terms of reference**

6.1~~2~~3.3 The Windsurfing and Kiteboarding Committee shall:

- (a) consider and make recommendations to the Council on matters affecting the ISAF kiteboarding and windsurfing classes;
- (b) liaise with the Equipment Control Sub-committee and other committees on matters affecting windsurfing and kiteboarding classes;
- (c) propose changes to the Windsurfing or kiteboarding Competition Rules to the Racing Rules Committee when appropriate; and
- (d) monitor and develop all technical aspects of windsurfing and kiteboarding in conjunction with relevant ISAF Committees.

**7. COMMITTEE RULES OF PROCEDURE****7.1 Meetings**

7.1.1 All ISAF committees and sub-committees shall meet at least once a year. Commissions and working parties shall meet as required and in accordance with their terms of reference. Additional meetings may take place by electronic means if appropriate. In this regulation, where the context so permits, references to committees shall include sub-committees, commissions and working parties.

- 7.1.2 Committees shall meet to discuss matters within their terms of reference and shall delegate to such sub-committees or working parties as may be determined in accordance with the ISAF regulations all matters within the terms of reference of those sub-committees.
- 7.1.3 Committee chair shall report twice yearly to Council, if not in attendance at a meeting of Council then in writing.
- 7.2 Agenda
- 7.2.1 The agenda for Committee meetings shall, so far as is possible, comprise the following items:
- (a) apologies.
  - (b) minutes of the previous meeting and matters arising;
  - (c) submissions that are allocated to it as 'reporting committee' or 'other committee';
  - (d) work in progress;
  - (e) other issues within the Committee's terms of reference; and
  - (f) any other business.
- 7.2.2 The agenda for Committee meetings shall be closed at such time as shall be determined by the Chief Executive Officer, which shall normally be four weeks before the meeting. The Committee Chairman and Chief Executive Officer shall prepare the Agenda with the Chief Executive Officer having final authorisation for publication. Committee Members may propose items for the agenda to the Chairman, but his decision as to what items shall be included shall be final.
- 7.3 Minutes
- 7.3.1 Minutes of each meeting shall be prepared by the Chief Executive Officer, whose draft shall be approved by the Chairman of the meeting. After such approval the draft will be circulated to all Committee Members present at the meeting within three weeks of the meeting except in exceptional circumstances. Committee Members may propose amendments to any entry in the minutes which they do not consider constitutes a fair and true representation of what took place at the meeting. The Chairman of the meeting shall consider their proposals but his decision as to the contents of the minutes to be published shall be final at that stage and shall be circulated.
- 7.3.2 Committee Members still wishing to propose amendments shall send them to the Chief Executive Officer within two weeks from the date they were circulated. The proposed amendments shall be put on the agenda of the next Committee meeting for consideration.
- 7.3.3 Any notes of the occurrences at meetings made by or on behalf of the Chief Executive Officer whether electronic or otherwise shall be retained by him until the end of the next meeting of the Committee and the Chief Executive Officer shall disclose them to any Committee Member who wishes to propose amendments in accordance with Regulation 7.3.2.
- 7.4 Committee Decisions
- 7.4.1 Except where a Committee is empowered by its terms of reference to make decisions on its own authority, the function of a Committee is to advise Council as to the action Council should take.
- 7.5 Rules of Debate
- 7.5.1 In debate members of the Committee may speak in turn. They shall address their remarks to the chair. Other members shall not interrupt. No member shall speak until called upon by the chair. Members will not normally be expected to make more than one speech in each debate. There will be no fixed time limit but speeches are to be kept short.

- 7.5.2 The Chairman shall state the final motion to be put to the vote.
- 7.5.3 The matter will then be voted on. A vote by members of the Committee shall be made and in the case of a tie in votes, the Chairman of the meeting shall have a second or casting vote.
- 7.5.4 At the request of a Committee Member the minutes shall detail the names of the Committee Members who voted for or against, or abstained from, the motion except when Regulation 7.5.5 has been invoked.
- 7.5.5 At the request of a Committee Member, and if duly seconded and passed, a vote may be taken by secret ballot.
- 7.6 Attendance at Committee Meetings
  - 7.6.1 In the event that the Chairman cannot attend a meeting, the Vice-Chairman shall automatically take the chair. If the Vice-Chairman is not available, it shall be the responsibility of the ISAF President to appoint an alternate.
  - 7.6.2 Committee Members shall notify the Chief Executive Officer if they are unable to attend a Committee Meeting. If a Committee Member does not attend two consecutive Committee Meetings without proper reason, then his/her Committee membership will be reviewed in accordance with Regulation 5.4.4.
  - 7.6.3 In the case of a member of a committee or a sub-committee being unable to attend a meeting, the appointment of Alternates may only be made with the approval of the Executive Committee or the President. In the case of a vacancy in a committee or sub-committee caused by resignation, lengthy inability to attend however caused, or incapacity, the Chairman of such committee or sub-committee shall advise the Chief Executive Officer of the vacancy which may be filled in accordance with the provisions of Regulation 5.3.
  - 7.6.4 The quorum for meetings of a Committee is one third of the number of members of that Committee, except the Executive Committee for which the quorum is one half of its members entitled to vote and if a meeting takes place by electronic means (see Regulation 7.1.1) any decision shall be determined by the votes of the majority of members who respond within the timescale prescribed by the Chairman of that Committee which shall be not less than 7 days.
- 7.7 Financial or other interests
  - 7.7.1 In a debate on any matter in which a member of the Committee has a personal vested interest, whether financial or otherwise, the member shall advise the Chairman of that fact, and of the exact nature of the interest, if practicable in advance of the Committee meeting, or otherwise at the earliest reasonable opportunity in the course of the debate. Notification of the reasons of the said interest shall be reported to the Committee unless there are compelling grounds why such reasons should remain confidential. According to the exact nature of the interest, the Chairman or the Committee may require the member concerned to leave the meeting for the whole or part of the debate. The Chairman may require the member to abstain from voting. The declaration and any decision by the Chairman shall be minuted.

## **8. COMMISSIONS - GENERALLY**

- 8.1 Commissions are specialized bodies created to advise on specific areas of professional or technical expertise. Although a commission may be created for a temporary period this would not normally be for an anticipated period of less than eighteen months.
- 8.2 Subject to Regulations 8.9, 8.14 and 8.15, the appointment and removal of members of commissions is the responsibility of the Executive Committee (including the appointment of a chairman and vice-chairman).
- 8.3 The Executive Committee may recommend to Council for its approval the creation of a commission for a temporary or permanent period and a duration to be specified.

- 8.4 The purposes of the Commission shall be expressed by terms of reference. On acceptance by the Council of the Executive Committee's recommendation for the establishment of the commission and its terms of reference, the Commission is created either for a specified or indefinite period.
- 8.5 A commission shall report as set out in its terms of reference. Where a commission reports to the Executive Committee, the report shall be confidential until such time as the Executive Committee determines otherwise

## Medical Commission

### 8.6 Medical Commission

#### ***Constituting the Commission***

- 8.6.1 The Medical Commission has been established to provide medical advice on sailing matters.

#### ***Terms of Reference***

- 8.6.2 The Medical Commission shall:

- (a) inform and advise the Executive Committee in respect of the implications and implementation of World Anti-Doping Code, and all its provisions;
- (b) ensure that such annual changes as are made to the World Anti-Doping Code List of Prohibited Substances and Methods are published and made known to Member National Authorities, so that these may be disseminated to competitive sailors worldwide;
- (c) advise and assist the Executive Committee in the practical enforcement of the World Anti-Doping Code;
- ~~(d) consider and process, via the Secretariat, requests from competitors for dispensation for ATUE and TUE in accordance with the procedures in the World Anti-Doping Code International Standard for Therapeutic Use Exemptions, and to issue such Certifications of Approval and notify the Executive Committee;~~
- ~~(e) forward requests for Therapeutic Use Exemptions, suitably validated by the Executive Committee, for competitors seeking to compete in the Olympic Sailing Competition, to the IOC Medical Commission, and to act on behalf of such competitors in confidential negotiations with the IOC Medical Commission;~~
- (d) in accordance with the procedures in the World Anti-Doping Code International Standard for Therapeutic Use Exemptions, be the Therapeutic Use Exemption Committee (TUEC) appointed to:
  - (i) consider and process, via the Secretariat, requests from competitors for dispensation for TUE and issue such Certifications of Approval;
  - (ii) report to WADA, through the ADAMs system, the granting of all TUES;
- ~~(f)~~ (e) consider and advise the Executive Committee on medical matters affecting all branches of sailing served by ISAF;
- ~~(f)~~ (f) if requested by the Executive Committee, make investigations into aspects of sailing which have or may have an effect upon the physical or mental health of sailors.

## International Regulations Commission

### 8.7 International Regulations Commission

#### ***Constituting the Commission***

- 8.7.1 The International Regulations Commission has been established to provide advice on matters related to the regulation of recreational boats or craft by government actions or otherwise.

## **Terms of Reference**

- 8.7.2 The Commission shall be report to the Executive Committee and the Oceanic and Offshore Committee.
- 8.7.3 The Commission shall:
- (a) monitor any legislation or actions by international or national institutions and national Governments or other similar bodies which affect the navigation, manning, construction, equipment, safety and use of recreational craft or the environment and take (in conjunction with National Authorities and other bodies representative of the users of all types of recreational craft) appropriate action in regard thereto;
  - (b) represent the interest of ISAF, its member National Authorities and all users with IMO and other international or national Institutions which concern navigation, manning, construction, equipment, safety and use of recreational craft in conjunction with, if appropriate, National Authorities and other bodies representative of the users of ail types of recreational craft;
  - (c) liaise with relevant ISAF committees in all matters affected by its work; and
  - (d) request Member National Authorities to report annually:
    - (i) whether the conditions for the free exercise of sailing have been changed;
    - (ii) the actions that should be taken to improve the situation.

- 8.8 Reserved for future use

## **Athletes' Commission**

- 8.9 The Athletes' Commission

### **Constituting the Commission**

~~8.9.1 The Athletes' Commission has been established and appointed by the Executive Committee in accordance with this Regulation 8.~~

- 8.9.1 The Athletes' Commission is a non-political consultative body that offers advice and assistance to ISAF on matters and issues of relevance to Olympic sailors, and acts as a link between active Olympic sailors and ISAF.

- 8.9.2 Members of the Athletes' Commission shall be decided as follows:

- (a) the Athletes' Commission shall comprise eight members; the term of membership shall be eight years;
- (b) there shall be a maximum of one member from any Olympic sailing Event;
- (c) four members shall retire, and four new members shall join, following elections to be held at each Olympic Sailing Competition;
- (d) only Olympians from the current or immediately previous Olympic Sailing Competition shall be eligible to become members;
- (e) three new members shall be elected by the sailors participating at each Olympic Sailing Competition. One further sailor shall then be appointed by the President to assist a good balance between regions, genders and Events;
- (f) in the event of a resignation during a member's first four years, a replacement member shall be elected at, or appointed after the next Olympic Sailing Competition to serve a four year term;
- (g) candidates for membership shall pledge to represent all Olympic sailors;

- (h) members shall elect a Chairman and Vice-Chairman from among their members to serve in that role for four years at their first meeting following the Olympics;
- (i) The President may, at the request of the Chairman of the Commission, appoint as additional honorary members former Olympians whose expertise or experience will be of value to the Commission in the execution of its responsibilities.

***Terms of Reference***

~~8.9.2 The Athletes' Commission shall be responsible to the Executive Committee.~~

~~8.9.3 The Athletes' Commission shall:~~

- ~~(a) be a non-political consultative body to offer advice and assistance to ISAF on matters and issues of relevance to athletes and act as a link between the Olympic athletes and ISAF;~~
- ~~(b) present the Olympic athletes' points of view to the Executive Committee through recommendations and proposals;~~
- ~~(c) promote respect of the rights of the athletes within the sport and draw up recommendations to that effect;~~
- ~~(d) promote high standards of sportsmanship and ethical performance when competing and participating;~~
- ~~(e) reflect the views of the Olympic athletes competing and participating at the highest level and establish relationships to promote feedback to the Executive Committee on matters concerning Olympic athletes; and~~
- ~~(f) liaise with the Executive Committee on ISAF Events to help ISAF respond to the needs of the Olympic athletes.~~

***Terms of Reference***

8.9.3 The Athletes' Commission shall be responsible to the Executive Committee.

8.9.4 The Athletes' Commission shall:

- (a) present the Olympic athletes' points of view to the Executive Committee through recommendations and proposals;
- (b) promote respect of the rights of athletes within the sport and draw up recommendations to that effect;
- (c) promote high standards of sportsmanship and ethical performance when competing and participating;
- (d) reflect the views of the Olympic athletes competing and participating at the highest level and establish relationships to promote feedback to the Executive Committee, and other committees and working groups, on matters concerning Olympic athletes; and
- (e) liaise with the Executive Committee on ISAF Events to help ISAF respond to the needs of the Olympic athletes.

**Sailor Classification Commission**

8.10 The Sailor Classification Commission

***Constituting the Commission***

8.10.1 The Sailor Classification Commission has been established to provide technical advice on Regulation 22, the ISAF Sailor Classification Code.

***Terms of Reference***

8.10.2 The Sailor Classification Commission shall:

- (a) inform and advise the Executive Committee in respect of the implications and implementation of the ISAF Sailor Classification Code, and all its provisions;
- (b) shall present proposed changes to the ISAF Sailor Classification Code to the Executive Committee for approval;
- (c) shall ensure approved changes to the ISAF Sailor Classification Code are published and made known to Member National Authorities, so that these may be disseminated to competitive sailors worldwide;
- (d) liaise with events and classes that use the ISAF Sailor Classification Code;
- (e) consider and process and manage, via the ISAF website, applications and appeals from competitors for classification and to assign such certifications of Classification group;
- (f) liaise with the Oceanic and Offshore Committee and other ISAF committees to ensure the correct application of the Classification Code;
- (g) maintain a list of Sailors and their assigned classification group on the ISAF website;
- (h) be convened annually, when necessary, in order to consider any issues or proposed changes to the ISAF Classification Code; and
- (i) publish and maintain up to date on the ISAF website a set of Frequently Asked Questions (FAQs) to assist sailors in understanding the Code and its interpretations. It may be changed at any time.

### **Coaches Commission**

#### 8.11 Coaches Commission

##### ***Constituting the Commission***

8.11.1 The Coaches Commission has been established ~~and appointed~~ by the Executive Committee ~~in accordance with Regulation 8~~ to advise on coaching in the sport in accordance with Regulation 8.11.2.

##### ***Terms of Reference***

8.11.2 The Coaches Commission shall:

- (a) maintain a close liaison with coaches in the sport;
- (b) debate coaching issues and make recommendations thereon to the Executive Committee;
- (c) Inform and advise the Executive Committee in respect of the implications and implementation of an ISAF Coaches' Code of Conduct, and all its provisions;
- (d) shall present and consider proposed changes to the ISAF Coaches' Code of Conduct to the Executive Committee for approval;
- (e) inform and advise the Executive Committee in respect of the implications and implementation of educational material for coaches; and
- (f) debate other matters that may be relevant to the coaches' interest;
- (g) develop educational materials for coaches.

### **Information Technology and Tracking Commission**

#### 8.12 Information Technology and Tracking Commission

##### ***Constituting the Commission***

- 8.12.1 The Information Technology and Tracking Commission has been established ~~and appointed~~ by the Executive Committee ~~in accordance with Regulation 8~~ for the purpose of advising the Executive Committee on the matters set out in Regulation 18.12.2.

## **Terms of Reference**

- 8.12.2 The Information Technology and Tracking Commission shall:
- (a) inform and advise the Executive Committee in respect of information and communication technologies issues affecting the sport of Sailing generally; and
  - (b) recommend technology-based methods and processes to gather and publish information about sailing regattas; and
  - (c) inform and advise the Executive Committee on tracking technology, for the purpose of the presentation of the sport of Sailing;
  - (d) inform and advise the Executive Committee on tracking technology, for the improvement of the work of race officials (in cooperation with the Race Officials Committee).

## **Review Board**

- 8.13 Review Board

**Note:** *The Review Board is authorized by, and its functions and procedures are provided for in Articles 77-82. It does not therefore operate under a delegation of power from the Council. This is appropriate because it exercises quasi-judicial functions.*

## **Ethics Commission**

- 8.14 Ethics Commission

### **Constituting the Commission**

- 8.14.1 The Ethics Commission has been established ~~and appointed by the Executive Committee in accordance with Regulation 8~~ by Council for the purpose set out in Regulation 8.14.8.
- 8.14.2 Regulation 8.2 does not apply to the appointment or removal of members of the Commission. Council shall appoint the members of the Commission on the nomination of the Executive Committee. There shall be at least seven members of the Commission, including at least two members of the Constitution Committee. Council shall appoint the Chairman and Vice-Chairman of the Commission on the nomination of the Executive Committee.
- 8.14.3 Notwithstanding Regulation 8.2, a member of the Commission may be removed by Council.
- 8.14.4 A member of the Commission may also be a member of the Review Board, but shall not hear any appeal to the Review Board from a decision of the Disciplinary Commission arising from an investigation carried out by the Ethics Commission.
- 8.14.5 Not used.

### **Terms of reference**

- 8.14.6 The Commission shall report to the Executive Committee, except where any issue or report concerns a member of the Executive Committee, in which case the Commission shall report to Council.
- 8.14.7 The Commission may adopt its own rules of procedure to govern its meetings and operations.
- 8.14.8 The Commission shall:
- (a) promote ethical behavior within ISAF and the sport of sailing generally;
  - (b) keep the ISAF Code of Ethics under review and propose any amendments it may consider necessary;

- (c) carry out investigations into complaints submitted under the ISAF Code of Ethics and make reports to the Executive Committee (or Council if a report concerns a member of the Executive Committee);
- (d) advise ISAF and its members on the proper application of the Code of Ethics (including by issuing guidance); and
- (e) provide confidential guidance on request concerning a questions of ethics.

### **Disciplinary Commission**

#### **8.15 Disciplinary Commission**

##### ***Constituting the Commission***

- 8.15.1 The Disciplinary Commission has been established by Council in order to carry out ISAF's disciplinary functions under the Racing Rules of Sailing and the ISAF Regulations.
- 8.15.2 Regulation 8.2 does not apply to the appointment or removal of members of the Commission. Council shall appoint the Chairman, Vice-Chairman and members of the Commission on the nomination of the Executive Committee for a specific term. The membership of the Commission shall include a sufficient number of legally qualified members to enable it to discharge it functions.
- 8.15.3 Notwithstanding Regulation 8.2, Council may remove a member of the Commission for good cause.
- 8.15.4 A member of the Commission may also be a member of the Review Board, but shall not hear any appeal to the Review Board from a decision of the Commission in which he has been involved.
- 8.15.5 Reserved for future use

##### ***Terms of Reference***

- 8.15.6 The Commission shall independently exercise the functions allocated to it. Regulation 8.5 does not apply to the Commission, but it shall report to the Executive Committee on how it has carried out its functions.
- 8.15.7 The Commission shall adopt and publish its own rules of procedure to govern its meetings, hearings and operations. The Commission shall publish its decisions unless it believes it is inappropriate to do so.
- 8.15.8 The Disciplinary Commission shall:
  - (a) exercise ISAF's disciplinary functions under the Racing Rules of Sailing and the ISAF Regulations (where those functions are allocated to it by ISAF Regulation and in particular Regulations 19, 35, 36 and Appendix 5);
  - (b) publish guidance on dealing with misconduct and discipline in the sport of sailing and guidelines for sanctions for misconduct;
  - (c) ensure ISAF's disciplinary procedures are fit for purpose and kept up to date, reflecting best practice across other Olympic sports;
  - (d) operate in a transparent and fair manner;
  - (e) issue advice and guidance to MNAs and ISAF Race Officials on the investigation and hearing of misconduct cases;
  - (f) promote fair sailing and the principles of sportsmanship; and
  - (g) when requested to do so, advise other ISAF bodies and committees on disciplinary matters.

## **9. WOMEN'S FORUM**

### ***Constituting the Forum***

- 9.1 The Women's Forum has been established by the Council pursuant to its power of delegation.
- 9.2 The membership of the Women's Forum shall consist of a Chairman who shall be the women's representative on the Council from time to time, a Vice-Chairman, and all women who are from time to time members of ISAF Committees, Sub-committees and Commissions.
- 9.3 Reserved for future use
- 9.4 Reserved for future use
- 9.5 Reserved for future use

## **Objectives**

- 9.6 The Women's Forum shall:
  - (a) promote participation by women in all aspects of sailing and sailing administration;
  - (b) act as an advisory group to all ISAF committees on issues relating to women;
  - (c) facilitate open discussion on issues relating to women arising from submissions, proposals and the agendas of ISAF committees, then report any conclusions and recommendations to the committees and the Council;
  - (d) maintain a close liaison with all women sailors and administrators;
  - (e) keep updated on activities and initiatives affecting women arising from the International Olympic Committee, International Federations, MNAs, ISAF Classes, ISAF Affiliate Members and other internal and external organizations;
  - (f) identify and encourage women to serve on ISAF committees and sub-committees;
  - (g) educate and otherwise assist women in the work they do for ISAF and its members;
  - (h) provide for discussion and exchange of ideas on matters of expertise, experience, interests and support between all women members of ISAF committees;
  - (i) disseminate information affecting women in all areas of the sport, relating to the training, promotion and empowerment of women in sailing; and develop and propose policies and best practice on issues relating to women in all areas of the sport.

## **PART III – Classes and Rating Systems**

### **10. ISAF CLASS-ASSOCIATIONS**

- 10.1 Classes which offer a high standard of international competitive sailing and satisfy the respective criteria set out below may be designated as an ISAF Class Association.

#### **Obtaining designation as an ISAF Class Association**

- 10.2 To be designated as an ISAF Class Association, a class shall be recommended for designation by the Equipment Committee, and for Offshore Racing Classes also by the Oceanic and Offshore Committee to the Council and must receive a majority vote of the Council.
- 10.2.1 In order to be so designated a Class must be able to meet the following criteria, detailed in an application to the Chief Executive Officer, for consideration by the ISAF Council at the next scheduled meeting,
  - (a) an active Class/Owners Association;
  - (b) a Constitution passed by a pre-existing Class/Owners Association and approved by the Equipment Committee and the Constitution Committee containing at least:
    - (i) the name of the class,

- (ii) provision for control by a Class/Owners Association,
  - (iii) an elected Board and Executive Committee,
  - (iv) an Executive Committee, including at least the Executive Officers, and
  - (v) a statement of the objectives of the class;
- (c) a set of class rules in the ISAF Standard Class Rules format, and adopting the Equipment Rules of Sailing, approved by the Equipment Committee. The Equipment Committee may approve an exemption to either requirement if in its opinion the class rules are satisfactory and well established;
- (d) demonstrated, either by confirmation from the requisite number of Member National Authorities (MNAs) set out below or a list of registered boat owners, that it is 'actively racing' with at least the following global distribution:

	Designation as an ISAF Class		Entitled to World Championship
Category according to Hull Length	Boats per MNA	No. of MNAs	No. of Continents
Boats up to 6.0m	15	5	2
Boats >6.0m to 9.0m	7	4	2
Boats >9.0m to 12.0m	6	3	2
Boats >12.0m to 15.0m	4	3	2
Boats >15.0m	2	3	2

- (e) the requirements of 10.2.1(d) may be waived by the Council, upon recommendation of the Equipment Committee, when considering a class which serves a unique aspect of sailing.

For the purposes of these regulations “continent” means any one of Europe, North America, South America, Asia, Africa and Oceania.

- (f) paid an application fee as established by the Council from time to time;
- (g) its constitution and class rules available on the ISAF website or with a link from the ISAF website.

10.3 There shall be an executed agreement between the ISAF Ltd., the Class/Owners Association and where relevant the Trademark, Trade Name and the Copyright Owner. This agreement shall include at a minimum the following matters:

- (a) define, if any, the ownership of the Copyright, Trade Name and Trademark and establish the rights granted and the responsibilities, obligations and restrictions that apply to the use of such rights generally and among the parties to the agreement;
- (b) where a licensed builder system is to be adopted, establish the procedure for granting licences and the control of the licensed builders;
- (c) agree on the amount of the ISAF fee for each boat which is based on 0.4% on the first £20,000 then 0.2% on the next £70,000 and 0.1% on the amount above £90,000 of the average retail price of a complete new boat without sails as a guideline for negotiation;
- (d) define the method of issuing and using ISAF plaques, if any, Sail numbers, Measurement forms, Measurement certificates, changes to class rules and any other documentation affecting the ownership and the use of the boat; and
- (e) provide that the Class organization and members of the class shall act in accordance with the ISAF Constitution, Rules and Regulations.

### ***World Championships for ISAF Classes***

10.4 To maintain the right to hold a World Championship, a class that holds a world championship shall:

- (a) Send a report on that championship to the ISAF Secretariat prior to February in the following year, including information required by ISAF. This report may be included in the annual report from the class required under regulation 10.5(e).

Failure of a class to submit this report will result in ISAF reviewing the class's right to hold world championship, notwithstanding other regulations below.

The information required by ISAF shall include:

- (i) the number of entries, countries, and continents represented
  - (ii) a full set of results;
  - (iii) all world champions designated where more than one world champion is declared at an event (such as age or gender) and the number of entries, countries and continents eligible to compete for each title;
  - (iv) a report on the event organization, the overall quality of the event and the standards of the racing;
  - (v) a report on the nature and quality of support supplied by ISAF and ISAF officials
  - (vi) the suitability of the venue (ashore and afloat) for future world championship;
  - (vii) any recommendations for the class or for ISAF when organizing future world championship.
- (b) Meet or exceed the following participation levels for two of the last three World Championships (except that for multihull boats up to 6.0m, the required number of entries is 25):

Category according to Hull Length	Number of Entries	No. of Countries	No. of Continents
Boats up to 6.0m	30	5	2
Boats >6.0m to 9.0m	25	4	2
Boats >9.0m to 12.0m	20	3	2
Boats >12.0m to 15.0m	12	3	2
Boats >15.0m	8	3	2

If a Class has failed to meet this requirement for two of their last three World Championships, it may only call its next such event a World Championships and award World Champion titles if the participation levels at that event meet this requirement.

Before ISAF rescinds any right to host a world championship, the Class shall be given notice in writing and shall be offered the right to appeal any decision to Council.

## ***Regulations on Administering ISAF Classes***

10.5 To maintain its ISAF designation, an ISAF Class shall:

- (a) Use the approved ISAF Classes Logo in all Class Rules (it may also use the logo in other class publications, advertising or promotions);
- (b) properly administer its affairs and maintain its objectives in accordance with its Constitution, Class Rules, its Agreement with the ISAF and these Regulations;
- (c) provide the ISAF with up-to-date copies of all Class publications including the Constitution, Class rules, Measurement Forms, One Design Specifications and Class Newsletter, if any, and unless otherwise stated in the Agreement,

the Class shall be responsible for regular updating and publishing all of the above mentioned publications and ensuring that updated class rules are published before the rule amendments come into effect;

- (d) send the ISAF the dates for the next year's major championships (world and continental) by 1 August each year. No alteration in the championship dates are to be allowed after the Annual ISAF Meeting without the approval of the ISAF, the host National Authority and the Class/Owners Association;
- (e) send the ISAF a completed annual report on the activities of the Class, success in maintaining its objectives, current membership, boat registration and financial status prior to February each year (third party ratification may be required to substantiate these figures). Failure to file a complete annual report shall automatically result in a review of the ISAF recognition of that class;
- (f) not permit the organizers to amend, suspend or override the Class Rules in the Notice of Race or Sailing Instructions for Class events without the prior approval of the ISAF, a Class event being an event initiated and controlled by the Class/Owners Association without any alteration to the Class rules;
- (g) ensure that its equipment control procedures properly maintain the objectives of the class rules and shall:
  - (i) appoint a technical and/or equipment control committee;
  - (ii) appoint a technical representative who is a member of the class technical/equipment control committee and authorized to discuss class technical matters with ISAF;
  - (iii) maintain a register of the names and addresses of all Official Measurers approved for the class, a copy of which shall be supplied to ISAF;
  - (iv) request all Official Measurers approved for the class to be members of both their National Authority and class equipment control networks if these exist; and
  - (v) keep all Official Measurers approved for the class informed with respect to class rule changes and interpretations, and, if practical:
    - 1. have sufficient ISAF recognized class International Measurers (see Regulation 31.13) to represent the class regionally;
    - 2. ensure that at least one class International Measurer attends each ISAF Equipment Inspection Symposium;
    - 3. have at least one class International Measurer present at the class World Championships;
    - 4. organize regular class Equipment Inspection Seminars to train class Equipment Inspectors with the class International Measurers as instructors; and
    - 5. ensure only class International Measurers to measure prototypes of moulded production boats.

10.6 Use its best efforts to ensure that the National Association is affiliated to the relevant National Authority. Class/Owners Associations shall:

- (a) require that the boat owner(s) and/or the sailor(s), as prescribed by the relevant Class Rules, shall be members of their relevant National Class Association, if any, before racing, and
- (b) annually charge, or cause their relevant National Class Associations to charge, as appropriate, the boat owner(s) and/or the sailor(s) only in accordance with the relevant Class Rules or regulation(s) of that ISAF Class.

- 10.7 When a licensed builder system is adopted, gain the approval of the ISAF and the relevant Member National Authority before appointing licensed builders.
- 10.8 Require that all new boats shall have paid a class fee to ISAF in accordance with the requirements agreed with ISAF, such payment to be evidenced by affixing an ISAF plaque to the boats or such other methods of evidencing the payment as shall be agreed by ISAF;
  - 10.8.1 require the organizing authority organizing its world championship to include in the Notice of Race a provision that no boat over 25ft LOA first registered ten years or less before 1 January of the year in which the event is held shall be registered as an entry unless she produces evidence of such payment by display of a plaque or otherwise;
  - 10.8.2 require that the organizing authority agrees to reject or cancel any entry if such evidence is not provided.
- 10.9 Obtain the approval of the Member National Authority governing the proposed venue of its ensuing World Championships.
- 10.10 Appoint an International Jury for the World Championships unless otherwise agreed with ISAF.

### ***Class Rule Changes***

- 10.11 ISAF Class Associations shall change their Class Rules in accordance with the following procedures (unless otherwise approved by ISAF and provided for in the agreement defined in Regulation 10.3):
  - 10.11.1 Before applying to ISAF for approval, the Class/Owners Association is encouraged to consult with the Chief Executive Officer who shall respond in a timely manner and shall have approved the changes in accordance with its constitution and its class rules.
  - 10.11.2 Then the Class/Owners Association shall apply for approval of the changes in writing to the Chief Executive Officer and the application shall include:
    - (a) the changes required;
    - (b) a statement of the reasons for requiring the change;
    - (c) a certificate that the changes have been duly approved by the Class/Owners Association; and
    - (d) the date when the changes are to take effect.
  - 10.11.3 When the application is received by the Chief Executive Officer, in the case of changes not relating to a modification of the Advertising Code, he shall consider it as soon as practicable.
  - 10.11.4 The Chief Executive Officer may in consultation with the Class Rules Sub-Committee approve or reject the changes using processes determined by the Class Rules Sub-committee or return them to the Class/Owners Association with comments for revision. However before rejecting them the Chief Executive Officer shall report back to the Class/Owners Association, who shall be entitled to comment on such views within thirty days of such report. Any such comments shall be considered before a final decision is made.
  - 10.11.5 If an application is rejected the Class/Owners Association may request that the application is referred to the Class Rules Sub-committee for further review. If the Class Rules Sub-committee reject the application the Class/Owners Association may require that the application is referred to Council for review. Council's decision shall be final
  - 10.11.6 Once a change has been approved, ISAF shall notify the Class/Owners Association, all Member National Authorities, all International Measurers and all licensed builders. The Class/Owners Association shall inform its members.

- 10.11.7 The Chief Executive Officer shall present a report of the changes approved each month to the Class Rules Sub-committee and a report to the Equipment Committee on the changes approved since the previous Equipment Committee meeting.
- 10.11.8 Class Rules shall not modify the Advertising Code. In the case of an application for prohibited or limiting advertising in accordance with Regulation 20.5.1 the procedure required above shall apply except that the Executive Committee shall take the place of the Chief Executive Officer and the Class Rules Sub-committee.
- 10.11.9 Changes to manufacturing/building specification shall be handled as per Class Rule changes except that for equipment with a confidential building specification the change shall be handled by the Chief Executive Officer after consultation with the Chairman of the Class Rules Sub-committee (or if he is conflicted, another committee member).

### ***Class Rule Interpretations***

- 10.12 ISAF Class Association rule interpretations shall be made in accordance with the following procedures unless otherwise provided for in the agreement defined in Regulation 10.3. Any alternative procedure shall be approved by the ISAF. Such interpretative changes shall not be used to change an existing rule. The Class shall immediately advise ISAF of any interpretations issued.
- 10.12.1 ISAF may only make interpretations in accordance with the following procedures:
- (a) requests for an interpretation may be made to ISAF from the following sources only: Member National Authorities, ISAF Class/Owners Associations, Copyright Owners, Trade name and Trademark Owners, Manufacturers of ISAF Class Associations and International Measurers;
  - (b) an interpretation shall only clarify an existing class rule and shall not change the class rules;
  - (c) a request received by ISAF from one of those sources shall be acknowledged and immediately sent to the Class/Owners Association;
  - (d) the validity of the interpretation or any alternative interpretation shall be decided by a panel formed by the Chairman or Vice-Chairman of the Class Rules Sub-committee, the technical representative of the Class/Owners Association and a nominated member of the ISAF Technical Staff;
  - (e) interpretations of the Class rules made by the Sub-committee shall be distributed by ISAF as provided in Regulation 10.11.6; and
  - (f) rule interpretations shall have the status of a class rule and, unless otherwise sanctioned in the Agreement, shall remain valid for a maximum period of 2 years or until superseded by a Class Rule change or modification carried out following the procedures of this Regulation.

### ***Review of ISAF Class Association Status***

- 10.13 ISAF Class Associations shall be subject to regular review by the Equipment Committee (at least once every three years).
- 10.13.1 In the review the Equipment Committee shall establish whether or not:
- (a) the ISAF Class Association /Owners Association has fulfilled its Agreement with ISAF, properly administering its affairs and maintained the agreed objectives, and whether the original reasons for granting ISAF Class Association Status still apply; and either
  - (b) the class is actively racing pursuant to the relevant requirements of 10.2.1(d) (The recommended guidelines to 'actively racing' is considered to be at least the same number of registered boats as required for the new classes in that category seeking designated status); or

- (c) is continuing to provide a significant contribution to the development of the sport, e.g. technical innovation; and
- (d) that the class rules continue to support the objectives of the class and provide a reasonable framework for the technical control of the class.

10.13.2 If a Class fails to meet the above criteria, on the recommendation of the Equipment Committee, the Class shall be reviewed by the Council, and its status as an ISAF Class may be withdrawn.

10.13.3 If a Class is to have its status reviewed by the Council, the Class/Owners Association shall be notified and entitled to representation at the Council meeting.

### ***Existing Agreements***

10.14 In the case of agreements between ISAF and ISAF Class Associations and Licensed Builders and Trademark, Trade name and Copyright Owners in existence prior to 30 November 1993, nothing shall be deemed to change the effect or validity of such agreements until the agreements are amended or replaced between the relevant parties, except that the review of Classes shall be carried out in accordance with the provision of Regulation 10.13 herein and the ISAF Status may be withdrawn.

### ***Television Rights***

10.15 Media Rights granted to ISAF Classes are detailed in Regulation 25.11.

10.16 When an ISAF Class has been in arrears on all or part of its subscription, fees, dues or other payments due to the Federation or any of its subsidiary companies or any of their predecessors for a period of 30 days, upon certification of the same by the Chief Executive Officer, ISAF may suspend or cancel the ISAF Class's right and the right of its members:

- (a) to participate in ISAF events; or
- (b) to hold a World Championship.

### ***Fees***

10.17 Pursuant to Article 10, the Executive Committee shall set the Annual Class fees which ISAF Class Associations shall pay. Such fees shall accrue from the date that the class's application for ISAF Class Association Status is received at the ISAF Secretariat, but such accrued fees shall not be payable until the earlier of the date when the ISAF status is granted or until the next annual class fees are payable.

10.17.1 Pursuant to Article 13, and as an alternative to the penalties for-ISAF Class Associations in arrears of payments due provided for in Article 13, the Executive Committee may suspend any or all of the rights of such Class to hold World Championships or be selected for an ISAF event.

## **11. ISAF CLASSIC CLASSES**

11.1 ISAF Classic Class status is available to existing ISAF classes of historical importance that have shown exceptional significance in sailing through competition or equipment development, and still maintain active International Racing.

11.2 The Equipment Committee may recommend a Class that does not meet the requirements in 10.2.1(d) for Classic Class status based upon the contribution of the class as described in Regulation 11.1.

11.3 ISAF Classic Classes are subject to all other rights and requirements of ISAF Classes.

## **12. ISAF INTERNATIONAL OR RECOGNIZED RATING SYSTEMS**

### ***Obtaining Designation as an International or Recognized Rating System***

- 12.1 To be designated an international or recognized rating system, the applicant shall be recommended for designation by the ISAF Oceanic and Offshore Committee to the ISAF Council and must receive a majority vote of the ISAF Council.
- 12.2 In order to be so designated the rating system must have:
- (a) an active structure which represents the interests of the certificate holders;
  - (b) the capability of operating and managing the rating system without financial assistance from ISAF;
  - (c) a constitution or similar document reviewed by the Oceanic and Offshore Committee and the Constitution Committee and approved by ISAF. This document shall contain at least:
    - (i) the name of the rating system;
    - (ii) provision for control by the members;
    - (iii) an elected board and executive committee, including at least the executive officers; and
    - (iv) a statement of the objectives of the organization;
  - (d) a set of rules detailing the operation of the rating system, reviewed by the ISAF Oceanic and Offshore Committee and agreed by ISAF. Any changes to the rules of the rating system must be notified to ISAF for inclusion in the relevant files and publication on the ISAF website; and
  - (e) met the requirements set out below by confirmation from the requisite number of Member National Authorities:
    - (i) in the case of international rating systems, the use of the rating system in events in which at least 25 yachts are actively racing with current valid certificates from each of six Member National Authorities on a minimum of three continents have participate;
    - (ii) in the case of recognized rating systems, the use of the rating system in events in which at least 25 yachts are actively racing with current valid certificates from each of six Member National Authorities have participated.

### 13. **ORC LIMITED (OFFSHORE RACING CONGRESS)**

- 13.1 ISAF recognizes the ORC Ltd as the sole authority to manage and administer:
- (a) the ORCi International Rating System
  - (b) the ORC Club International Rating System
  - (c) the IMS Rule and the IMS Regulations
  - (d) the IOR Rule
  - (e) additional Measurement or Rating Rules or Systems that the ORC may develop or administer now or in the future
  - (f) the ORC GP Rules and ORC GP Classes
  - (g) the ILC Rule and the ILC Classes
  - (h) ORC Classes established under ORC Rules or Systems
  - (i) championship rules for ORC Classes (being those listed under (f), (g) and (h) above);
  - (j) the ORCi International Rating System World Championship

- (k) the Biennial ISAF Offshore Team World Championship provided that each event is subject to approval by ISAF. There shall be at least four teams representing four different nations or countries.
- 13.2 In addition to the classes authorized in 13.1 the ORC may organize classes utilizing its rules and submit them, pursuant to Regulation 10 & 25, through the Equipment Committee, to the ISAF Council for approval as ISAF/ORC Classes providing that:
  - (a) The Oceanic and Offshore Committee shall be consulted regarding such submissions and shall provide its recommendation to Council.
  - (b) Such classes, on Council approval, shall be known as ISAF/ORC Classes and shall be subject to all obligations, rights, and privileges applying to other ISAF Classes except that the ORC itself shall serve as the Class Owners Association.
  - (c) Not more than 5 ISAF/ORC Classes shall exist at any time.
  - (d) the ORC are responsible for administration of their 5 nominated ISAF/ORC classes.
  - (e) ~~Racing in ISAF/ORC classes shall be without time correction and no~~ No boat shall be eligible to compete in the same year in more than one ISAF/ORC Class.
  - (f) ORC shall pay ISAF an annual fee, as established by the Executive Committee from time to time, for each ISAF/ORC Class that holds a World Championship in that year (Regulation 10.3 shall not apply). This fee does not apply to an ISAF Offshore Team World Championship which utilizes ISAF and/or ISAF/ORC Class boats.
- 14. **Reserved for future use**

## PART IV - Administration

### 15. NOTICES AND SUBMISSIONS

- 15.1 Submissions may be made by:
 

Member National Authorities, ISAF Class Associations, the Executive Committee, the Chairmen of Committees established by Council, International or Recognized Rating Systems, the Chairman of the Women's Forum and the President.
- 15.2 A notice, submission, proposal or nomination to the ISAF shall be addressed to the Chief Executive Officer at the address of the ISAF Secretariat and shall be delivered in writing by hand, post, fax or Email, and be deemed to have been given or made on the date of receipt by the Secretariat
- 15.3 A submission from a Member National Authority shall be signed by the President, Vice-President, Chairman or Secretary of that Member.
- 15.4 A submission from an ISAF Class Association shall be signed by the President, Chairman or Secretary of the Class Association.
- 15.5. A submission or proposal shall first state its purpose or objective, set out the proposal, the current position, if any, identify any Article, Regulation or Rule considered to be affected and the reasons for the proposal. ~~In a submission or proposal to change any Article, Regulation or Rule, the current Article, Regulation or Rule shall also be set out in full, with the proposed changes including the exact words to be inserted and/or deleted.~~
  - 15.5.1 In a proposal which is in the nature of a discussion paper which may lead to changes to, or which outlines changes that might be made to one or more Regulations then the proposal shall also list those Regulations which may be affected.
  - 15.5.2 If a submission or proposal includes specific changes to any Article, Regulation or Rule, then:

- (a) if the change is to remove the whole Regulation, Article or Rule, it shall state the reference number of it; or
- (b) if the change is to only part of the Regulation, Article or Rule, then the current Article, Regulation or Rule shall be set out in full; and
- (c) in either case, the proposed changes shall include the exact wording to be inserted and/or deleted.

15.5.3 For the purposes of this Regulation 'Rule' shall mean any rule within the Racing Rules of Sailing or the Equipment Rules of Sailing.

15.6 Submissions or proposals must be received at the ISAF Secretariat in respect of:

- (a) the Annual ISAF Meeting, by 1200 hours UTC on 1 August except Class rule change submissions, which shall be received by 1200 hours UTC on 1 September.
- (b) the Mid-Year meeting or other meetings, not less than eight weeks before the meeting at which it is considered. Only urgent submissions may be considered at a Mid-Year meeting. The Executive Committee shall determine whether a submission is urgent. (The provisions of this section do not apply to submissions or proposals brought forward under Regulation 15.8 and 23.1.2);

15.6.1 Notwithstanding Regulation 15.6 above, submissions made by the Executive Committee arising out of their September meeting shall not be late submissions provided they are included in the November Conference mailing.

15.7 A late submission may only be considered upon the approval of the President or in his absence of one of the Vice-Presidents and then only when he considers that a matter of urgency is involved.

15.8 Any other late submission shall be placed on the agenda for the next available meeting of the General Assembly, Council, or Committee (as the case might be), if the person or body which made the submission so requests.

15.9 The Council shall not resolve any matter or substance unless it is based upon a submission which has been received in accordance with these regulations or is otherwise on the agenda of a committee of the Council.

15.10 All submissions or proposals complying with Regulation 15 shall be placed on the agendas of the appropriate Committees.

15.11 The procedure for deciding on submissions as received will be as follows:

- (a) during their meeting the 'reporting committee' shall allow representatives from those responsible for the submission to speak to it;
- (b) those submissions which affect ISAF regulations and articles will be included on the agenda of the Constitution Committee who will be required to give their input on any such changes;
- (c) before the Council meeting, the ISAF staff will prepare a 'recommendations paper' detailing the recommendations on each submission from the reporting committee and the opinions from the 'other committees'. The Chairman of each committee will be asked to authenticate that the 'recommendation paper' shows an accurate record of the committee's discussion on submissions allocated to their committee;
- (d) in making recommendations on submissions, committees may not recommend a substantial change;
- (e) the chairman of the reporting committee for a submission will be invited to give their verbal recommendation to Council on the submission;
- (f) the opinions of 'other committees' will be received in writing as part of the 'recommendations paper'.

- 15.12 The procedure for deciding on submissions as received and summarized as in Regulation 15.13 will be as follows:
- (a) recommendations that are either pending from previous Committee Meetings or new items deemed urgent and requiring an immediate Council decision may be presented to Council;
  - (b) Council may decide to make a decision on such recommendations or defer the matter to the next Council meeting;
  - (c) any recommendations from the Constitution Committee which bring about a change to the Regulations may be deferred to the following Mid-Year or Annual meeting by the Council.
- 15.13 Submissions to change or add a Regulation which are approved by Council without changes to the text as recommended to the Council by the Constitution Committee shall be effective on the date of approval unless a later date is stated in Council's decision.
- 15.13.1 In the event that Council's decision changes the text as recommended to the Council by the Constitution Committee, the Regulation shall not be effective until such text shall have been ~~resubmitted to approved by~~ the Constitution Committee for its recommendation ~~and is approved by Council at its next meeting. The effective date of the approved text shall be as stated in Regulation 15.13 above.~~
- 15.13.2 ~~Where appropriate, The effective date of the reviewed text shall be when~~ the Chairman of the Constitution Committee ~~may certify~~ certifies in writing that the changes to the text have been approved either:
- (a) ~~where there is sufficient time to do so, by those the~~ members (being not less than 5) of the Constitution Committee ~~present at a Council meeting or after discussion by e-mail or other electronic means present at a Council Meeting.~~
  - (b) ~~where a change is proposed at a Council Meeting, by those members present at that meeting, by the Constitution Committee after discussion by e-mail or other electronic means which shall if possible be within 28 days of the relevant meeting.~~
- 15.14 The Chief Executive Officer shall keep a register of addresses of all members of the ISAF, the members of the Council and members of the Committees. Notices from the ISAF shall be deemed to be properly delivered if dispatched by post, fax or Email to the appropriate registered address. Notices to be given by the Chief Executive Officer shall be dispatched not less than ~~one calendar month~~ twenty one days before the meeting to which they relate, provided that under exceptional circumstances failure to dispatch a notice in proper time shall not invalidate such notice or preclude the subject matter of such notice being placed on an agenda and resolved, if the General Assembly, Council or Committee (as the case might be) so decides.
- 15.15 All notices and circulars sent to Members shall be sent to the members of the Council for information.

## 16. INTERPRETATION OF CONSTITUTION BY CONSTITUTION COMMITTEE

- 16.1 The interpretation of the ISAF Constitution, including any ancillary documents, and Regulations shall be the sole responsibility of the Constitution Committee.
- 16.2 Any Member National Authority, Class, Officer or Committee Chairman or Vice-Chairman may submit a request in writing for an interpretation of the Constitution or Regulations. Such requests shall be sent to the Chief Executive Officer who shall send them to the Chairman and the Vice-Chairman of the Constitution Committee promptly. Such requests shall be considered by the Constitution Committee and a written opinion on the interpretation of the Constitution and/or the Regulations in the context of the circumstances of the request shall be provided to the requestor.
- 16.3 Any other member of a Member National Authority, Class, Committee or Sub-committee may submit such a request through a Member National Authority, Class, Officer or

Committee Chairman or Vice-Chairman as seems appropriate. Any such body or person through which a request is submitted is bound to forward it to the Chief Executive Officer promptly but may state that the body or the person does not have an interest in the outcome of the request. Otherwise it may provide its own opinion on the request.

- 16.4 Before considering any such request, the Constitution Committee shall:
- (a) provide a copy of the request to any committee(s) whose terms of reference are substantively and directly relevant to the request;
  - (b) permit the committee(s) reasonable time to comment, having regard to when the Constitution Committee would expect or be expected to issue that interpretation
- 16.5 Notwithstanding Regulation 16.2 above, where there is an urgency in obtaining an opinion the Chairman of the Constitution Committee may issue a provisional interpretation either orally or in writing, but if orally it shall be confirmed in writing as soon as possible. Such provisional interpretation shall be submitted to the Constitution Committee as soon as it reasonably can be. Such provisional interpretation shall be confirmed unless sixty per cent or more of the Constitution Committee vote against confirmation.
- 16.6 The existence of an urgency shall be in the sole discretion of the Chairman of the Constitution Committee. The Chairman may delegate the giving of an opinion to the Vice-Chairman or other legally trained member of the Constitution Committee. Such written opinions, when duly confirmed, shall be posted on the ISAF Website and may be distributed in any other manner.
- 17. APPLICATION OF ENGLISH LAW**
- 17.1 Any disputes relating to the validity or construction of the ISAF Constitution or Regulations or any other rules or regulations made thereunder (together, the 'ISAF Regulations'), and any disputes relating to the application of the ISAF Regulations or the exercise of powers thereunder, shall be subject to the exclusive jurisdiction of the courts of England and Wales and their principles, and shall be governed by English law, excluding English choice of law principles.
- 17.2 For specific events, after consultation with the Chairman of the Constitution Committee, the Executive Committee may waive the whole or part of a regulation, provided that such waiver is reported to Council at the next meeting.
- 17.3 Except in exceptional circumstances and with the approval of the Executive Committee, all references in the Regulations to specific amounts of money shall be expressed in Pounds Sterling. In the event that it is inappropriate to use Pounds Sterling in a given instance, the next choice shall be Euros.
- 18. EXHAUSTION OF ADMINISTRATIVE REMEDIES**
- 18.1 ISAF Full Members, ISAF Members, ISAF Race Officials, ISAF Representatives and competitors shall not resort to any court or tribunal until exhaustion of all administrative remedies.

## **SECTION 2 - EVENTS AND COMPETITION RULES**

19. **ELIGIBILITY CODE (See Appendix 3)**
20. **ADVERTISING CODE (see Appendix 1)**
21. **ANTI-DOPING CODE (See Appendix 2)**

**22. ISAF SAILOR CLASSIFICATION CODE (See Appendix 4)**

*Note: see also BETTING AND ANTI-CORRUPTION (Appendix 5)*

**23. OLYMPIC SAILING COMPETITION*****Classes and Equipment*****23.1 Classes and Equipment**

23.1.1 ISAF's vision for the Olympic Sailing Competition is that it is a pinnacle event, every 4 years, that showcases the skills and diversity of the best sailors from all parts of the world. Olympic Events, Equipment and formats are chosen to present the sport of sailing as a challenging but accessible and rewarding sport for participants from all countries, and as an engaging experience for spectators and remote audiences.

23.1.2 In choosing its Olympic Events and Equipment, ISAF shall seek to ensure that each Event at the Olympic Sailing Competition is, and will be likely to remain, the pinnacle Event for that discipline or area of sailing. In addition, the Olympic Events and Equipment taken together shall seek to:

- (a) demonstrate the diversity of skills required to race various types of small boats, and minimise the overlap between Events;
- (b) place an emphasis on athlete skill rather than equipment development, and limit the impact of equipment on performance;
- (c) demand a high level of athletic ability as well as excellent sailing skills;
- (d) be attractive and accessible to young athletes from all continents, and of different size and weight, with a clear pathway from ISAF Youth to Olympic Events and Equipment;
- (e) maximise the participation of the world's best sailors and showcase the diversity of the sport;
- (f) provide an effective platform for promotion of the sport, and elite sailors, between Olympics;
- (g) progress towards an equal number of Events for men and women to participate in;
- (h) avoid unnecessary or excessive equipment costs, development costs, measurement costs, coaching costs, race organisation and race official costs, and television and other media costs;
- (i) offer continuity of Events and evolution of Equipment to give MNAs and sailors a dependable pathway into Olympic competition with continuity of investment;
- (j) provide suitable Events and Equipment for Regional Games and other regattas;
- (k) minimise environmental impact.

23.1.3 The Olympic Events and Equipment are defined in Regulation 23.1.4. Any change to Regulation 23.1.4 shall be made according to the process below; [the associated voting process and submission requirements are specified in Regulation 23.1.8:](#)

- (a) Notwithstanding Regulation 23.13(b) to (f) below, the ten Olympic Events and Equipment in Regulation 23.1.4 are selected for the 2020 Olympic Sailing Competition. Equipment evolution shall be permitted and shall be decided in accordance with Regulation 23.1.3(d). If Sailing is allocated additional Olympic Events for 2020, Kiteboarding shall be selected.
- (b) Council shall decide by 31 December of the year of the Olympic Games which of the Events selected for the next Olympic Sailing Competition (in four years time) to review for possible change for the Olympic Sailing Competition in eight years time. There shall be a minimum of one and a maximum of three such Events. All other

Events and their associated Equipment shall be included in the Olympics in eight years time.

- (c) For each Event it is reviewing under 23.1.3(b), Council shall decide by 31 December of the following year either:
  - (i) to retain the Event and retain the current Equipment; or
  - (ii) to retain the Event and evolve the current Equipment; or
  - (iii) to retain the Event and select new Equipment; or
  - (iv) to select a new Event and select new Equipment.
- (d) For its decisions under 23.1.3(c), if Council decides:
  - (i) to evolve the current Equipment, it shall at the same time specify where evolution is required;
  - (ii) to select new Equipment, it shall at the same time decide the criteria for the selection of new Equipment;
  - (iii) to select a new Event, it shall at the same time select what that new Event shall be.
- (e) New Equipment shall only be selected following Equipment trials or other evaluation against the specified criteria, and shall be selected no later than 31 December of the year five years before the Olympic Games.
- (f) ISAF may at any time require evolution of selected Equipment and shall liaise with the Class organisation and manufacturers before so deciding. Any such evolution shall be decided no later than 31 December of the year five years before the Olympic Sailing Competition.

## 23.1.4 Olympic Events and Equipment:

### 2016 Olympic Events and Equipment

Men's Windsurfer - RS:X  
 Women's Windsurfer - RS:X  
 Men's One Person Dinghy - Laser  
 Women's One Person Dinghy - Laser Radial  
 Heavyweight Men's One Person Dinghy - Finn  
 Men's Skiff - 49er  
 Women's Skiff – 49erFX  
 Men's Two Person Dinghy - 470  
 Women's Two Person Dinghy - 470  
 Mixed Two Person Multihull – Nacra 17

### 2020 Olympic Events and Equipment

Men's Windsurfer - RS:X  
 Women's Windsurfer - RS:X  
 Men's One Person Dinghy - Laser  
 Women's One Person Dinghy - Laser Radial  
 Heavyweight Men's ~~2nd~~ One Person Dinghy - Finn  
 Men's Skiff - 49er  
 Women's Skiff – 49erFX  
 Men's Two Person Dinghy - 470  
 Women's Two Person Dinghy - 470  
 Mixed Two Person Multihull – Nacra 17

- 23.1.5 Olympic Equipment contracts shall be agreed between ISAF and the appropriate Classes and / or manufacturers by May 1st in the year four years before the Olympic Sailing Competition. The contract shall require the Class to be an ISAF Class at the first opportunity thereafter, and, in any event, prior to the Olympic Games, and to remain an

ISAF Class while it remains Olympic Equipment. In the event that ISAF is unable to agree the contract for particular Equipment, Council shall decide alternative Equipment in November of the year four years before the Olympic Sailing Competition from a list of Equipment options provided by the ISAF Executive.

- 23.1.6 Council may only change a decision already made with regard to selection of an Olympic Event or Equipment if at least 75% of votes cast are in favour of a motion to change that specific Olympic Event or Equipment selection. In such an event, the timescales in regulation 23.1.3 shall not apply, and any subsequent voting process shall ensure that an Event or Equipment is de-selected, or new Event or Equipment is selected, only after a vote of more than 50% of votes cast in favour of the decision.
- 23.1.7 ISAF shall review its Event and Equipment choices for the ISAF Youth World Championships, and for the Youth Olympic Games, following any change of Olympic Events or Equipment, to ensure that there remains a clear, pathway for MNAs and sailors from Youth to Olympic.

## ~~(a) Voting Procedure~~

~~———— If there is one or more submissions to change Olympic Events, a two stage procedure shall be used to choose whether to retain the existing set of Events or to change to an alternative set proposed in a particular submission.~~

### ~~———— Stage 1~~

~~———— Any submission to change Olympic Events must be proposed and seconded by a member of the committee (or if the submission is before Council by a member of Council). A member may propose or second more than one submission.~~

~~———— If a submission is not so proposed and seconded it is deemed rejected.~~

### ~~———— Stage 2~~

~~———— Stage 2 selects one set of Events from the current set of Olympic Events and the alternative set or sets of Olympic Events that have been proposed and seconded in Stage 1.~~

## ~~(b) The Stage 2 procedure is as follows:~~

~~———— (i) Each member of the committee, or if it is a vote of Council, each member of Council, shall cast one vote for his or her preferred set of Olympic Events from those sets that have not so far been rejected.~~

~~———— (ii) If a set receives more than 50% of votes cast, it is selected and the voting process is concluded.~~

~~———— (iii) If no set receives more than 50% of votes cast, first any set that has received zero votes is rejected, and second, of the remaining sets, the one that received the fewest votes is also rejected.~~

~~———— (iv) The procedure in (i) (ii) and (iii) above shall then be repeated with the remaining sets.~~

~~———— (v) The procedure shall continue until a set receives more than 50% of votes cast, whereupon it is selected, and the others are then deemed rejected.~~

~~———— (vi) After each round, the rejected set(s), but not the number of votes, shall be declared. The totals of all votes in all rounds shall be declared at the end of the process.~~

~~(c) In the event of a tie in step (b)(iii) above, it shall be broken as follows:~~

- ~~(i) The tie is broken in favour of the set that received more votes in the previous round of Stage 2.~~
- ~~(ii) If this fails to break the tie, or it is the first round of Stage 2, a run-off ballot shall be held.~~
- ~~(iii) If a tie between more than two sets is only partially broken by (i) or (ii), the tie break process continues with the sets that are still tied.~~
- ~~(iv) If a run-off ballot fails to break a tie, the chairman shall have a casting vote.~~

### 23.1.8 Olympic Event and Equipment Voting Processes

- (a) Committees voting on a recommendation to Council shall use the appropriate process defined below. Council may vote to accept the recommendation of a reporting committee. If Council does not so do, it shall then use the appropriate process defined below to make its decision(s).
- (b) For the decision under Regulation 23.1.3(b), there shall be a single ballot paper listing the ten Events and associated Equipment selected for the next Olympics. Each voting member of the committee (or Council) shall mark an X against those whose inclusion in the Olympics after next he or she wishes to be reviewed. Members can vote for any number of Events to be reviewed (including none). The Event receiving the most votes shall be subject to review. The Events receiving the second and third most votes shall also be subject to review if they received more than 50% of votes cast (excluding abstentions). If no Event receives any votes, then, notwithstanding Regulation 23.1.3(b), no Event shall be reviewed.
  - (i) (When there is a tie that needs to be broken, a separate run-off ballot shall be held between the tied Events to break it. When a tie involves more than two Events, and a run-off ballot only partially breaks that tie, another run-off ballot shall be held between those who are still tied.
  - (ii) When all tied Events remain tied after a run-off ballot, the chairman of the meeting shall have a casting vote.
- (c) Decisions under Regulation 23.1.3(c) shall be made based on submissions, with the option to retain the current Event and Equipment also available. To be valid, a submission shall propose, for all Events that are being reviewed, the choice of Event, and whether:
  - (i) the current Equipment is to be retained;
  - (ii) the current Equipment is to be evolved (in which case it shall summarise that evolution) ; or
  - (iii) new Equipment is to be chosen following trials (in which case it shall summarise the main criteria for the selection of new Equipment).
- (d) Voting for decisions under Regulation 23.1.3(c) shall be a two stage process as follows:

Stage 1: any submission must be proposed and seconded by a member of the committee (or if the submission is before Council by a member of Council). A

member may propose or second more than one submission. If a submission is not so proposed and seconded it is deemed rejected.

Stage 2: which selects either one submission from those that have been proposed and seconded in Stage 1, or selects to retain the current Events and Equipment (see Regulation 23.1.8(e)).

- (e) The Stage 2 procedure is as follows:
- (i) (Each voting member of the committee (or Council) shall cast one vote for his or her preferred option from those Stage 2 options which have not so far been rejected.
  - (ii) If an option receives more than 50% of votes cast (excluding abstentions), it is selected and the voting process is concluded.
  - (iii) If no option receives more than 50% of votes cast, then any option that has received zero votes, and of the remaining options, the one receiving the fewest votes, are rejected.
  - (iv) The procedure in (i), (ii) and (iii) above shall then be repeated with the remaining options.
  - (v) After each round of voting, the rejected option, but not the number of votes, shall be declared. The totals of all votes in all rounds shall be declared at the end of the process.
  - (vi) In the event of a tie that needs to be broken in step (iii) above, it shall be broken as follows:
    - the tie is broken in favour of the option that received more votes in the previous round of Stage 2;
    - if this fails to break the tie, or it is the first round of Stage 2, then a run-off ballot shall be held.
    - If a tie between more than two options is only partially broken by (a) or (b), the tie break process continues between the options that are still tied.
    - If a run-off ballot fails to break a tie, the chairman of the meeting shall have a casting vote.
- (f) Decisions under Regulation 23.1.3(e) shall be made separately for each Event for which a change of Equipment is being considered using the “Stage 2” procedure in (e) above. The Equipment options available for selection shall be only the Equipment options that participated in the Equipment trials or other evaluation prescribed in Regulation 23.1.3(e).

### ***Olympic Entries***

- 23.2 Olympic entries shall only be approved from Members of the ISAF. If applications for membership are received between the meetings of the ISAF, these may be approved provided that the Officers and the ISAF’s legal advisers are satisfied that the application follows the ISAF’s normal guidelines. These applications shall be reported to the Council at its next meeting.
- 23.2.1 Entries for Olympic Qualification Events shall only be accepted from Full or Associate Members. It shall be the first Olympic Qualification event for all nations.

### ***Olympic Jury***

- 23.3 The President, Chairman of the Racing Rules Committee and Chairman of the Race Officials Committee shall select the Chairman of the Olympic Jury.
- 23.3.1 The President, Chairman of the Racing Rules Committee and Chairman of the Race Officials Committee shall agree on a Vice-Chairman and select the balance of the jury, subject to the following guidelines:
- (a) a majority of the Jury shall be International Judges;
  - (b) there shall not be more than two members from any one country; and
  - (c) at least one member shall be from the nation organizing the Olympic Sailing Competition and at least one member shall be from the nation organizing the subsequent Olympic Sailing Competition.

### ***Olympic Media Rights***

- 23.4 Media Rights in respect of the Olympic Sailing Competition are the property of the International Olympic Committee and all monies derived from these rights allocated to ISAF is the property of ISAF.

### ***Appointment of Technical Delegates***

*Please refer to Regulation 25.13.7 and 25.13.8*

## **24. ISAF EVENTS**

### ***Selection of Classes for ISAF Events***

- 24.1 Only ISAF Classes shall be selected for ISAF events.
- 24.1.1 Notwithstanding Regulation 24.1, the Council may approve a non-ISAF Class boat for ISAF Match Racing and Team Racing events other than Olympic events.
- 24.1.2 Notwithstanding Regulation 24.1, the Council may approve the selection of a non-ISAF Class boat that has been recommended as a result of an ISAF Equipment Evaluation.

### ***ISAF Sailing World Championships***

- 24.2 The Name of the Championship shall be the ISAF Sailing World Championships (the Championships). If there is a title sponsor, the title sponsor name may be inserted in the Championships title, as approved by the ISAF Executive Committee.
- 24.2.1 The Championships shall be held once every four years, two years prior to the Olympic Sailing Competition.
- 24.2.2 Only the events and equipment included in the next Olympic Sailing Competition shall be included in the programme of the Championships.
- 24.2.3 The Championships shall be the Class World Championship of the equipment as stated in 24.2.2
- 24.2.4 The format of the event shall be decided by ISAF.
- 24.2.5 The start date for the Championships shall be in August, except that, if the start date of the Olympic Sailing Competition is in September, the start date for the Championships may also be in September but no later than the Olympic start date. The Executive may change this date when there is good reason.
- 24.2.6 The decision process and timelines for the selection of venue and contract award for the Championships are:
- (a) Preliminary bids shall be received by ISAF from an ISAF Member National Authority by 1st November, 5 years before the Championships.
  - (b) Final bids shall be received by 1st March, 4 years before the Championships.

- (c) The venue shall be decided by ISAF in May, 4 years before the Championships.
- (d) The contract between ISAF and the Organizers shall be signed not less than 3 years before the Championships
- (e) The Qualification System shall be determined by ISAF not less than 2 years before the Championships.
- (f) The Notice of Race shall be approved by ISAF not less than 1 year before the event.

24.2.7 Notwithstanding 24.2.2 above the organising authority for an ISAF Sailing World Championship may, with ISAF approval, also include events using potential future Olympic Equipment or disciplines.

### ***ISAF Sailing World Cup Events***

- 24.3 The name of the each regatta shall be covered by the title of the ISAF Sailing World Cup.
- 24.3.1 Only the Events and Equipment included in the next Olympic Sailing Competition shall be included in the programme of ISAF Sailing World Cup regattas.
- 24.3.2 The format of the Events shall be decided by ISAF and shall be based on the format for the Events at the next Olympic Sailing Competition.
- 24.3.3 Notwithstanding 24.3.1 above the Organising Authority for an ISAF Sailing World Cup regatta may, with ISAF approval, also include:
  - (a) Events and Equipment included in the next Paralympic Sailing Competition provided that if it does so the format of such Events shall be based on the format of those Events for the next Paralympic Sailing Competition;
  - (b) Events using potential future Olympic Equipment or disciplines.
- 24.3.4 The Notice of Race and the Sailing Instructions for all ISAF Sailing World Cup events shall be consistent and approved by ISAF.
- 24.3.5 Reserved for future use to cover all other aspects of ISAF Sailing World Cup regattas.

### ***ISAF Youth Sailing World Championship***

- 24.4. The Name of the Championship shall be the ISAF Youth Sailing World Championship (the Championship). If there is a title sponsor, the title may be 'Sponsor' Youth Sailing ISAF World Championship, or 'Sponsor' may be inserted elsewhere in the Championship title, as approved by the ISAF Executive Committee.
- 24.4.1 The Championship shall be held annually.
- 24.4.2 To be eligible to participate in the Championship, all competitors shall be under the age of 19 years on 31 December of the year of the Championship.
- 24.4.3 The following events shall be included in the programme of the Championship:
  - Boy's One Person Dinghy
  - Girl's One Person Dinghy
  - Boy's Two Person Dinghy
  - Girl's Two Person Dinghy
  - Boy's Windsurfer
  - Girl's Windsurfer
  - Open High Performance Dinghy
  - Open Multihull
- 24.4.4 The Championship shall start either on the second Saturday of July or on 27 December of the year of the Championship, and shall finish eight days later

- 24.4.5 The decision process and timelines for the Host Member National Authority for the Championship are:
- (a) Bids should be received from an ISAF Member National Authority by 1 August, 5 years before the year of the event;
  - (b) The venue shall be decided by ISAF 4 years before the event;
  - (c) The equipment shall be decided by ISAF 3 years before the event;
  - (d) The contract between ISAF and the Organizers shall be signed not less than 2 years before the event; and
  - (e) The Notice of Race shall be approved by ISAF not less than 1 year before the event.
- 24.4.6 Classes listed in Regulation 24.4.9 shall not hold a World or Youth Continental Championship that clashes with the dates of the Championship.
- 24.4.7 Only Classes listed in Regulation 24.4.9, may be selected for the ISAF Youth Sailing World Championship. Member National Authorities applying to host a Championship shall indicate their intended classes in their bid document.
- 24.4.8 Boats, sails and equipment shall be provided for the competitors, free of charge.
- 24.4.9 The Classes for the ISAF Youth Sailing World Championship are:
- Boy's One Person Dinghy - Laser Radial
  - Girl's One Person Dinghy - Laser Radial
  - Boy's Two Person Dinghy - 420
  - Girl's Two Person Dinghy - 420
  - Boy's Windsurfer - RS:X with the 8.5<sup>m</sup> rig
  - Girl's Windsurfer - RS:X with the 8.5<sup>m</sup> rig
  - ~~Open Skiff – 29er~~ Boys' Skiff – 29er
  - Girls Skiff – 29er
  - Open Multihull - ~~Hobie 16 with spinnaker or Sirena~~ SL16
- Note: With effect from 1 January 2015, the line "Open Skiff – 29er" will be replaced with "Boys' Skiff – 29er" and "Girls' Skiff – 29er". This change will not apply to the 2015, 2016 or 2017 Championships unless the host organisers agree.*
- Pursuant to Regulation 24.1.2, no class shall remain on the approved list for more than four years without obtaining ISAF Class status.

## 25. ISAF AND OTHER EVENTS

### ***ISAF approval of World Championships and other Events***

- 25.1 ISAF approval is required for any event that is described as a World Championship, uses the word "World" in the title of the event, or any of the promoters, organizers or any other organization officially connected with the event, represents or holds out in any way that the event is a World Championship or does the foregoing in such a way that the event is reasonably perceived to be a World Championship.
- 25.2 ISAF Classes
- 25.2.1 Each ISAF Class that meets the World Championships requirements in Regulation 10.2.1(d) is automatically granted the right, subject to the notification requirements of Regulation 25.7, to hold one annual World Championship. Regulation 10.4 defines how this right is maintained or rescinded.
- 25.2.2 ISAF Class Associations have the sole right to hold world and continental championships of their class, these being class events as defined in Regulation 10.5(f).
- 25.2.3 ISAF Classes holding world and continental championships shall obtain the approval of the National Authority of the nation where the event is to be hosted.

- 25.2.4 The title of the Championship should be: “The xxx Class World Championship” or “The xxx Class <Name of Continent> Championship”, but other titles may be used. The title shall not include the term “ISAF”, “International Sailing Federation”, “Sailing” or “World Cup”.
- 25.2.5 The World Championship right granted in Regulation 25.2.1 may be open, or may be restricted on the basis of gender or age. All ISAF Classes may also award the following subsidiary World Championship titles:
- (a) one Women’s World Champion title
  - (b) one Youth World Champion title (which may be on the basis of gender), where youth crews are so defined by the Class.
  - (c) one further World Champion title on the basis of gender, age or discipline.
- 25.2.6 Those competing for a subsidiary World Championship shall race as a separate fleet. The number of participating entries in this fleet shall meet or exceed the number of entries shown in the table in regulation 10.4(b), and the fleet shall include entries from more than one continent.
- 25.2.7 However the above rights for a Class selected by ISAF to be equipment at the next Olympic Sailing Competition may be restricted or amended by the Olympic Classes Contract.
- 25.3 Radio Sailing
- The International Radio Sailing Association may hold one annual World Championship per IRSA Class up to a maximum of three World Championships.
- 25.4 Disabled Sailing
- The International Association for Disabled Sailing (IFDS) may hold IFDS World Championships as follows; subject to approval under Regulation 25.1:
- (a) up to a total of five IFDS World Championships per year are authorized;
  - (b) IFDS shall select the World Championships from the following disability event categories:
    - (i) One-Person Keelboat Open;
    - (ii) Two-Person Keelboat Mixed;
    - (iii) Three-Person Keelboat Open;
    - (iv) Multihull Open;
    - (v) One-Person Non-Technical Open;
    - (vi) Vision impaired (with sighted guides) Open;
    - (vii) Vision impaired (without sighted guides) Open, and;
    - (viii) Intellectually Disabled Open

- (c) Regulation 10.4(b) does not apply to IFDS World Championships;
- (d) IFDS may "Recognize" classes of boats or equipment as suitable for sailing by disabled sailors, in accordance with standards to be adopted by IFDS; and
- (e) IFDS World Championships authorized in this Regulation shall be held in equipment recognized by IFDS as provided in 25.6(d).

## 25.5 Rating Systems

- 25.5.1 A designation as an international rating system shall not automatically entitle the rating system to hold a world championship.
- 25.5.2 Rating systems not covered in Regulation 25.5 shall apply to ISAF for approval to hold a world championship.
- 25.5.3 Qualification to hold a world championship shall include rating systems which are based on measurement and scientific formulation available to all certificate holders.

## 25.6 Other World Championships

ISAF may approve other events as World Championships upon written application made by a National Authority, Class Association or an organizing authority (as defined in RRS)

## 25.7 ISAF Events Calendar

- 25.7.1 The dates for all World and Continental Championships shall be presented to ISAF no later than 1 August for the following year including all Championship titles to be awarded at the event.
- 25.7.2 Organizers of other events may, after receiving the approval of the relevant Member National Authority, apply no later than 1 August for publication of the event on the ISAF International Events Calendar for the following year.
- 25.7.3 By 1 October, ISAF shall prepare a list of all World Championships approved under Regulation 25.2, 25.3, 25.4, 25.5, 25.6, 25.7, Continental Championships of ISAF Classes, Major Events and Recognized Events and events submitted under Regulation 25.7.2.
- 25.7.4 ISAF is the Authority to solve any disputes over clashes of dates in the international Calendar. All Member National Authorities shall notify ISAF of their International Events and proposed dates as soon as possible. Dates should be agreed with the ISAF Secretariat before 1 August of the preceding year to avoid possible clashes. In the event of a conflict in dates for events involving Classes selected by ISAF to be equipment at the next Olympic Sailing Competition, the ISAF Executive Committee shall resolve the conflict.
- 25.7.5 For the Classes selected by ISAF to be equipment at the next Olympic Sailing Competition the hierarchy of events shall follow the grading system for the ISAF Rankings.
- 25.7.6 The event organiser shall use the ISAF XML Regatta Reporting format (ISAF XRR) at Olympic Class ranked events. This regulation will take effect from 1 November 2013.

## ***Appointment of Race Officials in International Events***

- 25.8 ISAF has the right to appoint Race Officials for the events which require them in order to ensure that for those events the Race Officials selected are fully trained and qualified for that event.
- 25.8.1 Except as provided in Regulations 10.10, 23.3 and 25.8, the right to appoint Race Officials is delegated to the Organizing Authority of the event.
- 25.8.2 When ISAF has the right to appoint or approve the appointment of Race Officials pursuant to Regulation 25.8 or otherwise and with the exception of the appointment of Olympic Juries pursuant to regulations 23.3 and 23.3.1, and ISAF Technical Delegates pursuant to Regulation 25.9 with the exception of Olympic Technical Delegates pursuant to

Regulation 25.9.1 in the exercise of such right or obligation the Executive Committee shall appoint a working party to make the appointments or to give approvals. Any such working party shall consist of the following persons:

- ~~(a) an ISAF Vice-President;~~
- ~~(b) a retired ISAF Race Official;~~
- ~~(c) a suitable staff member of the ISAF Secretariat (non-voting);~~
- (a) an experienced current or former ISAF Race Official (as chairman)
- (b) two additional current or former experienced ISAF Race Officials
- (c) an ISAF Vice-President
- (d) the ISAF staff manager responsible for ISAF Race Officials (non-voting)

The working party shall be appointed at the same time as the ISAF committees ~~at the Annual ISAF Meeting after the Olympics and shall be appointed for a four-year period in line with the ISAF Committee's term of appointment. In respect of each event, the working party shall have power to add one other expert whose expertise is relevant or needed.~~ The ISAF Race Officials stated in (a) and (b) above should cover a range of race official disciplines, if possible and may be retired. Casual vacancies shall be filled in accordance with the above principles.

- 25.8.3 For appointments under Regulations 25.8.10, 25.8.12 and ~~25.8.14~~ ISAF shall ~~only~~ appoint or approve ~~only~~ after consultation with: ~~the relevant ISAF Class/Owners Association (for class events) and the Member National Authority of the venue.~~
- (a) any relevant ISAF Class/Owners' Association;
  - (b) for the Paralympic Sailing Competition and IFDS World Championships, the Disabled Sailing Committee (IFDS);
  - (c) for Regional Games, the relevant ISAF Affiliate Continental Member; and
  - (d) the Member National Authority of the venue.
- 25.8.4 The Executive Committee may propose from time to time at its discretion to the Council the addition or deletion of events from the lists in Regulations 25.8.8 through 25.8.15. Upon the Council's approval of such a proposal, either as proposed or as amended, the lists in Regulation 25.8.8 through 25.8.15 shall be amended accordingly. ~~The Executive Committee will categorize Regional Games into Category I and II after consultation with the Regional Games Committee.~~
- ~~25.8.5 If an ISAF Race Official is appointed or approved by ISAF to officiate in a Major Event, as defined by Regulation 25.8.15, from the date of acceptance of, whether or not he continues to act as a race official in that event, he shall not compete in it himself or advise or act in any capacity for a competitor or a competitor's team for that event.~~
- 25.8.5 ISAF shall publish a list of all appointments made under this Regulation no later than 30th June of each year and shall update the list no later than the end of each calendar year
- 25.8.6 When it is appropriate to remunerate Race Officials, ISAF shall exercise the right to appoint the Race Officials selected for these events and set the fees to be paid to ISAF for the services or shall negotiate the appropriate fees.

***Appointment or approval of the ISAF International Race Officials Jury and the appointment of International Umpires***

- 25.8.7 ISAF shall not appoint or approve a Jury Chairman, Principal Race Officer, Chief Measurer/Equipment Inspector or Chief Umpire who is from the country of the Organizing Authority of the event.
- 25.8.8 When ISAF exercises its right to appoint a Chief Umpire, Jury Chairman, Chief Measurer, Course Representative or Principal Race Officer (Race Officer when one course area will

be used) the appointee shall respectively be an International Umpire, International Judge, International Measurer or International Race Officer.

## 25.8.9 International Jury or International Umpire team

- (a) When ISAF appoints or approves the International Jury it may, to the extent permitted by the Racing Rules of Sailing, in conjunction with the relevant class association and Organizing Authority, appoint / approve national judges
- (b) When ISAF appoints or approves the Umpire Team, it may, in conjunction with the relevant Organizing Authority, appoint / approve national umpires to the extent consistent with guidelines adopted by the International Umpires Sub-committee.

## 25.8.10 ISAF shall exercise the right to appoint the **race officials** ~~International Jury or the Umpire Team~~ for the following events:

America's Cup Series, America's Cup Challenger Series, America's Cup Defender Series, America's Cup Match **but excluding measurers**;

Grade One Match Racing Events

**All events organized by or on behalf of ISAF**

~~ISAF Events as follows:~~

~~ISAF Youth Sailing World Championship~~

~~ISAF Sailing World Championships~~

~~ISAF Offshore Team World Championship~~

~~ISAF Match Racing World Championship~~

~~ISAF Women's Match Racing World Championship~~

~~ISAF Youth Match Racing World Championship~~

~~ISAF Team Racing World Championship~~

~~...In addition, any other ISAF Events that are introduced.~~

World Championships of the Olympic Classes;

Olympic **and Paralympic** Qualifying Events;

The Olympic Sailing Competition (See Regulations **4623.3** and **4623.3.1**);

**The Paralympic Sailing Competition**

**The Youth Olympic Games**

Regional Games ~~Category I~~

~~The Volvo Ocean Race.~~

## ~~25.8.11 ISAF shall approve the International Jury or the International Umpires when deemed necessary for the following events otherwise not covered by the Regulations above:~~

~~Regional Games Category II;~~

~~Paralympic Qualification Events;~~

~~Paralympic Games;~~

~~Special Olympics.~~

## 25.8.11~~2~~ ISAF shall have the right to approve and/or appoint the **race officials** ~~International Jury or the Umpire Team~~ when deemed necessary for the following events otherwise not covered by the Regulations above:

Global **and Trans-Oceanic** Ocean Races;

~~Grand Prix Match Racing Events;~~

ISAF World **Sailing** Rankings graded Events;

Professional Windsurfers Association Events (PWA)

~~Trans-Oceanic Races;~~

**Volvo Ocean Race**

World Championships of non-Olympic ISAF Classes, when agreed with the ISAF as detailed in Regulation 10.10

## ~~Appointment or approval of Race Officers or Course Representatives~~

## ~~25.8.13 ISAF shall exercise the right to appoint the Race Officer(s) and/or Course Representatives for the following events:~~

~~ISAF Events as follows;~~

~~ISAF Youth Sailing World Championship;  
ISAF Sailing World Championships;  
ISAF Offshore Team World Championship;  
ISAF Match Racing World Championship;  
ISAF Women's Match Racing World Championship;  
ISAF Youth Match Racing World Championship;  
ISAF Team Racing World Championship;  
ISAF Sailing World Cup~~

~~...In addition, any other ISAF Events that are introduced.  
World Championships of the Olympic Classes;  
Olympic Qualifying Events;  
The Olympic Sailing Competition.~~

~~25.8.14 ISAF shall have the right to approve and/or appoint the Race Officer(s) and/or Course Representatives when deemed necessary for the following events otherwise not covered by the Regulations above:~~

~~ISAF World Sailing Rankings graded Events;  
World Championships of non Olympic ISAF Classes, when agreed with the ISAF~~

~~Appointment or Approval of Measurers~~

~~25.8.15 ISAF shall exercise the right to appoint the Measurer(s) for the following events;~~

~~ISAF Events as follows:~~

~~ISAF Youth Sailing World Championship;  
ISAF Sailing World Championships;  
ISAF Offshore Team World Championship;  
ISAF Match Racing World Championship;  
ISAF Women's Match Racing World Championship;  
ISAF Team Racing World Championship;~~

~~...In addition, any other ISAF Events that are introduced.  
The Olympic Sailing Competition.~~

~~25.8.16 ISAF shall have the right to approve and/or appoint the Measurer(s) when deemed necessary for the following events otherwise not covered by the Regulations above:~~

~~ISAF World Sailing Rankings graded Events;  
World Championships of ISAF Classes, when agreed with the ISAF.~~

**25.8.127 Major and Recognized Events**

(a) Major Events are as follows:

America's Cup Series, America's Cup Challenger Series, America's Cup Defender Series, America's Cup Match;  
Global Ocean Races;  
Grade 1 Match Racing Events;  
All events organized by or on behalf of ISAF  
~~Grand Prix Match Racing Events;~~

~~ISAF Events as follows:~~

~~ISAF Youth Sailing World Championship;  
ISAF Sailing World Championships;  
ISAF Offshore Team World Championship;  
ISAF Match Racing World Championship;  
ISAF Women's Match Racing World Championship;  
ISAF Youth Match Racing World Championship;  
ISAF Team Racing World Championship;~~

~~.... And any other ISAF Events that are introduced,~~

Events of the Olympic Classes (at the discretion of the ISAF Executive Committee);  
 World Championships of the Olympic and Paralympic Classes;  
 Olympic and Paralympic Qualifying Events;  
 The Olympic Sailing Competition;  
 The Paralympic Sailing Competition  
 Professional Windsurfers Association Events (PWA);  
 Global and Trans-Oceanic Races;  
 Regional Games ~~Category I;~~  
 Volvo Ocean Race.

(b) Recognized Events are as follows:

Events of the Olympic Classes not covered under (a) (at the discretion of the ISAF Executive Committee);  
~~Regional Games Category II,~~  
 World Championships of non-Olympic ISAF Classes, unless otherwise agreed with the ISAF, as detailed in Regulation 10.10;  
~~Paralympic Sailing Competition (including Paralympic Qualification Events);~~  
 Special Olympics.

## ***Appointment of Race Officials in International Events***

~~25.8.18 ISAF shall publish a list of all appointments made under this Regulation no later than 30th June of each year and shall update the list no later than the end of each calendar year.~~

## ***Appointment of Technical Delegate in International Events***

- 25.9 ISAF shall appoint ISAF Technical Delegates for all 'ISAF Events' and Regional Games events. The Chairman of the Regional Games Committee shall be consulted on the appointment of ISAF Technical Delegates to Regional Games events.
- 25.9.1 The Executive Committee shall appoint ISAF Technical Delegates to the Olympic Sailing Competition
- 25.9.2 The appointment of technical delegates to events organized outside the ISAF Events, Regional Games and Olympic Sailing Competition will be left to the Member National Authority of the country in which the event is being held.
- 25.9.3 The ISAF Technical Delegate should be appointed as soon as possible after the confirmation of sailing's inclusion in the specific Regional Games. A list of ISAF appointed Technical Delegates will be maintained on the ISAF website.
- 25.9.4 ISAF Technical Delegates appointed to Regional Games shall only be those certified by ISAF as an ISAF Race Officer or International Judge.
- 25.9.5 ISAF shall not appoint or approve an ISAF Technical Delegate, other than ISAF staff, who is from the country of the Organizing Authority of the event. All ISAF Technical Delegates will report to and through the Executive Committee.
- 25.9.6 The ISAF Technical Delegate will be appointed subject to the following guideline as to their qualifications:
- (a) an intimate knowledge of the ISAF Rules and Regulations;
  - (b) experience of event organization;
  - (c) skills in diplomacy;
  - (d) the ability to work with all people connected with the event (competitors, officials, media etc); and
  - (e) the geographic location of the appointed delegate in respect of funding available from ISAF and other sources to enable he/she to undertake the role.
- 25.9.7 The responsibilities of the ISAF Technical Delegate will include:
- (a) assisting Event Organisers in the development and planning of the event;

- (b) giving advice regarding the Notice of Race and Sailing Instructions before the event;
- (c) approving any alterations to the Sailing Instructions and other rules relating to the event;
- (d) co-ordinating the ISAF Course Representatives and the Race Officers (appointed by the Event Organising Committee) where such officials have been appointed;
- (e) carrying out such other functions as the ISAF Executive Committee may decide; and
- (f) submitting a report to the ISAF if visits are made.

25.9.8 At least two ISAF Technical Delegates will be appointed for the Olympic Sailing Competition, subject to the following guidelines:

- (a) one ISAF Technical Delegate will be a member of the ISAF Executive Committee;
- (b) one ISAF Technical Delegate will be an ISAF staff appointee;
- (c) the ISAF Technical Delegates will be appointed no later than three years before the start of the Olympic Sailing Competition; and

25.9.9 The ISAF Executive Committee shall approve the IFDS Technical Delegate for the Paralympic Sailing Competition (including Paralympic Qualification events).

### **Commercial Rights**

25.10.1 ISAF exclusively owns and controls all commercial rights in and to the ISAF Events, such commercial rights to include, without limitation and in each case on a worldwide basis, all:

- (a) audio, visual and audio-visual and data rights (in every medium, whether or not existing as at the date of these Regulations);
- (b) sponsorship, advertising, merchandising, marketing and other forms of rights of association;
- (c) ticketing, hospitality and other concession rights; and
- (d) other rights to commercialise the ISAF Events (including without limitation any so-called "event rights" and any right to authorise the taking of bets on the ISAF Events).

25.10.2 ISAF shall be entitled to exploit the commercial rights in such manner as it considers appropriate, including granting licences in respect of the same (or part thereof) to relevant Member National Authority or other third party(ies) from time to time.

### **Media Rights**

25.11 Definition

For the purpose of this Regulation, Media Rights shall mean:

- (a) the right to communicate or interact via the Internet, or other system with information including, but not limited to, statistics, rules, bulletins, calendars, news, and results; and
- (b) the right to transmit thereon audiovisual and/or audiovisual live and/or delayed coverage of an event.

Notwithstanding the generality of the foregoing, the term 'Media Rights' includes any such rights to information which is stored, reproduced or transmitted in digital or analogue form or by digital or analogue methods or by use of any protocol.

25.11.1 Ownership

The International Sailing Federation (ISAF) is the first owner of all media rights of any event using *The Racing Rules of Sailing*.

As detailed in Regulation 23.4, media rights in respect of the Olympic Sailing Competition are the property of the International Olympic Committee and all monies derived from these rights allocated to the ISAF is the property of the Federation.

## 25.11.2 Licensing

No club, Class Association, organization, entity or person or any combination thereof, may negotiate or enter into or benefit from any agreement or transaction of any kind by which cash or other consideration is received for the grant of any media rights in respect of any such event except with the express written consent of ISAF. No consent is required in respect of the following events:

- (a) ISAF Class Association World Championships and Continental Championships and other World Championships Approved by ISAF

Unless otherwise agreed with ISAF, ISAF Classes shall be automatically licensed by ISAF, without fee, to such media rights for their ISAF approved Class World Championships and Continental Championships, and other classes in respect of other World Championships approved by ISAF.

- (b) National Events

Member National Authorities shall be automatically licensed, without fee, to the media rights to such events held in the Member National Authority's country. The Member National Authority may sub-license such media rights to the Event Organizing Authority of the event.

- (c) An International Event taking place in one country:

- (i) ISAF Graded Events

On application to ISAF, the media rights may be licensed to the Member National Authority, without fee. The Member National Authority may sub-licence the media rights to the Event Organizing Authority of the event.

- (ii) Other Events

Unless Otherwise Agreed with ISAF, on application to ISAF, the media rights shall be licensed to the Member National Authority without fee. The Member National Authority may sub-licence the media rights to the Event Organizing Authority of the event.

- (d) Notwithstanding (a), (b) and (c), a fee may be charged only if such events regularly produce a significant amount of revenue.

- (e) An International Event taking place in more than one country:

On application to ISAF, the media rights may be licensed to the Member National Authority of the Event Organizing Authority. A fee may be charged. The Member National Authority may sub-licence the media rights to the Event Organizing Authority.

- (f) Major Events/Events of Classes/ISAF Events

On application to ISAF, any media rights ISAF may have for Major Events, Events of Classes and ISAF Events, may be licensed to the Event Organizing Authority or other organization at ISAF Executive Committee's discretion. No additional fee shall be charged. See Regulation 25.12.3.

## **Event Fees**

## 25.12 Grading and Advertising Fees

- (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 25.12.4).
- (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
 

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 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.

- (c) The ISAF Executive Committee may adjust the fee under special circumstances.

### ***Payment for Umpires***

25.12.1 For Graded Match Racing Events, International Umpires shall be paid in accordance with this Regulation:

- (a) The Executive Committee shall specify the fees payable from time to time and may specify different fees depending on the role of the umpire at the event (e.g. Chief Umpire, Deputy Chief Umpire etc.).
- (b) The fees shall be based on the number of racing days of an event, with an appropriate additional amount for travel and any other required days' attendance.
- (c) The fees payable for any event shall be the most recent that have been specified by the Executive Committee not less than 12 months before the start of the event.
- (d) Fees shall only be paid in relation to the following events:
  - (i) ISAF Open Match Racing World Championships;
  - (ii) Open Grade 1 Events; and
  - (iii) Open Grade 2 to 5 Events and all Women's Match Racing Events with 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.
- (e) When a Women's Grade 1 or 2 Match Racing event is combined with an Open Match Racing Grade 1 or 2 event then the fees payable shall be based on all race days of the combined event.

### ***Approval Fees***

25.12.2 Excluding those events detailed under Regulation 25.12.1, the organizing authority of an event with:

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~~ € 50,000 or the equivalent may be required to pay an approval fee.

- (a) National Events - The national authority of the venue may require such a fee.
- (b) International Events - (i.e. open to entries other than those from the national authority of the venue) or any event organized in more than one country the ISAF shall require such a fee, as below:

<del>Total Prize Money</del>	<del>Approval Fee</del>
<del>€15,500 – €10,999</del>	<del>€1,500</del>
<del>€20,000 – €24,999</del>	<del>€2,000</del>
<del>€25,000 – €29,999</del>	<del>€2,500</del>
<del>€30,000 – €34,999</del>	<del>€3,000</del>
<del>€35,000 +</del>	<del>10% of total prize money</del>
10% of prize money over € 15,500	

- (c) When there is prize money for a series of events, then Regulation 25.12.2 will apply to the series in addition to Regulation 25.12.1 applying to the individual events.

## Media Right Fees

25.12.3 See Regulation 25.11.2 and Regulation 25.12.4.

## Major Events, Events of Classes and ISAF Events

25.12.4 Fees due to ISAF from Major Events, Events of Classes and ISAF Events (see Advertising Code, Regulation 20.2.3) in respect of Advertising and Approval Fees (Regulation 25.12 and 25.12.2) shall be negotiated as a single fee to cover all rights, including any Media Rights as defined by Regulation 25.11 owned by the ISAF.

## Non-Payment of Fees

25.12.5 Where ISAF has the right to appoint Race Officials and

- (a) where fees in respect of an event are payable under Regulation 25.12 and have not been paid by the day before the day of the first scheduled race of the event; or
- (b) where fees are unpaid in respect of:
  - (i) other events organised by either the same organizing authority; or
  - (ii) other events organized or controlled by any body, organization or authority concerned with the current event,

ISAF may instruct Race Officials appointed to the event to refrain from officiating in the event or to withdraw from it.

## 25.13 Regional Games

25.13.1 ISAF shall encourage Member National Authorities, Continental Associations and other similar organizations to have sailing included in Regional Games where possible subject to the provisions of this paragraph 25.13.

25.13.2 ISAF ~~will~~ shall appoint the Technical Delegate for Regional Games ~~Category 1~~ as soon as possible after the event's dates and venue ~~has~~ have been announced. The Organizing Authority shall prepare the Notice of Race, the Sailing Instructions and other race documents in close cooperation with the Technical Delegate and shall send ~~it~~ them to ISAF for approval. The Notice of Race shall be sent not less than eight months before the start of the Games, the Sailing Instructions not less than one month. ISAF shall publish the Notice of Race on its website or by such other means as it thinks fit and once published the provisions in the Notice of Race relating to the classes to race and the format of the races shall not be altered except with the consent in writing of ISAF.

~~25.13.3 When Regional Games are categorized by the Executive Committee into Category II, the Organizing Authority shall prepare the Notice of Race for approval by ISAF not less than eight months before the start of the Games. ISAF shall publish the Notice of Race on its website or by such other means as it thinks fit and once published the provisions in the Notice relating to the classes to race and the format of the races shall not be altered except with the consent in writing of ISAF. The Sailing Instructions and other race documents shall be prepared by the Organizing Authority for approval by the Technical Delegate appointed by ISAF.~~

25.13.34 Unless otherwise approved by the Executive Committee after consultation with the Events Committee and Regional Games Committee, where sailing is included in the Regional Games, the competition format, scoring, and race management procedures shall follow to the extent possible ISAF policies and the competition format, scoring and race management procedures for the Olympic Sailing Competition.

25.13.45 The equipment for all Regional Games shall be chosen from the following classes

- Windsurfing: Funboard, Formula, Mistral, RS:X
- Kiteboarding
- Single-Handed Dinghy: Finn, Laser, Laser Radial, Sunfish, Byte, Zoom, Europe
- Multi-Crewed Dinghy: 29er, 420, 470, Fireball, Flying Dutchman, Lightning, Snipe, 49er, 49erFX
- Keelboat: Etchells, Flying Fifteen, H-Boat, J-22, J-24, Soling, Yngling, Sonar, Star
- Multihull: Hobie 16, Hobie Tiger, Tornado, Nacra 17

However the Executive Committee may approve applications by Regional Games Organizers for the use of other equipment or the introduction of events restricted to specific age groups.

## 26. FLAGS AND EMBLEMS

26.1. When flags or emblems purporting to identify National Authorities or their competitors are used at international yachting events, they shall be limited to:

- (a) a national flag or emblem, or a delegation flag or emblem where these differ from the national flag or emblem;
- (b) a flag or emblem approved by the IOC; or
- (c) a flag or emblem approved by the ISAF Executive Committee.

## 27. ISAF WORLD RANKINGS - GRADING CRITERIA FOR GRADED EVENTS

27.1 ISAF World Sailing Rankings

### ***Criteria applying to all grades of events***

27.1. ISAF World Sailing Rankings

27.1.1 Criteria applying to all grades of events

- (a) Dates should be agreed with the ISAF Secretariat before 1 April of the current year (Southern Hemisphere) and 1 August of the preceding year (Northern Hemisphere) to avoid possible clashes (this will be strictly enforced in the case of World Championship Grade and Grade 1 events).
- (b) The event shall be sailed broadly according to the principles applied in the current Olympic classes events format and shall be of a uniformly high standard.
- (c) The Notice of Race shall be published at least 6 months before the event. The Notice of Race and the Sailing Instructions shall comply with the Notice of Race

Guide and the Sailing Instructions Guide in the Racing Rules of Sailing and the event shall be organised in accordance with the ISAF Race Management Policies.

- (d) Within 24 hours of the last race results shall be entered into the ISAF website provided for this purpose, or faxed or emailed to the ISAF Secretariat, in a format as stipulated by the ISAF, so that they can be entered into the Rankings.
- (e) Organizers of all graded events must ensure the publication on the event website of the daily results without delay using one of the following methods:

- updating of the organizer's own webpages (hyperlinked on the ISAF event pages);
  - using the e-mail function of the ISAF Regatta Package (as soon as available);
  - e-mail transmission of HTML-edited results to the ISAF News Editor;
  - e-mail transmission of result text files to the ISAF News Editor.

- (f) In restricted entry events at least the top three competitors on the appropriate class ranking list immediately prior to the event shall be entitled to enter.
- (g) High level of organization on the water as well as on shore is required.

### 27.1.2 200-Point Events

Sailing World Cup events  
Olympic Class World Championships  
ISAF Sailing World Championships

Additional Criteria:

- (a) the event shall take place either within the host continent's window, or in the free window, in the ISAF calendar;
- (b) three races are required to be completed to constitute a series;
- (c) bow numbers and seeding, if used, shall reflect competitors' positions on the ISAF Sailing World Rankings.

### 27.1.3 100-Point Events

Olympic Class World Championships (when non-compliant with 200-point criteria)  
Olympic Class Continental Championships (other than those run as part of a 200-point event)  
Other major international events using Olympic equipment

Additional Criteria:

- (a) the event shall take place either within the host continent's window, or in the free window, in the ISAF calendar (or shall be a Class World Championships);
- (b) the event shall be either a World or Continental Championships, or shall meet the minimum fleet size and spread requirement for a 100-point event (which shall be specified by ISAF and may vary by class and continent), or shall be declared by ISAF to be a 100-point Event;
- (c) where an International Jury cannot be established, the Chairman of the Protest Committee shall be an International Judge, not from the host country;
- (d) three races are required to be completed to constitute a series.

### 27.1.4 50-Point Events

Olympic Class Continental Championships (when non-compliant with 100-point criteria)  
Other international events using Olympic equipment (when not 100-point Events)

Additional Criteria:

- (a) the event shall meet the minimum fleet size and spread requirement for a 50-point event (which shall be specified by ISAF and may vary by class and continent), or shall be declared by ISAF to be a 50-point Event;
- (b) where an International Jury cannot be established, the Chairman of the Protest Committee shall be an International Judge.

### 27.2 ISAF World Match Race Rankings

#### 27.2.1 Ranking Divisions

There shall be two divisions - Open and Women. The Women's Division is limited to events which specify that all crew members, including the skipper, shall be women. All other events are Open. Points scored in Women's events shall count only towards the Women's ranking list. Points scored by an all women team in an Open event shall count towards the Open list and the Women's list, without any adjustment.

#### 27.2.2 Administration

##### (a) Application for Grading

The official ISAF grading form is available for download from the ISAF website.

The form shall be completed by the event organizer, endorsed by the relevant Member National Authority and received by the ISAF Secretariat at least four months prior to the event. This may be by electronic mail. An event grading will then be allocated by ISAF.

ISAF will publish the dates for WC events on or before 15 October the year before. All event organizers applying either for Grade 1 or Grade 2 are invited to submit their dates before 1 November the year before. ISAF will then establish a calendar of events.

Events dates will be allocated in the following order:

- WC events;
- Grade 1 events;
- Grade 2 events.

If two event dates clash and there is no possibility for one or both to select alternative dates, ISAF shall decide the matter in its sole discretion which may include downgrading one of them.

The allocation of gradings by the ISAF Secretariat will be checked on a sample basis, as directed by the Chairman of the Match Racing Committee. A report of event gradings will be made annually to the Match Race Committee.

##### (b) ISAF Event Report

The organizers shall submit an ISAF event report, including the results and other specified information, checked and signed by the Chief Umpire. The event report shall then be sent by fax or e-mail to the ISAF Secretariat. It shall be submitted within 5 days for events graded 3, 4 or 5, or within 24 hours for events graded 1 or 2.

##### (c) Re-grading of Events

Events may be re-graded retrospectively when there is clear reason to do so. An event applying to be up-graded retrospectively must satisfy ISAF that it clearly meets all the criteria of the higher grading.

Application for upgrading shall be made at the time of submission of the results and be accompanied by an application form completed in full. The application form will be similar to the initial application form appropriate to the grade of event.

An event will only be downgraded when it fails to meet the criteria by a substantial margin, or when it does not comply with the administration requirements. Such a decision does not change the previous requirements as per Regulation 25.12.

When an event does not comply with ISAF administrative procedures or fairness, the Match Race Rankings Sub-committee may recommend that ISAF shall remove the event from the ISAF Calendar.

An event which failed to meet the criteria, regardless if the event was downgraded or not, may be granted a lower Grade when it applies for the next edition of that event.

(d) Invitations and acceptances

A skipper accepting an invitation but withdrawing within two months of the event may be reported by the organizer to the ISAF. After review by ISAF late withdrawals may receive a "zero" score, which must be counted for the competitor's ranking.

A "zero" score penalty after review by ISAF may also apply to skippers who leave the event before the end of the event without the written approval from the organizing authority.

Invitations should be in writing and include the following statement:

*"Should you accept this invitation and later withdraw within two months of the event or leave the event before the end without the written approval from the OA, it is possible for a zero score to be applied to your Ranking points for that event by ISAF."*

(e) Umpire Insurance

In signing the Grading Form, Events confirm that all umpires will be covered by comprehensive liability insurance in an amount of not less than £480,000 per occurrence covering legal liability in respect of personal injury and property damage. The cover should include (but not be limited to) liability directly or indirectly arising from the ownership, possession or use of any watercraft in connection with the umpire's duties.

The organizing authority confirms with the signature on the grading form that it accepts responsibility to cover all expenses for the umpires and ISAF if the event is postponed or cancelled.

(f) ISAF Sailor ID

Results from Graded Match Race Events shall be sent to ISAF with Skippers ISAF Sailor ID's included. Skippers may register for ISAF Sailor at:  
[www.sailing.org/isafsailor](http://www.sailing.org/isafsailor)

(g) Media Rights

ISAF Graded Events may be licensed as detailed in Regulation 25.11.2(c).

### 27.2.3 Grading of Events

Event grading will normally be based on the following criteria, but will take into account the overall event package. During the transition from the previous criteria a reasonable time shall be allowed for events to comply. Percentage calculations shall be rounded up to the nearest whole number.

(a) Grade 5 - Open and Women

Any match racing event using boats of the same design.

When provided by the organizers each pair of boats shall be of equal performance.

The notice of race shall be based on the current ISAF standard.

The sailing instructions shall be based on the current ISAF standard.

Matches shall be umpired.

The maximum average crew weight limit for open events is 87.5 kg.

~~The maximum average crew weight limit for women's events is 68 kg.~~

The weight limit for women's events may be either:

- (i) a maximum average crew weight limit of 68kg; or
- (ii) a maximum total crew weight limit of 'Y' (where  $Y = 68\text{kg} \times \text{the number of standard crew members for the boat (X)}$ ) and the organizing authority may permit the boat to be raced with X, X-1 or X+1 crew members.

(b) Grade 4 - Open and Women

Satisfies the criteria for a Grade 5 event and: -

The boats shall have a minimum crew of three.

There shall be a minimum of eight skippers entered for the match racing.

There shall be a minimum of two days scheduled for racing.

(c) Grade 3 - Open and Women

Satisfies the criteria for a Grade 4 event and: -

The boats shall have a minimum 5.9 m LOA

There shall be a minimum of four boats available throughout the event, except when a boat that was available at the start of the event is subject to major breakdown or damage.

The boats shall be capable of carrying spinnakers.

Acceptable Race Committee practices.

Acceptable Race Committee and umpire boats.

The event shall be one of the following:

Either:

- (i) The principal national championship - only one per nation per year
- (ii) The principal youth national championship - one per nation per year
- (iii) An international event with a minimum of 30% of the skippers of a different nationality than the host nation, or
- (iv) an event, for countries whose Member National Authority is in Groups H to Q, where at least 30% of the skippers are either of a different nationality than that of the host nation, or are nationals of the host nation but have travelled more than 500 km from their ordinary place of residence to the event venue.

For national championships there shall be at least one International Umpire.

For international events there shall be at least two International Umpires.

(d) Grade 1 and Grade 2 - Open and Women

Satisfies the criteria for a Grade 3 event and complies with the ISAF Standard Guidelines for Grade 1 and Grade 2 Match Racing events as produced by the Match Racing Committee in consultation with the Race Officials Committee. In addition, the event shall meet the following requirements (O = Open, W = Women):

## REGULATIONS

Description	Event Grade			
	2 - O	1 - O	2 - W	1 - W
<b>Competitors</b>				
Skippers - <b>only top 12</b> minimum total points (* See below)	50	120	35	80
Skippers - max % from host MNA	60%	40%	60%	40%
Skippers - max % from same MNA except host.	40%	30%	40%	30%
Skippers - max % from host continent (except for Continental Championships)	100%	85%	100%	85%
Skippers – max % from host continent for Continental Championships	100%	100%	100%	100%
No of skippers to be invited from a qualifying event specified in the Notice of Race (max. grading of qualifying event is Grade 3)	1	2	1	2
<del>Maximum average crew weight (kg) (when boats are provided)</del>	<del>87.5</del>	<del>87.5</del>	<del>68</del>	<del>68</del>
<b>Boats General</b>				
Minimum number of boats (** See below)	6	6**	6	6**
Minimum overall length (metres)	6.8	6.8	5.9	5.9
<b>Boats - Provided by organizing authority</b>				
Breakdown/spare service on the water				
<b>Organization</b>				
Format scheduled to include round robins and knock out semi-finals and finals				
Quarter finals may be round robin (preferred) or knock-out				
Knock out rounds to be scheduled to be the first to win minimum number of races	2	3	2	3
Days of scheduled racing	3	4	3	4
Min. number of scheduled practice hours per competitor	2	2	2	2
Min. number of International Umpires - per match #	1	1	1	1
International Jury required	*R	Yes	*R	Yes

\* Recommended

\*\* For Grade 1 and 2 events the minimum number of boats should be 50% of the number of skippers.

# For Grade 1 Open and Women's events Umpires shall be appointed by ISAF. For details please see ISAF Regulation 25.8.10. Please e-mail [umpires@isaf.com](mailto:umpires@isaf.com) for information

\* As ISAF ranking list 4 months before the first day of the event:

For each skipper ranked	1 - 10	20 points
For each skipper ranked	11 - 20	15 points
For each skipper ranked	21 - 30	11 points
For each skipper ranked	31 - 40	8 points
For each skipper ranked	41 - 50	6 points
For each skipper ranked	51 - 60	5 points
For each skipper ranked	61 - 70	4 points
For each skipper ranked	71 - 80	3 points
For each skipper ranked	81 - 90	2 points
For each skipper ranked	91 - 100	1 point

The ranking position of women skippers on the ISAF Women's Ranking List shall be used for Open events when determining Skipper Points for the event.

### **America's Cup Skipper Points**

Upon application to ISAF, Skippers involved in the previous America's Cup may carry the following Skipper Points depending upon the stage that they reached in the competition:

Stage of Event	America's Cup Skipper Points	(2007 America's Cup - <i>example</i> )
America's Cup Finalist	20	Team New Zealand - Alinghi
Challenger Series Finalist	15	Luna Rossa
Challenger Series semi-finalist	11	BMW Oracle – Desafío Español
Round Robin	8	All other syndicates

Skipper Points are not cumulative for each round.

There may be only two registered skippers per America's Cup syndicate. A list of registered skippers shall be published on the ISAF website.

America's Cup Skipper Points may account for a maximum of 50% of the total Skipper Points required by an event.

(e) Grade - WC Open and Women

Meets all the criteria for an ISAF World Championship and particularly the ISAF Match Racing World Championship.

(f) Grade – ISAF Nations Cup Open and Women

Meets the criteria for the ISAF Nations Cup Regional or Grand Final. Regional Finals will score points equivalent to a Grade 2 event. Grand Finals will score points equivalent to a Grade 1 event.

#### **27.2.4 Prize Money**

Distribution of prize money shall be in accordance with ISAF Standard Guidelines for Grade 1 and Grade 2 Match Racing events as produced by the Match Racing Committee in consultation with the Race Officials Committee.

Appearance money is discouraged in favour of optimizing prize money.

## **28. RACING RULES ADMINISTRATION**

### ***Adoption of and Changes to the Racing Rules***

28.1 The Racing Rules Committee is responsible for advising and making recommendations to the Council regarding *The Racing Rules of Sailing* and the various related subjects with which the Racing Rules are concerned, which include but are not limited to the rules that apply when boats meet, management of races, protests and appeals, and rule observance.

28.1.1 Racing Rules shall be adopted or changed only by the Council after considering recommendations from the Racing Rules Committee. Changes in the Racing Rules shall take effect only every four years, on 1 January of the year following the year in which the Olympic Sailing Competition is held. Regulations 28.1.2, 28.1.3, 28.1.4 and 28.2.5 contain exceptions to this policy.

28.1.2 In exception to Regulation 28.1.1, any change of clear necessity or pressing importance may be made effective for any designated date by a 75% vote cast in favour of the change by the Racing Rules Committee and by the Council. The ISAF Secretariat shall promptly report any action taken under this regulation to all Member National Authorities.

- 28.1.3 In exception to Regulation 28.1.1, the ISAF Executive Committee, after consulting with the chairman of the Racing Rules Committee, may, under RRS 86.2, approve changes to the Racing Rules for a specific international event, provided such changes are of clear necessity or pressing importance. The ISAF Secretariat shall promptly report any action taken under this regulation to the ISAF Council and Member National Authorities.
- 28.1.4 In exception to Regulations 28.1 and 28.2, the Council may, at any time and without consulting with the Racing Rules Committee, change the Eligibility, Advertising, Anti-Doping and Sailor Classification Codes (see RRS 5, 75.2 79 and 80).

### ***Procedure for Changing the Racing Rules***

- 28.2 A revised edition of *The Racing Rules of Sailing* shall be published every four years, on 1 January of the year following the year in which the Olympic Sailing Competition is held.
- 28.2.1 Submissions and proposals for changes to the Racing Rules shall be made in accordance with Regulation 15. Submissions and proposals for changes to be included in the next edition shall be accepted until the closing date for submissions to the Annual ISAF Conference in November of the year preceding the Olympic Sailing Competition. After that date, no further new submissions or proposals will be accepted for that edition. However, previously accepted submissions or proposals may be changed and appendices may be revised until 1 May of the year in which the Olympic Sailing Competition is held.
- 28.2.2 In addition to submissions, the Racing Rules Committee shall also consider proposals and recommendations from:
- (a) the Racing Rules Committee Working Party;
  - (b) the Race Officials Committee and its Sub-committees; and
  - (c) the Match and Team Racing Rules Working Party, on issues affecting the Match Racing and Team Racing Rules.
- 28.2.3 The Racing Rules Committee Working Party shall finalize any rule changes by 1 May of the year in which the Olympic Sailing Competition is held.
- 28.2.4 A final, fully formatted copy of the revised edition of *The Racing Rules of Sailing*, with changes from the previous edition clearly identified for translators, shall be made available by the ISAF Secretariat to all Member National Authorities and ISAF Class Associations by 30 June of the year in which the Olympic Sailing Competition is held.
- 28.2.5 The Racing Rules in the new edition of *The Racing Rules of Sailing* shall come into effect worldwide on 1 January of the year following the year in which the Olympic Sailing Competition is held. However, if an event begins in the year of the Olympic Sailing Competition and continues past 31 December, the effective date may be postponed by the notice of race and sailing instructions.

### ***Interpretations of the Racing Rules***

- 28.3 Interpretations of the Racing Rules by the ISAF shall be made only through publication of cases in The Case Book or of calls in *The Call Book for Match Racing* or *The Call Book for Team Racing*. The cases are authoritative interpretations and explanations of the rules for all racing and the calls are authoritative interpretations and explanations of the rules only for match or team racing.
- 28.3.1 The Racing Rules Committee shall study cases and calls submitted in accordance with Regulation 1, cases proposed by the Case Book Working Party or the Racing Rules Question and Answer Panel, and calls proposed by the Match and Team Racing Rules Working Party, and shall recommend to the Council those that it approves for publication in *The Case Book*, *The Call Book for Match Racing* or *The Call Book for Team Racing*.
- 28.3.2 Submissions or proposals for cases and calls, in English and including any necessary diagrams, shall be received at the ISAF Secretariat before the deadline in Regulation 15.6. If a submission or proposal duplicates a published case or call, the submission or proposal shall state why the proposed case or call is preferable.

- 28.3.3 The following are guidelines for publishing cases in *The Case Book*:
- (a) a case shall significantly clarify an important meaning of a rule or increase the understanding of a complex rule;
  - (b) a case shall not duplicate one already published. When a case is an improvement on an existing case it shall be included and the existing case deleted.
- 28.3.4 The following are guidelines for publishing calls in *The Call Book for Match Racing* or *The Call Book for Team Racing*:
- (a) a call shall illustrate the application of the rules or procedures, including the rules in the Match Racing Rules or the Team Racing Rules appendix, in a situation regularly occurring in match or team racing;
  - (b) a rule interpretation in a call shall be consistent with any cases that interpret the same rule;
  - (c) A call shall not duplicate one already published. When a call is an improvement on an existing call it shall be included and the existing call deleted.
- 28.3.5 The Case Book Working Party shall evaluate proposed cases and edit approved cases, including any changes approved by the Racing Rules Committee. It shall eliminate unnecessary text and use standard wording and format. The Match and Team Racing Rules Working Party shall handle proposed and approved calls in the same way. Following publication of a new edition of *The Racing Rules of Sailing*, the working parties shall promptly review and revise *The Case Book*, *The Call Book for Match Racing*, and *The Call Book for Team Racing*.
- 28.3.6 The Racing Rules Question and Answer Panel shall answer questions on the Racing Rules or race committee or protest committee procedures that are submitted to it by an ISAF ~~International Race Official~~ ISAF Race Official or a Member National Authority. The procedure that the panel will follow when answering such questions and the Questions and Answers that the panel decides to publish shall be posted on the Racing Rules Question and Answer Service page on the ISAF website, and a link to that page shall appear on both the Racing Rules and the Race Officials pages. Questions and Answers published during a four-year rulebook cycle will normally be removed from the website no later than 1 January in the year in which a revised rulebook is published. The panel may propose that a published Question and Answer be added to *The Case Book*, *The Call Book for Match Racing* or *The Call Book for Team Racing*.
- 28.3.7 The Match Racing and Team Racing Rapid Response Call Panels shall review proposed rapid response calls from an ISAF International Umpire or a member of the panel. The chief umpire at an event shall propose new calls made during the event that would benefit other events. The procedure that the panel will follow when reviewing calls and the calls that the panel decides to publish shall be posted on the Match Racing or the Team Racing Rapid Response Call page on the ISAF website, and a link to that page shall appear on both the Racing Rules and the Race Officials pages. The Match and Team Racing Rules Working Party will submit calls published prior to 1 August of a given year for inclusion, as appropriate, in *The Call Book for Match Racing* or *The Call Book for Team Racing*.
- 28.3.8 Answers to questions provided by the Racing Rules Question and Answer Panel published on the ISAF website are not authoritative interpretations and explanations of the Racing Rules. However, they are the carefully considered opinions of an experienced panel whose members have a thorough knowledge of the Racing Rules and extensive experience as competitors or as race officials.

### ***Approval of Interpretations of the Racing Rules***

- 28.4 Except for the publication of the ISAF case and call books, the ISAF shall not issue an authoritative interpretation or explanation of the Racing Rules unless it is first reviewed and approved by the Chairman of the Racing Rules Committee or a member of the committee designated by the Chairman.

***Appeals to the ISAF***

- 28.5 Except as provided in the ISAF Eligibility Code, Regulation 19.5, the ISAF shall not accept or decide an appeal from a decision of a Member National Authority.

***Introductory Rules for Racing***

- 28.6 The racing Rules Committee is responsible for the formulation and revision of the Introductory Rules for Racing. The Introductory Rules for Racing are a simplified set of rules intended for use when training people new to racing.

**29. EQUIPMENT RULES ADMINISTRATION*****Adoption and Changes to the Equipment Rules of Sailing***

- 29.1 The Equipment Control Sub-committee, after consultation with the Chairmen of the Racing Rules Committee, and Oceanic and Offshore Committee is responsible for advising and making recommendations to the Council regarding The Equipment Rules of Sailing (ERS) and the various related subjects with which the ERS are concerned, which include but are not limited to certification control, certification and equipment inspection including sailing instructions concerning equipment inspection, and rules observance. Any such advice or recommendation shall be made through the chairman of the equipment committee
- 29.1.1 The ERS shall be adopted or changed only by the Council after considering recommendations from the Equipment Control Sub-committee. Changes to the ERS shall be put into effect only every four years, effective as of 1 January of the year following the year in which the Olympic Sailing Competition is held. Regulation 29.1.2 contains exceptions to this policy.
- 29.1.2 In exception to Regulation 29.1.1, any change of clear necessity or pressing importance may be made effective for any designated date by a 75% vote cast in favour of the change by the Equipment Control Sub-committee and by the Council. The ISAF Secretariat shall promptly report any action taken under this regulation to all Member National Authorities

***Changes to the Equipment Rules of Sailing***

- 29.2 A revised edition of The Equipment Rules of Sailing shall be published every four years, on 1 January of the year following the year in which the Olympic Sailing Competition is held.
- 29.2.1 Submissions and proposals for changes to the ERS shall be made in accordance with Regulation 1. Submissions and proposals for changes to be included in the next edition shall be accepted until the closing date for submissions to the Annual ISAF Conference in November of the year preceding the Olympic Sailing Competition. After that date, no further new submissions or proposals will be accepted for that edition. However, previously accepted submissions or proposals may be changed and appendices may be revised until 1 May of the year in which the Olympic Sailing Competition is held.
- 29.2.2 In addition to submissions, the Equipment Control Sub-committee shall also consider proposals and recommendations from
- (a) the ERS Working Party;
  - (b) the Racing Rules Committee;
  - (c) The Equipment Committee;
  - (d) the Class Rules Sub-committee;
  - (e) the Oceanic and Offshore Committee, and;
  - (f) the Race Officials Committee.
- 29.2.3 The ERS Working Party shall finalize any rule changes by 1 May of the year in which the

Olympic Sailing Competition is held.

- 29.2.4 A final, fully formatted copy of the revised edition of The Equipment Rules of Sailing, with changes from the previous edition clearly identified for translators, shall be made available by the ISAF Secretariat to all Member National Authorities and ISAF Class Associations by 30 June of the year in which the Olympic Sailing Competition is held.
- 29.2.5 The new edition of The Equipment Rules of Sailing shall come into effect worldwide on 1 January of the year following the year in which the Olympic Sailing Competition is held. However, if an event begins in the year of the Olympic Sailing Competition and continues past 31 December, the effective date may be postponed by the notice of race and sailing instructions.

## ***Interpretations of the Equipment Rules of Sailing***

- 29.3 Interpretations of the Equipment Rules of Sailing by ISAF shall be made only through publication of cases in *The ERS Case Book*. The cases are authoritative interpretations and explanations of the Equipment Rules of Sailing.
- 29.3.1 The Equipment Control Sub-committee shall study cases submitted in accordance with Regulation 1 and shall recommend to the Council those that it approves for publication in the ERS Case Book. Any such recommendation shall be made through the chairman of the Equipment Committee.
- 29.3.2 Submissions or proposals for cases in English and including any necessary diagrams, shall be received at the ISAF Secretariat before the deadline in Regulation 15.6. If a submission or proposal duplicates a published case, the submission or proposal shall state why the proposed case is preferable.
- 29.3.3 The following are guidelines for publishing cases in *The ERS Case Book*:
  - (a) A case shall significantly clarify an important meaning of a rule or increase the understanding of a complex rule.
  - (b) A case shall not duplicate one already published. When a case is an improvement on an existing case it shall be included and the existing case deleted.
- 29.3.4 Where practical all interpretations shall be considered as possible changes to the ERS-
- 29.3.5 The Equipment Rules of Sailing Question and Answer Panel shall answer questions on the Equipment Rules of Sailing that are submitted to it by a class, a rating rule, an ISAF International Race Official, or a Member National Authority. The procedure that the panel will follow when answering such questions and the Questions and Answers that the panel decides to publish shall be posted on the Equipment Rules of Sailing Question and Answer Service page on the ISAF website, and a link to that page shall appear on both the Equipment Rules, ISAF Classes, Ratings and Handicap and the Race Officials pages. Questions and Answers published during a four-year rulebook cycle will normally be removed from the website no later than 1 January in the year in which a revised rulebook is published. The panel may propose that a published Question and Answer be added to *The ERS Case Book*.
- 29.3.6 Answers to questions provided by the Equipment Rules of Sailing Question and Answer Panel published on the ISAF website are not authoritative interpretations and explanations of the Equipment Rules of Sailing. However, they are the carefully considered opinions of an experienced panel whose members have a thorough knowledge of the Equipment Rules of Sailing and extensive experience as competitors or as race officials.

## ***Approval of Interpretations of the Equipment Rules***

- 29.4 Except for the publication of the ERS Case Book, the ISAF shall not issue an authoritative interpretation or explanation of the Equipment Rules unless it is first reviewed and approved by the Chairman of the Equipment Control Sub-committee or a member of the committee designated by the Chairman.

**30. SPECIAL REGULATIONS ADMINISTRATION****30.1 Adoption and changes to Special Regulations**

- 30.1.1 The ORC are the original authors of the Special Regulations and have licensed ISAF to administer the same. The Special Regulations Sub-committee is responsible for advising on and making recommendations regarding the Special Regulations and all related subjects to which such regulations are concerned. Special Regulations shall be adopted or changed only by the Oceanic and Offshore Committee (on behalf of the Council) after considering recommendations from the Special Regulations Sub-committee.
- 30.1.2 In exception to Regulation 30.2.1 any change of clear necessity or pressing importance may be made effective on any designated date by 75% of the responding votes of both the Special Regulations Sub-committee and the Oceanic and Offshore Committee.
- 30.1.3 Further in exception to Regulations 30.1.1 and 30.2.1 the Chairmen of the Oceanic and Offshore Committee and Special Regulations Sub-committee may together approve exceptions to Special Regulations for special international events in exceptional and particular circumstances. The ISAF Secretariat shall report the action taken under this regulation at the time to the Oceanic and Offshore Committee and shall circulate details to Member National Authorities.

**30.2 The Procedure for Changing Special Regulations**

- 30.2.1 Changes in the Special Regulations shall take effect only once every two years on 1 January of an even year, except as provided in Regulation 30.1.2.
- 30.2.2 Proposals for changes and formal submissions may be made by any member of the Special Regulations Sub-Committee, any member of the Oceanic and Offshore Committee (through the Chairman of the Oceanic and Offshore Committee), International or Recognized Rating Systems or any Member National Authority. Submissions and proposals should be lodged with the Secretariat of ISAF at least six weeks before any meeting of the Special Regulations Sub-Committee, and shall then immediately be distributed to members thereof who shall, by e-mail and any other means that the Chairman thereof deems appropriate, convene working parties to consider the various proposals and submissions.
- 30.2.3 The Special Regulations Sub-committee shall at their meeting determine those submissions which it proposes to recommend to the Oceanic and Offshore Committee for approval together with the relevant date upon which such change shall become part of the Regulations. It shall further determine those proposed submissions which it recommends for rejection. The Sub-committee shall defer any submissions which either require amendment (unless of a minor nature) or further review and refer them to a working party either of the whole committee or such other working party as it determines, which shall report to the Oceanic and Offshore Committee with its recommendation within four months of the meeting at which such submission was deferred.
- 30.2.4 Those making proposals for discussion and submissions should, unless the change is of a minor nature, submit either an explanation or a paper giving the background and the necessity for such change. Where there are two or more proposals or submissions of a similar nature, the authors thereof shall be immediately advised thereof and be invited to co-ordinate with a view to agreeing a common submission or proposal prior to the next meeting of the Sub-committee

**30.3 Interpretations to the Special Regulations**

Interpretations to the Special Regulations by ISAF shall be made only by the Chairman of the Special Regulation Sub-committee after consultation with Chairman of the Oceanic and Offshore Committee and such other members of the Sub-committee as they believe appropriate. At the next meeting following such interpretation, the same shall be reviewed by the Sub-committee and the Sub-committee shall consider whether any amendment to

the Special Regulations is necessary or desirable to add clarity. The Sub-committee may also recommend revocation of any such interpretation.

### **SECTION 3 - OFFICIALS**

#### **31. ~~INTERNATIONAL ISAF RACE OFFICIALS ADMINISTRATION – INTERNATIONAL JUDGES, UMPIRES, MEASURERS AND RACE OFFICERS~~**

- 31.1 The provisions of this regulation affect all International Race Officials, namely International Judges, International Umpires, International Measurers and International Race Officers, ~~International Classifiers, International Expression Judges and International Technical Delegates~~ referred to collectively in this Regulation as '~~International ISAF Race Officials~~.'
- 31.2 The Race Officials Committee shall appoint ~~or re-appoint International ISAF~~ Race Officials after considering the recommendations of the ~~committee~~ or sub-committee that is responsible for the discipline concerned.
- 31.3 For the purposes of this regulation references to 'Principal Events' shall mean those events described generally or designated as Principal Events by the Race Officials Committee and published on the ISAF Website. This regulation shall not require the Chief Executive Officer to list each individual event.

#### ***Term of Appointment***

- 31.4 The term of appointment for an ~~International ISAF~~ Race Official shall begin on the date it is made by the Race Officials Committee and,
- (a) if the applicant is less than seventy years old on the date of approval by the Race Officials Committee, the duration of the appointment shall be four years.
  - (b) if the applicant is seventy years old or older on the date of approval by the Race Officials Committee, the duration of the appointment shall be two years.

#### ***Applications for Appointment and Re-appointment***

- 31.5 A candidate for initial appointment shall:
- (a) be nominated by the candidate's Member National Authority, a Class/Owners Association or the Race Officials Committee;
  - (b) be recommended by the candidate's Member National Authority;
  - (c) send the application on the official form so that it is received by the Chief Executive Officer by 1 September; and
  - (d) meet the general qualifications and the additional qualifications for the discipline concerned.
- 31.6 A candidate for re-appointment shall:
- (a) apply directly to ISAF;
  - (b) send the application on the official form so that it is received by the Chief Executive Officer by 1 September; and
  - (c) meet the general qualifications and the additional qualifications for the discipline concerned.
- 31.7 ISAF shall inform the candidate's Member National Authority of the application.
- 31.8 On applying for appointment or re-appointment, all ~~International ISAF~~ Race Officials shall agree that, if aggrieved, they will resort only to the remedies referred to in this regulation, and whether those remedies are exhausted or not, will not resort to any court or other tribunal

**General Qualifications required of all International Race Officials**

- 31.9 A candidate for appointment or re-appointment for any discipline shall:
- (a) except in the case of International Measurers, be an experienced racing sailor;
  - (b) have a sufficient knowledge of the Racing Rules and a detailed knowledge of the rules, manuals and other requirements and publications relating to his discipline;
  - (c) be proficient in the English language and have the skills to communicate both with other race officials and with competitors on matters relating to his discipline;
  - (d) display the temperament and behaviour expected of an ~~International~~ ISAF Race Official at an event;
  - (e) have the health and physical capacity to fulfil the requirements of his discipline;
  - (f) have the observation skills necessary to perform the duties of his discipline;
  - (g) agree to support the policies of ISAF and further its objectives, rules and regulations;
  - (h) have unimpaired eyesight and hearing, natural or corrected, at a level to enable him to carry out the duties of his discipline; and
  - (i) be able to contribute to the development of the programme relating to his discipline.
- 31.10 Where a candidate is required to have served at an event outside of his Group or Member National Authority the following provisions shall apply:
- (a) If the event is the Olympic Sailing Competition, Youth Olympic Games, Paralympic Games or a Major Event as designated by Regulations 25.8.17(a) it will qualify as such an event even if it has taken place inside his Group or Member National Authority;
  - (b) if the candidate is from Groups A-H, the event shall be outside his Group;
  - (c) if the candidate is from Groups I-Q, the event shall be outside his Member National Authority.

**Examinations**

- 31.11 If a candidate for first appointment or re-appointment must pass an ISAF examination in order to be appointed, the following provisions shall apply:
- 31.11.1 A candidate for first appointment must have passed the examination in the four years prior to 14 October of the year of application;
- 31.11.2 A candidate for re-appointment must have passed the examination in the three years prior to 14 October of the year of application. However, they may pass the examination after 14 October on the following conditions:
- (a) if the examination has not been passed by 1 January in the following year, the Chief Executive Officer may omit or mark the candidate's name accordingly in the ISAF Yearbook;
  - (b) if all other conditions for appointment are met, the candidate may be re-appointed provided that he passes the examination before 1 May in the following year; and
  - (c) if the examination is not passed by 1 May in the following year, the candidate will, unless there are special circumstances, not be re-appointed but may re-apply in accordance with Regulation 31.17.
- 31.11.3 An examination pass may only be used once to qualify, except that candidates who are aged seventy years or over at the time of appointment may use it twice;
- 31.11.4 A candidate who does not pass an examination may retake it on the following conditions:

- (a) a candidate who fails an examination on the first attempt shall not retake the examination within six months of the first attempt, unless the Chairman of the relevant Sub-Committee for the discipline (or the Chairman of the Race Officials Committee if there is no Sub-committee) is satisfied that there are special circumstances to permit the candidate to retake an examination earlier;
- (b) a candidate who fails an examination on the second attempt shall not resit the examination, unless the Chairman of the relevant Sub-Committee for the discipline (or the Chairman of the Race Officials Committee if there is no Sub-committee) has considered the candidate's individual case and is satisfied that the candidate should be permitted an additional opportunity to retake an examination; and
- (c) a candidate who fails an examination on the third attempt shall wait a period of two years before retaking the examination, is not entitled to submit an application during that period and shall then apply as a candidate for first appointment.

**Additional Qualifications for Individual Disciplines**

**31.142 International Judge**

**31.142.1** A candidate for first appointment as International Judge shall have complied in the 4 years prior to 14 October of the year of application, with the requirements of System 1, that is to say:

- (a) have attended an ISAF Judging Seminar within the four years prior to 14 October of the year of application;
- (b) ~~have passed a written examination designed to show an intimate knowledge of the Racing Rules within the four years prior to 14 October of the year of application;~~ have passed the ISAF examination for the discipline in accordance with Regulation 31.11
- ~~(c) candidates who fail the examination the first time may take a new examination, but not within six months after the first one, except in special circumstances.~~
- ~~(d) candidates who fail the examination a second time and request to take a new examination shall be assessed on an individual basis. The decision whether to allow this or not shall be made by the Chairman of the International Judges Sub-committee. Candidates who fail the examination a third time may only reapply after a period of 2 years following the failing of the third examination and only if they fulfil all requirements for first appointment.~~
- (ec) have served as a member of a protest committee for at least three principal fleet racing events. At two of these three events the candidate shall have been a member of an International Jury. One of these three events shall have been outside the candidate's Group or Member National Authority; and
- (fd) have obtained three completed IJSC reference forms from the relevant jury chairmen. Only IJSC forms completed by International Judges shall be valid for consideration.

**31.142.2** A candidate for re-appointment as International Judge shall by 14 October of the year of application either comply with the requirements of System 1 set out in regulation 31.11.1 (except 31.11.1(f)) with the exception of attending an ISAF Judging Seminar if they have previously done so or comply with the requirements of System 2, that is to say, candidates for reappointment shall have:

- (a) ~~passed an ISAF judges examination in the three years prior to 14 October of the year of application. However, they may take the examination after 14 October on the following conditions~~ have passed the ISAF examination for the discipline in accordance with Regulation 31.11:

1. if the candidate has fulfilled all other requirements, he may be reappointed, subject to passing the examination no later than 1 May of the following year.
2. if the candidate does not pass the examination by 1 May of the following year-he may reapply for appointment at the following ISAF Annual Conference.

~~(b) an examination may only be used once to qualify, except for candidates who are seventy years of age or more at the time of appointment;~~

- (eb) within the four years prior to 14 October of the year of application, served as a member of a protest committee for at least six principal events, the majority of which shall be fleet racing events. At no less than three of these six events the candidate shall have been a member of an International Jury. At least two of these six events shall have been outside the candidate's Group or Member National Authority.

### 31.123 International Umpire

31.123.1 A candidate for first appointment and re-appointment as an International Umpire shall:

- (a) in the case of applications for first appointment only, have raced recently, preferably match or team racing;
- (b) have consistently demonstrated the following qualifications:
  - (i) be able to apply the relevant rules and make correct decisions within a few seconds under pressure;
  - (ii) anticipation skills based on an understanding of how boats manoeuvre in match and /or team racing;
  - (iii) be able to drive and position small powerboats; and
  - (iv) be fit and able to withstand several consecutive days on the water in small powerboats;
- (c) in the case of applications for first appointment only, have attended an ISAF Umpiring Seminar within the four years prior to 14 October of the year of application;
- (d) ~~have passed the ISAF examination within the time scale and in accordance with the provisions of this regulation~~ have passed the ISAF examination for the discipline in accordance with Regulation 31.11:
  - (i) candidates for first appointment must have taken the examination in the four years prior to 14 October of the year of application;
  - (ii) candidates for re-appointment must have passed the examination in the three years prior to 14 October of the year of application. However, they may take the examination after 14 October on the following conditions:
    1. candidates for re-appointment who have fulfilled all other requirements, but who have not passed the examination by 14 October, may be approved subject to passing the examination no later than 1 May of the following year;
    2. candidates for re-appointment who do not pass the examination by 1 May the following year will, unless there are special circumstances, only be considered for appointment at the following Annual ISAF Meeting, and then, only as an applicant for first appointment;
  - (iii) an examination may only be used once to qualify, except for candidates who are seventy years of age or more at the time of first appointment or re-appointment;

- (iv) candidates who fail the examination may take a new examination, but not within six months after the first one, except in special circumstances; and
- (v) candidates who fail the examination a second time and request to take a new examination shall be assessed on an individual basis. The decision whether to allow this or not shall be made by the Chairman of the International Umpires Sub-committee. Candidates who fail the examination a third time may only reapply after a period of 2 years following the failing of the third examination and only if they fulfil all requirements for first appointment.
- (e) In the case of applications for first appointment only, have passed the ISAF performance assessment at least one time in the four years prior to 14 October of the year of application. The ISAF performance assessment is designed to establish that the candidate has the qualifications listed in Regulation 31.12(b);
- (f) have acted as an umpire in at least eight principal events in the four years prior to 14 October of the year of application. One of these events shall be outside the candidate's Group for candidates from Groups A-H, or the candidate's Member National Authority for candidates from Groups I-Q. The events shall include a range of grades;
- (g) in the case of applications for first appointment only, have obtained a completed IUSC Reference Form from the Chief Umpire of at least three of the principal events submitted in accordance with regulation 31.12(f). This regulation will not apply to events held before 7 November 2007;
- (h) have contributed to development of the Umpiring Programme, and furthered the objectives, rules and regulations of ISAF; and
- (i) have demonstrated contributions to umpiring on national level, such as umpiring at national level events, and training and development of umpires on national level.

## 31.134 International Measurer

31.134.1 The appointment is made for a specific Class or Rating System. For the purpose of this Regulation a Rating System, except where otherwise stated, shall be deemed to have the status of a Class.

31.134.2 An International Measurer can only be appointed to a maximum of five Classes subject to meeting the requirements in Regulation 31.13.5.

31.134.3 A candidate for appointment as International Measurer shall:

- (a) have acted as an Equipment Inspector in at least two principal events (as defined by the International Measurers Sub-committee) of the Class he is applying for, within the four years prior to 14 October of the year of application;
- (b) have attended an ISAF International Measurer's seminar and ~~have passed the International Measurers written test with~~ in the ~~last~~ four years prior to 14 October of the year of application;
- (c) ~~have passed the ISAF examination for the discipline in accordance with Regulation 31.11~~
- (~~e~~d) have an intimate knowledge of the relevant Class rules and the ISAF Equipment Rules of Sailing.
- (~~e~~e) be recommended by the relevant class association or, for Rating Systems, by an ISAF Rating class, and
- (~~e~~f) have obtained one completed IMSC reference form from an International Measurer who has served at a principal event with the candidate.

~~Candidates who fail the examination may take a new examination, but not within six months after the first one, except in special circumstances. Candidates who fail the examination more than once shall be assessed on an individual basis. The decision whether to allow this or not shall be made by the International Measurers Sub-committee.~~

31.134.4 A candidate for re-appointment as International Measurer shall:

- (a) have acted as an Equipment Inspector in two principal events (as defined by the International Measurers Sub-committee) within the four years prior to 14 October of the year of application; one of the events shall be of the Class or Rating System he is applying for. As an alternative, one of the events may be substituted by one hull prototype measurement of the Class he is applying for;
- (b) have an intimate knowledge of the relevant class or Rating System rules and the ISAF Equipment Rules of Sailing; and
- (c) be recommended by the relevant class association or Rating System.

31.134.5 An International Measurer applying for appointment to an additional Class shall:

- (a) have acted as an Equipment Inspector in at least two principal events (as determined by the International Measurers Sub-committee) of the Class he is applying for, within the four years prior to 14 October of the year of application;
- (b) have an intimate knowledge of the relevant class rules and the ISAF Equipment Rules of Sailing.
- (c) be recommended by the relevant class association or, for Rating Systems, by an ISAF Rating class.

31.134.6 Once appointed, an International Measurer shall not be employed by or act as a consultant to or regular official measurer at a builder for that class or Rating System

31.145 International Race Officer

31.145.1 A candidate for first appointment as International Race Officer shall have complied in the 4 years prior to 14 October of the year of application with the following:

- (a) have served as Race Officer responsible for the management of the races on the water in four principal events. Notwithstanding this requirement, a candidate may count no more than two events in a 4 year period at which he/she served as an International Technical Official (ITO) on the race management team at the Olympic Games, Paralympic Games or Youth Olympic Games, or as Principal Race Officer (PRO), Deputy Race Officer (DRO), Course Representative (CR) in events listed in Regulation 25.8.17(a) and (b);
- (b) have served as Race Officer responsible for the management of the races on the water in at least four other events;
- (c) include with the application a letter of recommendation from a class association or organizing authority of a principal event at which the candidate was a race officer responsible for running the races;
- (d) have knowledge of matters affecting the safety of competitors in respect of race management;
- (e) have experience in race management training;
- (f) have attended an ISAF Race Management Seminar and have passed the International Race Officers written test;
- (g) ~~have passed the ISAF International Race Officers examination, in accordance with the provisions of this regulation~~ have passed the ISAF examination for the discipline in accordance with Regulation 31.11;

- (i) (candidates who fail the examination the first time may take a new examination, but not within six months after the first one, except in special circumstances; and
- (ii) candidates who fail the examination a second time and request to take a new examination shall be assessed on an individual basis. The decision whether to allow this or not shall be made by the Chairman of the Race Management Sub-committee. Candidates who fail the examination a third time may only reapply after a period of 2 years following the failing of the third examination and only if they fulfil all requirements for first appointment.
- (h) be prepared to work with the Race Management Sub-committee on race management matters.
- (i) have obtained three completed International Race Officer Reference Forms (on the water assessment) from three different ISAF International Race Officials at least one of which shall be completed by an International Race Officer who observed the candidate's performance on the water.

31.145.2 A candidate for re-appointment as an International Race Officer shall comply with the following:

- (a) the requirements set out in Regulation 31.14.1 with the exception of 31.14.1(f), (g) and (i).
- (b) have completed eight on-line International Race Officer Regatta Report Forms in the role as described in 31.14.1 (a) and (b) and sent digitally to the ISAF office. (This to be phased in over the next 4 years 2013 -2016 on a pro rata basis).

### **Considerations for Appointment**

31.156 Each Sub-committee shall consider the following when deciding on an application:

- (a) whether the candidate has complied with the requirements listed above;
- (b) any comments received by means of Regatta Report Forms;
- (c) the candidate's relevant experience in other disciplines; and
- (d) such other information as it may consider relevant.

31.167 Candidates for re-appointment who do not meet all the requirements for re-appointment, especially in respect of events attended, may, in special circumstances or on medical grounds, be recommended for re-appointment. In those cases, the Race Officials Committee may approve either:

- (a) re-appointment of a candidate for a full 4 year term;
- (b) extension of the existing appointment for 12 months;

31.178 Race Officials whose appointments have expired less than 12 months will be considered as candidates for re-appointment and shall meet the general and additional requirements for re-appointment for each discipline.

31.189 Race Officials whose appointments have expired for more than 12 months will be considered as candidates for initial appointment and they shall meet the general and additional requirements for initial appointment for each discipline.

### **Recognition and Designation**

31.1920 The Race Officials Committee and the Sub-committees may develop and subsequently act in accordance with written procedures for the grouping and classification of International ISAF Race Officials but shall submit the procedures and any changes to the Executive Committee before they are implemented. The procedures submitted shall specify the nature of the groups to be selected. After approval they shall be published by ISAF.

- 31.201 The identity of the members of any grouping panel shall be published after the grouping process is completed but not later than the date specified in the written procedures approved by the Executive Committee in accordance with Regulation 31.19 but will not be published earlier. Until that time the identity of the members of any grouping panel will not be known to the other members of the panel or to any other Sub-committee Chairman (except the chairman of the relevant Sub-committee, the Chairman of Race Officials Committee and the Chief Executive Officer). Accordingly panel members are required to keep their membership confidential.
- 31.242 Separate lists of ~~International~~ ISAF Race Officials shall be printed in the ISAF Yearbook with a designation indicating the designation of the Member National Authority of the official. ~~However if an International Judge or International Umpire is approved for re-appointment subject to passing the ISAF examination of the discipline before 1 May and the examination is not passed before the 31 December, his name will not be included.~~

### **Other ISAF Race Officials**

- 31.23.1 The Race Officials Committee may award the following qualifications to individuals after consultation with the following bodies:
- (a) International Classifier, following consultation with the Disabled Sailing Committee;
  - (b) International Expression Judge, following consultation with the International Judges Sub-committee and the Windsurfing and Kiteboarding Committee; and
  - (c) International Technical Delegate, following consultation with the Executive Committee and Regional Games Committee.
- 31.23.2 Regulations 31.5 and 31.6 do not apply to the appointment or re-appointment of ISAF Race Officials listed in Regulation 31.23.1. The Race Officials Committee shall establish and publish appointment procedures and criteria for these disciplines after consultation with the bodies listed in Regulation 31.23.1.

### **Termination of Appointment and Appeals**

- 31.224 An ~~International~~ ISAF Race Official may appeal against the decision of the Race Officials Committee or any other body or person that affects the following:
- (a) his initial appointment;
  - (b) his reappointment; or
  - (c) termination of his appointment or restriction of his status.
  - (d) any sanction imposed under Regulation 32.10.
- 31.234 This appeal shall be decided by the ISAF Review Board or by an ISAF arbitration court established by the Review Board.

## **32. RACE OFFICIALS PERFORMANCE**

- 32.1 ISAF shall use the following procedure when it receives a ~~The Race Official's Committee shall consider any reports about the alleging inadequate conduct and~~ or competence of an ISAF Race Official ~~adopting the following procedure.~~
- ~~32.2 On receipt of a positive report concerning an ISAF Race Official's conduct or competence he shall be informed of the content of that report.~~
- 32.2 To be considered under this Regulation, a report shall be in writing, and the submitter of the report shall accept that his identity is disclosed to the ISAF Race Official concerned. A report may be submitted by a race official, competitor, technical delegate, Member National Authority or authorized member of the organizing authority or class association.

However, the Chief Executive Officer may in his discretion decide that a report from another source is to be considered under this Regulation.

32.3 When ISAF receives a report alleging inadequate conduct or competence of ~~Receipt of any other report concerning~~ an ISAF Race Official's conduct or competence, it shall ~~will be~~ considered by the Chief Executive Officer and if it needs further action it shall be referred to the Chairman of the Race Officials Committee and a Vice President who shall place it in one of the following ~~four~~ three categories, ~~namely: insignificant, minor, major or urgent and serious on the following basis:~~

- ~~(a) Insignificant Reports — reports which are considered not to be of any significance in relation to the competence or conduct of the ISAF Race Official concerned.~~
- ~~(b) Minor Reports — reports which are relevant to the conduct or competence of the ISAF Race Official and which should be communicated to him to assist him in improving his technique, but which are not serious enough to warrant any sanction.~~
- ~~(c) Major Reports — reports which disclose a lack of competence or conduct serious enough to warrant a formal investigation and possible sanctions. These may include a series of minor reports commenting on the same or similar problems. A report will be categorized as major if it describes a level of competence or conduct clearly below the level required for appointment as an ISAF International Race Official.~~
- ~~(d) Urgent and Serious Reports — reports which disclose a lack of competence or conduct so serious that it would be appropriate to consider immediate suspension of the ISAF Race Official and subsequent possible sanctions.~~

- (a) Category A: An insignificant report which is considered not to disclose any inadequate conduct or competence of the ISAF Race Official concerned.
- (b) Category B: A significant report which is considered to allege inadequate conduct or competence of the ISAF Race Official concerned. A report will be categorized as Category B if it describes a level of competence or conduct clearly below the level required for appointment as an ISAF Race Official in the relevant discipline.
- (c) Category C: A significant report which is considered to allege inadequate conduct or competence so serious that it requires urgent action, which may include immediate suspension of the ISAF Race Official concerned while the report is being investigated.

~~32.4 Reports will be categorized as insignificant, unless they are in writing and made by: a race official, competitor, Technical Delegate, a Member National Authority or authorized member of the organizing authority or class association.~~

32.54 Where a report ~~or complaint~~ is categorized as ~~insignificant~~ Category A, no further action shall be taken.

~~32.6 Where a report or complaint is categorized as minor, it shall be recorded by the Chief Executive Officer. At intervals of approximately six months ISAF Race Officials shall be sent copies or resumes of such reports relating to him, in a form where its source is disclosed. The purpose of doing so will primarily be to educate him. The Chairman of the Race Officials Committee and a Vice President may request the race official to undertake appropriate action in order to improve his performance. If requested by the race official, further advice and assistance will be provided by ISAF to help overcome any problems that he may have. The Chairman of the relevant Sub-committee shall be supplied with all copies and resumes of minor reports and all requests to undertake action that are sent to race officials in its discipline.~~

32.5 Where a report or complaint is categorized as Category B, the ISAF Race Official concerned shall receive an allegation based on the report. The Race Official can either accept the allegation or request an investigation. If the Race Official accepts the

allegation, the Chairmen of the Race Officials Committee and all its Sub-committees shall make a decision in accordance with Regulation 32.9. If the Race Official requests an investigation, formal action by ISAF shall be taken.

- 32.76 Where a report ~~or complaint~~ is categorized as ~~major or as urgent and serious~~ Category C, formal action by ISAF ~~will~~ shall be taken. The Chairman of the Race Officials Committee and a Vice President may suspend the Race Official pending the formal action.
- 32.87 Where formal action is to be taken, the Chairman of the Race Officials Committee shall appoint a panel of three people to investigate the report. The panel, ~~if appointed,~~ shall include two members who will be members of the Race Officials Committee or its sub-committees and may include one member of other ISAF committees ~~and~~ sub-committees, ~~commissions or the Review Board,~~ if appropriate.
- 32.98 The panel shall investigate the report and ~~make a recommendation to the Chairmen of the Race Officials Committee and all its Sub-committees either that no further action is taken, or that sanctions shall be imposed or that a report be made to the Chief Executive Officer for referral to the Disciplinary Commission under Regulation 35~~ in accordance with Regulation 32.9. The Race Official concerned shall be informed of the investigation at its inception and ~~the complaints concerned shall~~ be supplied with the report and all relevant documents. He shall be entitled to answer the allegations in writing ~~or before the panel as he elects.~~ If sanctions are recommended they shall be specified. The Chairmen of the Race Officials Committee and all its Sub-committees shall ~~confirm~~ review the recommendation ~~and~~ decide ~~either to confirm it or that the sanction to be imposed shall be less than that recommended. On confirmation the Chairman shall report the decision to the Executive Committee.~~
- 32.109 ~~The panel may recommend an appropriate sanction, for example~~ Recommendations and decisions under this Regulation may be either that no further action is taken, that sanctions shall be imposed or that a report shall be made to the Chief Executive Officer for referral to the Disciplinary Commission under Regulation 35. The following are examples of sanctions that may be imposed:
- (a) ~~that~~ a formal warning shall be given;
  - (b) ~~that~~ a reprimand shall be given;
  - (c) ~~that~~ the ISAF Race Official shall not be appointed to or approved for events of a specified grade or type;
  - (d) ~~that~~ the ISAF Race Official shall be supervised when attending an event;
  - (e) ~~that~~ the ISAF Race Official shall attend a seminar before attending a further event;
  - (f) ~~that~~ the ISAF Race Official shall be re-assessed in his discipline, if assessment is a requirement before appointment in that discipline;
  - (g) ~~that~~ the ISAF Race Official shall take a test in the discipline concerned;
  - (h) ~~that~~ the ISAF Race Official shall be suspended from his appointment for a specified period of time followed by a re-evaluation prior to reinstatement or termination of appointment; ~~or~~
  - (i) ~~that~~ the appointment of the ISAF Race Official shall be terminated.
- 32.10 When a decision is made under this Regulation, the Chairman of the Race Officials Committee shall report it to the Executive Committee.

- 32.11 If the recommendation is that the appointment be terminated, the matter ~~will~~shall be referred to the Executive Committee which shall be the only body with authority to terminate an appointment.
- 32.12 A Race Official ~~can~~may appeal against any sanction imposed under Regulation 32, except a referral to the Disciplinary Commission, ~~imposed under Regulation 32~~ to the ISAF Review Board.
- 32.13 The submitter of a report shall be informed of the actions taken by ISAF, unless the Chairman of the Race Officials Committee decides that this is inappropriate.
- 33. DESIGNATED NATIONALITY OF ~~INTERNATIONAL~~ ISAF RACE OFFICIALS**
- 33.1 This regulation applies to all ISAF ~~International~~ ISAF Race Officials.
- 33.2 The designated Member National Authority of an ~~International~~ ISAF Race Official shall be that of the country of his nationality unless provided otherwise in this regulation. If that country is not within the territory of a Member National Authority he shall not be entitled to be appointed as an ~~International~~ ISAF Race Official.
- 33.3 If an ~~International~~ ISAF Race Official is appointed as an ~~International~~ ISAF Race Official in more than one discipline, his designated Member National Authority shall be the same for each appointment at all times.
- 33.4 On first application:
- (a) a candidate who is a national of two or more countries; or
  - (b) a candidate who has been ordinarily resident in a country other than that of his nationality for three or more years; or
  - (c) a candidate who has been ordinarily resident for three or more years in a part of a country where that part is represented by a different Member National Authority to the rest of that country shall specify the Member National Authority which he wishes to be his designated Member National Authority.
- 33.5 An ~~International~~ ISAF Race Official may apply to change his designation in the same circumstances as those specified in Regulation 33.4. However if he intends to change on the ground set out in regulation 33.4(a) he shall give to ISAF three years' notice in writing; if he intends to change on the ground set out in regulation 33.4(b) or (c) he shall give to ISAF one year's notice in writing which may be given before the expiration of the required three years of ordinary residence.
- 33.6 ~~International~~ ISAF Race Officials shall comply with the requirements of their designated Member National Authority. An ~~International~~ ISAF Race Official who elects to change his designated Member National Authority shall comply with the requirements for ~~International~~ ISAF Race Officials of the new Member National Authority and shall attach to his application the written consent of the Member National Authority. However such consent shall not be unreasonably withheld or delayed by the Member National Authority.
- 33.7 If part of a country such as an associated state, province or overseas department, a country or colony acquires independence and becomes a new country or is incorporated into or is associated with another country, and if that country becomes the territory of a Member National Authority, the designation of an ~~International~~ ISAF Race Official who acquires a new nationality as a result shall be changed to the new country. If the country does not become the territory of a Member National Authority, the ~~International~~ ISAF Race Official shall cease to be such unless he qualifies under Regulation 33.4(a), in which case the requirement as to notice shall be waived.
- 33.8 In all cases not expressly addressed in this regulation, the Executive Committee may make such designation as it considers the fairest in all the circumstances having considered any recommendations made by the Race Officials Committee.

- 33.9 An ~~International~~ ISAF Race Official may appeal to the Review Board against any decision of and in respect of any unreasonable delay by ISAF or by a Member National Authority in which case the Race Officials Committee shall be a party to the appeal. If the Review Board considers that the appeal is justified, it shall refer the matter to the Executive Committee which shall act in accordance with Regulation 33.8.
- 33.10 The designated member National Authority of each race official shall be printed in the ISAF Yearbook.

## 34. CONFLICT OF INTEREST

- 34.1 A conflict of interest exists when an ISAF Race Official has, or reasonably appears to have, a personal or financial interest which could affect the official's ability to be impartial.
- 34.2 When an ISAF Race Official is invited to serve at a regatta he/she shall consult the "Race Officials Committee Guidelines for Assessing a Conflict of Interest for Race Officials" as published on the ISAF website and act in accordance with these guidelines, which may be to decline the invitation.
- 34.3 When the ISAF Race Official has any doubt, on the action to take he/she shall promptly consult ISAF, prior to accepting the invitation and be bound by its decision.
- 34.4 When, at an event, an ISAF Race Official becomes aware of a conflict of interest, the official he/she shall disclose the potential conflict to the International Jury which shall take appropriate action in accordance with the "Race Officials Committee Guidelines for Assessing a Conflict of Interest for Race Officials" as published on the ISAF website.

## 35 MISCONDUCT AND DISCIPLINE

- 35.1 Except as otherwise provided by these Regulations, the disciplinary functions of ISAF shall be exercised by the Disciplinary Commission (subject to any right of appeal to the Review Board).

### ***Obligations not to commit misconduct***

- 35.2 Competitors are obliged not to commit gross misconduct under RRS 69.1(a).
- 35.3 An ISAF Representative or an ISAF Race Official, whilst at an event or whilst undertaking or acting in that role, shall not:
- (a) commit a gross breach of:
    - (i) the ISAF Constitution or the ISAF Regulations; or
    - (ii) good manners; or
    - (iii) ethics; or
  - (b) bring the sport of sailing into disrepute.

### ***Initial reports to ISAF***

- 35.4 The following reports to ISAF shall be sent promptly in writing to the Chief Executive Officer:
- (a) a report under RRS 69.3(a) alleging a breach of RRS 69.1(a) (*gross misconduct*) by a competitor; or
  - (b) a report alleging a breach of ISAF Regulation 35.3 (*misconduct by an ISAF Representative or ISAF Race Official*); or
  - (c) a report alleging a Violation of the Betting and Anti-Corruption Rules.
- 35.5 On receipt of a written report under Regulation 35.4, the Chief Executive Officer shall acknowledge receipt. The Chief Executive Officer and two Vice-Presidents shall assess the report and decide whether or not there is a case to answer. If a majority of them decide there is a case to answer, ~~they may either forward the report to the appropriate~~

~~Member National Authority or the Chief Executive Officer shall forward the report~~ to the Disciplinary Commission for investigation, and if appropriate, a hearing. ~~However, if a report concerns the President, or a Vice President, or the Chief Executive Officer it shall be forwarded the report~~ directly to the Disciplinary Commission.

- 35.6 If it is decided there is no case to answer, the Chief Executive Officer shall inform the submitter of the report. The submitter of the report may appeal the decision to the Chairman of the Disciplinary Commission, whose decision is final.

## **Other reports to ISAF**

- 35.7 The following reports to ISAF shall be sent promptly in writing to the Chief Executive Officer:
- (a) a report under RRS 69.2(d) *(a report by an ISAF-appointed International Jury of a penalty imposed for gross misconduct by a competitor at an event)*; or
  - (b) a report under RRS 69.2(f) *(a report by an ISAF-appointed International Jury when a hearing cannot be held)*; or
  - (c) any report required to be sent to ISAF under ISAF Regulation 19 *(Eligibility Code)*; or
  - (d) a report from the Ethics Commission under Regulation 36; or
  - (e) a report from the Chairman of the Race Officials Committee and its sub-chairmen under Regulation 32.9.

On receipt of the report, the Chief Executive Officer shall acknowledge receipt and forward the report directly to the Disciplinary Commission.

## **Re-categorisation of reports**

- 35.8 If upon reviewing a report, a majority of the Chief Executive Officer and the two Vice-Presidents conclude that the report should properly have been made under a different Regulation or provision of the Racing Rules of Sailing, they may certify the report is made under the another Regulation or Racing Rule and it shall then be regarded as a report under that provision.

## **Role of the Disciplinary Commission**

- 35.9 Upon receipt of a report from the Chief Executive Officer, the Disciplinary Commission shall conduct any investigation or hearings and, if appropriate, shall apply any sanctions on behalf of ISAF under the applicable rules or regulations.

## **Procedures**

- 35.10 If a report is received following a hearing conducted by a Member National Authority or an international jury, or following an investigation by the ISAF Ethics Commission, the Disciplinary Commission shall be bound by the facts stated in the report unless the following apply:

- (a) there has been an incorrect application of the Racing Rules of Sailing;
- (b) there has been an incorrect application of the ISAF Constitution, ISAF Regulations, the principles of natural justice or any law;
- (c) there has been bad faith, malice, bias or arbitrariness; or
- (d) the facts reported are inadequate.

- 35.101 Subject to the Regulations, the Disciplinary Commission shall determine the procedures to be adopted by it when considering reports, conducting investigations and hearings, and applying sanctions and shall publish these procedures on the ISAF website. The Constitution Committee shall be consulted on the procedures before they are adopted or

amended. The Commission shall also publish guidance on the sanctions that are available to it and the general principles it will adopt when determining sanctions.

35.142 The Disciplinary Commission shall exercise its functions in a fair manner and in accordance with the principles of natural justice. In particular, any respondent has:

- (a) The right to at least 15 days' notice of the time and place of any hearing and to receive a copy of all evidence considered by the Commission.
- (b) The right to be present, with or without a representative (who may be a lawyer) at his own cost, throughout any hearing of evidence.
- (c) The right, if necessary and on notice given in writing, to an interpreter (the liability for the cost of which shall be determined by the Commission).
- (c) The right to call witnesses and to present any relevant evidence, and the right to cross-examine any witnesses.

35.123 The standard of proof in all cases shall be the comfortable satisfaction of the Disciplinary Commission, having regard to the seriousness of the allegations made.

### **Sanctions**

35.134 The sanctions that may be imposed by the Disciplinary Commission include, but are not limited to, the following:

- (a) no action;
- (b) warnings, admonishments or reprimands;
- (c) a direction not to compete or officiate in a particular event or class (or types of event or classes);
- (d) suspension or revocation of Competition Eligibility and/or ISAF Eligibility (or the imposition of conditions on such Eligibility);
- (e) suspension or removal from office in the case of ISAF Representatives;
- (f) suspension or removal of a certificate of appointment in the case of ISAF Race Officials (or the imposition of conditions on such appointment);
- (g) for a breach of the Code of Ethics, any sanction set out in that Code; and
- (h) make a report to a Member National Authority, ISAF Class, ISAF (under another Regulation or Racing Rule of Sailing) or any other appropriate organisation.

35.145 The Disciplinary Commission may impose a fine, but only if the Executive Committee has previously approved the level of fines that may be imposed by the Commission and these have been published on the ISAF website prior to the date of the offence in question.

35.156 Any sanction imposed by the Disciplinary Commission may be suspended or have conditions imposed on it if thought appropriate by the Commission. The Commission may also provisionally impose a sanction pending the outcome of a case if it believes it appropriate to do so in all the circumstances.

### **Appeals**

35.167 A person who has had a sanction imposed on him by the Disciplinary Commission has the right of appeal against that decision to the ISAF Review Board. Any appeal must be lodged in writing with the Chief Executive Officer within 30 days of being notified of the Commission's written decision. ~~of the publication of the written decision of the Commission.~~

35.178 Appeals to the Review Board shall be governed by its rules of procedure.

35.189 Until the determination of any appeal, the decision of the Disciplinary Commission shall remain in force.

### **Publication of decisions**

- 35.4920 After a decision has become final, the decision of the Commission or the Review Board (as appropriate) shall be published by the Chief Executive Officer, unless the Commission or the Board believe it is inappropriate to do so.

## 36 ETHICS

### ***Establishing and amending the Code of Ethics***

- 36.1 There shall be a body of rules concerning the ethical behaviour and standards known as the ISAF Code of Ethics ("the Code").
- 36.2 ISAF Officers, members of the General Assembly, members of Council, members of ISAF Committees, Commissions and working parties, ISAF Race Officials and all other ISAF Representatives (the "Parties") shall comply with the Code.
- 36.3 The Code shall be adopted by Council from time to time.

### ***Complaints under the Code***

- 36.4 Any complaint, allegation or report that a breach of the Code has been or may have been committed by a Party (a "Complaint") shall be submitted in writing to the Chief Executive Officer, who shall refer it to the Ethics Commission.
- 36.5 If the Commission believes that the Complaint shows there is a case to answer, it shall commence a formal investigation. If the Commission does not believe the Complaint shows there is a case to answer, he shall inform the person who submitted the Complaint and the Chief Executive Officer of the decision.
- 36.6 Once a formal investigation into a Complaint has been commenced by the Ethics Commission, the Commission shall be solely responsible for investigation and reporting on it.

### ***Investigations***

- 36.7 The Ethics Commission shall investigate the Complaint and may take such evidence as it considers necessary. In particular, the Commission may inspect the books and records of ISAF, interview any person (with their consent) and seek outside advice and assistance if necessary. The Commission's rules of procedure may include the power to delegate the investigation of a Complaint to a panel of not less than three members of the Commission.
- 36.8 After an investigation is complete, the Ethics Commission shall prepare a written report of its findings, opinions and recommendations for the Executive Committee.

### ***Report***

- 36.9 The report of the Ethics Commission shall be sent to the Chief Executive Officer, who shall refer it to the Executive Committee. The Executive Committee shall consider the report and may then refer the case to the Disciplinary Commission under Regulation 35. If the Complaint concerns a member of the Executive Committee, the report shall instead be referred to Council.
- 36.10 After the conclusion of any case, the report of the Ethics Commission and the decision of the Executive Committee shall be published and brought to the attention of Council.

### ***Sanctions***

- 36.11 The sanctions that may be applied by the Disciplinary Commission or the Review Board for a breach of the Code shall be set out in the Code itself.

## APPENDIX 1 – ADVERTISING CODE

**20. ISAF ADVERTISING CODE**

## 20.1 Definitions

## 20.1.1 The following definitions shall apply to this ISAF Advertising Code only:

"Advertising"	a 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 Number"	an identifier assigned to a <b>boat</b> by the Organising Authority which shall be displayed on the bow of that <b>boat</b> . It may be a combination of numbers and letters and may include Advertising
"Code"	this Regulation 20 including Table 1 and Table 2
"Competitor"	a person on board a <b>boat</b> while Racing (as defined below), but excluding persons placed on board by the Organizing Authority or by the race committee
"Racing"	the period of time defined in the RRS
"Recognized System"	any System (as defined below) recognized by ISAF <sup>1</sup>
"Person in Charge"	the person designated in RRS 46
"System"	any handicapping and rating method that provides a correction method to rank unequal <b>boats</b> on the same ranking list

20.1.2 Unless defined above, capitalized words are defined at the start of the Regulations.

20.1.3 A definition in the singular includes the plural, in the masculine gender includes the feminine gender. A term used as defined in the Equipment Rules of Sailing (ERS) is printed in **bold** type.

## 20.2 General

20.2.1 Advertising on a **boat**, **personal equipment** or any other object on board a **boat** shall be displayed in accordance with this Code, the applicable **class rules** and the rules of the relevant System. Advertising that is not specifically permitted under this Code is prohibited.

20.2.2 This Code applies to **boats** and Competitors while Racing and at all other times when so prescribed herein.

20.2.3 The right to display Advertising on a **boat**:

20.2.3.1 shall be subject to prior authorization of ISAF in the following cases:

- (a) non-ISAF Classes and non-Recognized Systems with scheduled racing in more than three countries;
- (b) Oceanic events;
- (c) series of events scheduled to take place in more than one country;
- (d) International Events with the same sponsor;
- (e) the America's Cup and all qualifying events for the America's Cup;

and in such cases ISAF may agree in writing any departure from provisions of the Code on a case by case basis;

<sup>1</sup> As of February 2013 ISAF recognizes three Systems: ORC International, IRC and ORC Club.

- 20.2.3.2 is automatically granted to ISAF Classes and Recognized Systems, unless subject to Regulation 20.2.3.1;
- 20.2.3.3 shall be subject to prior authorization of the relevant National Authority for all Classes, Systems and events that are within its jurisdiction and not subject to Regulation 20.2.3.1 or 20.2.3.2.
- 20.2.4 Any Advertising and anything advertised shall meet generally accepted moral and ethical standards. Any Advertising which is political, religious, racial or propaganda shall not be displayed on a **boat**, **personal equipment** or any other object on board a **boat** while Racing. Attention is also drawn to the laws of individual nations which may restrict Advertising within their territory or territorial waters.
- 20.2.5 A Competitor may choose not to display Advertising required under Regulations 20.4 or 20.6 which is for alcohol or tobacco, or which he 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 and from Class insignia unless it is part thereof.
- 20.2.7 With the exception of Regulations 20.7 and 20.9, this Code shall not apply at events at which the International Olympic Charter applies, either directly (e.g. Olympic Games) or indirectly by reference to it made in the charter of the relevant organization (e.g. Regional Games as provided for in Regulation 25).
- 20.2.8 With the prior written approval of ISAF and in accordance with such approval, the provisions of this Code, with the exception of Regulations 20.7 and 20.9, may be waived at Regional Games as provided for in Regulation 25.
- 20.3 Competitor's Advertising
  - 20.3.1 Each Competitor, with the agreement of the Person in Charge, may display Advertising on **personal equipment** except that bibs provided by the Organizing Authority shall be worn as detailed in Regulation 20.4.
  - 20.3.2 Subject to any limitations on Advertising in the applicable **class rules** or the rules of the relevant System, Advertising chosen by the Person in Charge may be displayed on a **boat** or part thereof, except on the areas detailed in Regulation 20.4 and Table 1.
- 20.4 Event Advertising
  - 20.4.1 Subject to the provisions of Regulation 20.6, the Organizing Authority may require that **boats** display the Advertising listed in this Regulation 20.4.1, provided that such requirement is stated in the notice of race and that the Organizing Authority provides the **boats** with the needed materials (stickers, flags, etc.):
    - 20.4.1.1 Bow Numbers at all times, and
    - 20.4.1.2 Advertising while Racing in accordance with the provisions of Table 1, and
    - 20.4.1.3 sponsor's flag(s) on the **backstay** or **shroud** at all times in accordance with the provisions of Table 1.
    - 20.4.1.4 Event advertising shall be displayed on the forward part of each side of the boom in accordance with Table 1 unless, the Class has prescribed in their class rules that Event Advertising shall instead be displayed on the aft part of each side of the boom.
  - 20.4.2 When a **boat** or part thereof (e.g. **hull**, **spar**, **sails**) is supplied by the Organizing Authority, all Advertising permitted by this Code on the supplied **boat** or part thereof is available to the Organizing Authority.
  - 20.4.3 At all ISAF events and at the ISAF Sailing World Cup events a bib, or its equivalent, shall be worn by the Competitors in accordance with the notice of race and sailing instructions. Advertising displayed on such bib, or its equivalent, is reserved for ISAF unless previously agreed otherwise with ISAF in writing.

- 20.4.4 At all windsurfing and kiteboard events other than those indicated in Regulation 20.4.3 a bib, or its equivalent, shall be worn by the Competitors in accordance with the notice of race and sailing instructions. Advertising displayed on such bib, or its equivalent, is reserved for the Organizing Authority.
- 20.5 Class Rules and rules of a System
- 20.5.1 Except as provided for in this Regulation 20.5, the **class rules** and the rules of a System may prohibit or limit the right to display Advertising on the **boat** as set forth in Regulation 20.3. If the **class rules** or the rules of a System do not prohibit or limit the right to display Advertising, it shall be permitted.
- 20.5.2 In case of conflict between the applicable **class rules** and the rules of a System in respect of the right to display Advertising, the more limiting rules shall prevail.
- 20.5.3 The transitional provisions in this Regulation 20.5.3 shall cease to apply after 31st December 2012:
- When the **class rules** or the rules of a System in force on 31st October 2008:
- (a) prohibited the display of Advertising or did not prescribe about Advertising, such rules shall be deemed to prohibit Advertising until they prescribe otherwise in compliance with this Code;
  - (b) prescribed to limit the right to display Advertising, such rules shall be deemed to prescribe the same limitation until they prescribe otherwise in compliance with this Code.
- 20.5.4 The **class rules** of a **boat** selected by ISAF as equipment at a future Olympic Sailing Competition shall not prohibit or limit in any way the right to display Advertising while Racing [except it may limit or prohibit, where applicable, the right to display Advertising on the jib sail](#).
- 20.5.5 **Class rules** and the rules of a System may permit or require a **boat** to display the national flag and/or the name of the Competitor on the **mainsail** and shall state the size and location for each. Such permission or requirement shall not be deemed to constitute a prohibition or a limitation of the right of the Competitor to display Advertising.
- 20.6 Sponsor's Advertising of ISAF Classes and Recognized Systems
- 20.6.1 An ISAF Class and a Recognized System may enter into a contract with a sponsor which will require the **boats** of that ISAF Class or certified under that Recognized System to display such sponsor's Advertising provided that:
- (a) the relevant Class Association or the governing body of the Recognized System, in accordance with its rules, has previously approved the principle of a sponsorship contract; and
  - (b) the displaying of such sponsor's Advertising is restricted to areas reserved to the Organizing Authority as detailed in Regulation 20.4 and Table 1; and
  - (c) the **boats** are only required to display such sponsor's Advertising at events at which that ISAF Class or that Recognized System is the Organizing Authority, or at events for which that ISAF Class or that Recognized System have executed a written agreement with the Organizing Authority permitting the **boats** to display such sponsor's Advertising.
- 20.6.2 The National Class association of an ISAF Class or the national governing body of a Recognized System shall not, without the prior written consent of respectively the ISAF Class Association or the international governing body, enter into a sponsorship contract requiring the **boats** to display Advertising.
- 20.6.3 A **boat**, whose Person in Charge has agreed with his own National Authority that such **boat** will display Advertising that would conflict with the sponsor's Advertising under Regulation 20.6.1, shall not be required to display such sponsor's Advertising.

### 20.7 Manufacturer's and Sailmaker's Marks

20.7.1 The display of the manufacturer's and sailmaker's marks is permitted at all times as detailed in Table 2 but not on areas detailed in Regulation 20.4 and Table 1 and shall not constitute a limitation to the rights to display Advertising as set forth in the Code, in the **class rules** and in the rules of a System.

20.7.2 A manufacturer's mark may include the name, logo or other identification marks of the designer or manufacturer of the equipment.

20.7.3 A sailmaker's mark may include the name, logo or other identification marks of the sailmaker or of the **sail** cloth manufacturer or the pattern or model of the **sail**.

### 20.8 Fees

20.8.1 ISAF or the National Authority, as appropriate, may charge a fee when granting authorization under Regulation 20.2.3.

20.8.2 When a Person in Charge of a **boat** chooses to display Advertising pursuant to Regulation 20.3.2, the National Authority of such Person in Charge, and not any other National Authority, may impose an annual fee for that **boat**.

20.8.3 A **boat** shall not be required to pay a fee for displaying Advertising pursuant to this Code except in accordance with this Regulation 20.8.

### 20.9 Protests

20.9.1 Protests alleging a breach of this Code shall be governed by Part 5 of the RRS.

20.9.2 When, after finding the facts at a protest hearing, the protest committee decides that a **boat** and/or Competitor is in breach of any provision of this Code, it shall:

- (a) warn the Person in Charge of the **boat** or the Competitor; or
- (b) impose a penalty on the **boat** in the race or the series; or
- (c) make any other arrangement deemed equitable which may be to impose no penalty.

Table 1 - Event Advertising

Allowed Advertising - see regulation 20.4.1

	<b>Hull</b>	<b>Boom</b>	<b>Backstay</b> and Kite line	<b>Sails and Kites</b>
Boat Type or Size	On each side of the <b>hull</b> , but not aft of the longitudinal distance stated from the foremost point on the <b>hull</b>	On the forward part of each side of the <b>boom</b>	A flag, attached to a <b>backstay</b> or kite line, fitting in the following rectangle sizes (2)	On each side of the <del>sails</del> , placed <del>between the sail numbers and the boom (wishbone) and aft of the foot median line</del>
Boat less than 2.5m <b>hull length</b> (1)	40% of <b>hull length</b>	Not exceeding 20% of the <b>boom</b> length	No Advertising	No Advertising
Boat between 2.5m and 8m <b>hull length</b> (1)	Greater of 1m or 25% of <b>hull length</b>		One flag 750mm x 500mm	
Boat over 8m to 15m <b>hull length</b> (1)	Greater of 2m or 20% of <b>hull length</b>		One flag (or up to two in case of a <b>boat</b> without centreline <b>backstay</b> ) 1900mm x 1400mm	
Boat over 15m <b>hull length</b> (1)	Greater of 3m or 15% of <b>hull length</b>		One flag (or up to two in case of a <b>boat</b> without centreline <b>backstay</b> ) 2100mm x 1600mm	
Windsurfer	No Advertising	No Advertising	No Advertising	Not exceeding 0.4 sq m, placed between the sail numbers and the <b>boom</b> (wishbone) and aft of the <b>foot median</b> line
Kiteboard	Any 25% of the area of the top and bottom surfaces	Not applicable	Up to two flags 150mm x 150mm	No Advertising
Radio-controlled boat	40% of <b>hull length</b>	No Advertising	No Advertising	No Advertising
Boat selected by ISAF as equipment at a future Olympic	Greater of 1m or 25% of <b>hull length</b>	Not exceeding 20% of the <b>boom</b> length	One flag 750mm x 500mm	Jib - 60% of the sail area, Mainsail – No Advertising, Spinnaker – No Advertising

Sailing Competition				
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- (1) In this table, the word 'boat' does not include windsurfers, kiteboards or radio-controlled boats.
- (2) If the boat has no **backstay**, the notice of race may require that the flag is attached to a **shroud**.

When a boat has a bow or forward transom, Advertising shall be allowed on this space in addition to the **hull** area stated in the table above.

**Table 2 – Manufacturer's and Sailmaker's Marks**

Allowed marks - see regulation 20.7.1

	<b>Hull</b>	<b>Spars</b> and Equipment	<b>Sails</b> and Kites
Boat Type or Size	On each side of the <b>hull</b> , and may include the name or mark of the designer or builder	On each side of <b>spars</b> and on each side of other equipment	On each side of <b>sails</b> and kites
Boat less than 2.5m <b>hull length</b> (1)	One mark to fit within a rectangle measuring 15% of <b>hull length</b> 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 <b>foot length</b> from the <b>tack point</b>
Boat 2.5m or greater <b>hull length</b> (1)	One mark to fit within a rectangle measuring 500mm x 150mm		
Windsurfer	No restriction	One mark not exceeding 300mm length	One mark to fit within a 150mm x 150mm square. No part of the mark shall be placed farther than 20% of <b>foot length</b> from the <b>tack point</b> or 500mm from the <b>clew point</b>
Kiteboard	No restriction	Not applicable	No restriction
Radio-controlled boat	One mark to fit within a rectangle measuring 15% of <b>hull length</b> x 150mm	One mark not exceeding <b>50mm</b> length	One mark to fit within a 50mm diameter circle

- (1) In this table, the word 'boat' does not include windsurfers, kiteboards or radio-controlled boats.

## APPENDIX 2—ANTI-DOPING CODE

~~21. ANTI-DOPING CODE~~~~INTRODUCTION~~~~*Preface*~~

~~At the ISAF Annual Conference held in November 2008, the International Sailing Federation (ISAF) accepted the revised (2009) World Anti-Doping Code (the "Code"). These Anti-Doping Rules are adopted and implemented in conformance with ISAF's responsibilities under the "Code", and are in furtherance of ISAF's continuing efforts to eradicate doping in the sport of sailing.~~

~~Anti-Doping Rules, like competition rules, are sport rules governing the conditions under which sport is played. Athletes and other persons accept these rules as a condition of participation and shall be bound by them. These sport-specific rules and procedures, aimed at enforcing anti-doping principles in a global and harmonized manner, are distinct in nature and, therefore not intended to be subject to or limited by any national requirements and legal standards applicable to criminal proceedings or employment matters. When reviewing the facts and the law of a given case, all courts, arbitral tribunals and other adjudicating bodies should be aware of and respect the distinct nature of the anti-doping rules in the Code and the fact that these rules represent the consensus of a broad spectrum of stakeholders around the world with an interest in fair sport.~~

~~*Fundamental Rationale for the "Code" and ISAF's Anti-Doping Rules*~~

~~Anti-doping programmes seek to preserve what is intrinsically valuable about sport. This intrinsic value is often referred to as "the spirit of sport"; it is the essence of Olympism; it is how we play true. The spirit of sport is the celebration of the human spirit, body and mind, and is characterized by the following values:~~

- ~~===== Ethics, fair play and honesty~~
- ~~===== Health~~
- ~~===== Excellence in performance~~
- ~~===== Character and education~~
- ~~===== Fun and joy~~
- ~~===== Teamwork~~
- ~~===== Dedication and commitment~~
- ~~===== Respect for rules and laws~~
- ~~===== Respect for self and other participants~~
- ~~===== Courage~~
- ~~===== Community and solidarity~~

~~Doping is fundamentally contrary to the spirit of sport.~~

~~*Scope*~~

~~These Anti-Doping Rules shall apply to ISAF, each Member National Authority (MNA) of ISAF, and each participant in the activities of ISAF or any of its MNAs by virtue of the participant's membership, accreditation, or participation in ISAF, its MNAs, or their activities or events. Any person who is not a member of a MNA and who fulfils the requirements to be part of the ISAF registered testing pool, must become a member of the person's MNA, and must make himself or herself available for testing, at least twelve months before participating in international events or events of his/her MNA.~~

~~It is the responsibility of each MNA to ensure that all national level testing on the MNAs athletes complies with these Anti-Doping Rules. In some countries, the MNA will be conducting the doping control described in these Anti-Doping Rules. In other countries, many of the doping control responsibilities of the MNA have been delegated or assigned by statute or agreement to a National~~

~~Anti-Doping Organization. In these countries, references in these Anti-Doping Rules to the MNA shall apply, as appropriate, to the MNAs National Anti-Doping Organization. These Anti-Doping Rules shall apply to all doping controls over which ISAF and its MNAs have jurisdiction.~~

~~Doping control is administered in order to uphold the requirement of RRS Fundamental Rule 5.~~

## **DEFINITIONS**

### Adverse analytical finding

~~A report from a laboratory or other approved testing entity that identifies in a sample the presence of a prohibited substance or its metabolites or markers (including elevated quantities of endogenous substances) or evidence of the use of a prohibited method.~~

### Anti-Doping Organization

~~A signatory that is responsible for adopting rules for initiating, implementing or enforcing any part of the doping control process. This includes, for example, the International Olympic Committee, the International Paralympic Committee, other Major Event Organizations that conduct testing at their events, WADA, International Federations, and National Anti-Doping Organizations.~~

### Athlete

~~Any person who participates in sport at the international level (as defined by each International Federation), the national level (as defined by each National Anti-Doping Organization, including but not limited to those persons in its registered testing pool), and any other competitor in sport who is otherwise subject to the jurisdiction of any signatory or other sports organization accepting the Code. All provisions of the Code, including, for example, testing, and TUEs must be applied to international and national level competitors. Some National Anti-Doping Organizations may elect to test and apply anti-doping rules to recreational level or masters competitors who are not current or potential national caliber competitors. National Anti-Doping Organizations are not required, however, to apply all aspects of the Code to such persons. Specific national rules may be established for Doping Control for non-international level or national level competitors without being in conflict with the Code. Thus, a country could elect to test recreational level competitors but not require TUEs or whereabouts information. In the same manner, a Major Event Organization holding an event only for masters level competitors could elect to test the competitors but not require advance TUE or whereabouts information. For purposes of Regulation 21.2.7 (Administration or Attempted Administration) and for purposes of anti-doping information and education, any person who participates in sport under the authority of any signatory, government, or other sports organization accepting the "Code".~~

### Athlete Support Personnel

~~Any coach, trainer, manager, agent, team staff, official, medical paramedical personnel, parent or any other person working with treating or assisting an athlete participating in or preparing for sports competition.~~

### Attempt

~~Purposely engaging in conduct that constitutes a substantial step in a course of conduct planned to culminate in the commission of an anti-doping rule violation. Provided, however, there shall be no anti-doping rule violation based solely on an attempt to commit a violation if the person renounces the attempt prior to it being discovered by a third party not involved in the attempt.~~

### Atypical Finding

~~A report from a laboratory or other WADA approved entity which requires further investigation as provided by the International Standard for Laboratories or related Technical Documents prior to the determination of an adverse analytical finding.~~

### CAS

~~The Court of Arbitration for Sport.~~

### "Code"

~~The World Anti-Doping Code.~~

~~Competition~~

~~A single race, match, game or singular athletic contest. For example, a basketball game or the finals of the Olympic 100-metre dash in athletics. For stage races and other athletic contests where prizes are awarded on a daily or other interim basis the distinction between a competition and an event will be as provided in the rules of the applicable International Federation.~~

~~Consequences of Anti-Doping Rules Violations~~

~~An athlete's or other person's violation of an anti-doping rule may result in one or more of the following: (a) disqualification means the athlete's results in a particular competition or event are invalidated, with all resulting consequences including forfeiture of any medals, points and prizes; (b) ineligibility means the athlete or other person is barred for a specified period of time from participating in any competition or other activity or funding as provided in Regulation 21.10.9 (Status During Ineligibility); and (c) provisional suspension means the athlete or other person is barred temporarily from participating in any competition prior to the final decision at a hearing conducted under Regulation 21.8 (Right to a Fair Hearing).~~

~~Disqualification~~

~~See Consequences of Anti-Doping Rules Violations above.~~

~~Doping Control~~

~~All steps and processes from test distribution planning, through to ultimate disposition of any appeal including all steps and processes in between such as provision of whereabouts information, sample collection and handling, laboratory analysis, TUEs, results management and hearings.~~

~~Event~~

~~A series of individual competitions conducted together under one ruling body (e.g., the Olympic Games, ISAF World Championships, or Pan American Games).~~

~~Event Period~~

~~The time between the beginning and end of an event, as established by the ruling body of the event.~~

~~In-Competition~~

~~For purposes of differentiating between *In-Competition* and *Out-of-Competition* testing, *In-Competition* is defined as that period of time between the scheduled time of the warning signal of the first race of the event, up to the closure of protest time following the final race of the event.~~

~~Independent Observer Programme~~

~~A team of observers, under the supervision of WADA, who observe and may provide guidance on the doping control process at certain events and report on their observations.~~

~~Individual Sport~~

~~Any sport that is not a team sport.~~

~~Ineligibility~~

~~See Consequences of Anti-Doping Rules Violations above.~~

~~International Event~~

~~An event where the International Olympic Committee, the International Paralympic Committee, an International Federation, a Major Event Organization, or another international sport organization is the ruling body for the event or appoints the technical officials for the event.~~

~~International Level Athlete~~

~~Athletes designated by one or more International Federations as being within the registered testing pool for an International Federation.~~

## ~~International Standard~~

~~A standard adopted by WADA in support of the "Code". Compliance with an international standard (as opposed to another alternative standard, practice or procedure) shall be sufficient to conclude that the procedures addressed by the international standard were performed properly. International Standards shall include any Technical Documents issued pursuant to the International Standard.~~

## ~~Major Event Organizations~~

~~The continental associations of National Olympic Committees and other international multi-sport organizations that function as the ruling body for any continental, regional or other International event.~~

## ~~Marker~~

~~A compound, group of compounds or biological parameter(s) that indicates the use of a prohibited substance or prohibited method.~~

## ~~Metabolite~~

~~Any substance produced by a biotransformation process.~~

## ~~Minor~~

~~A natural person who has not reached the age of majority as established by the applicable laws of his or her country of residence.~~

## ~~National Anti-Doping Organization~~

~~The entity(ies) designated by each country as possessing the primary authority and responsibility to adopt and implement anti-doping rules, direct the collection of samples, the management of test results, and the conduct of hearings, all at the national level. This includes an entity which may be designated by multiple countries to serve as regional Anti-Doping Organization for such countries. If this designation has not been made by the competent public authority(ies), the entity shall be the country's National Olympic Committee or its designee.~~

## ~~National Event~~

~~A sport event involving international or national level athletes that is not an international event.~~

## ~~Member National Authority (MNA)~~

~~A national entity which is a member of or is recognized by ISAF as the entity governing the ISAF's sport in that nation or country. As per ISAF Article 1.1~~

## ~~National Olympic Committee~~

~~The organization recognized by the International Olympic Committee. The term National Olympic Committee shall also include the National Sport Confederation in those countries where the National Sport Confederation assumes typical National Olympic Committee responsibilities in the anti-doping area.~~

## ~~No Advance Notice~~

~~A doping control which takes place with no advance warning to the athlete and where the athlete is continuously chaperoned from the moment of notification through sample provision.~~

## ~~No Fault or Negligence~~

~~The athlete's establishing that he or she did not know or suspect, and could not reasonably have known or suspected even with the exercise of utmost caution, that he or she had used or been administered the prohibited substance or prohibited method.~~

## ~~No Significant Fault or Negligence~~

~~The athlete's establishing that his or her fault or negligence, when viewed in the totality of the circumstances and taking into account the criteria for no fault or negligence, was not significant in relationship to the anti-doping rule violation.~~

~~Out of Competition~~

~~Any doping control which is not In Competition. When a doping control is conducted on the day of a competition in which the affected competitor has competed or is entered or expected to compete, the test shall be considered as In Competition. All other unannounced doping control shall be deemed to be Out of Competition (OOCT).~~

~~Participant~~

~~Any athlete or athlete support personnel.~~

~~Person~~

~~A natural person or an organization or other entity.~~

~~Possession~~

~~The actual, physical possession, or the constructive possession (which shall be found only if the person has exclusive control over the prohibited substance/method or the premises in which a prohibited substance/method exists); provided, however, that if the person does not have exclusive control over the prohibited substance/method or the premises in which a prohibited substance/method exists, constructive possession shall only be found if the person knew about the presence of the prohibited substance/method and intended to exercise control over it. Provided, however, there shall be no anti-doping rule violation based solely on possession if, prior to receiving notification of any kind that the person has committed an anti-doping rule violation, the person has taken concrete action demonstrating that the person never intended to have possession and has renounced possession by explicitly declaring it to an Anti-Doping Organization. Notwithstanding anything to the contrary in this definition, the purchase (including by any electronic or other means) of a prohibited substance or prohibited method constitutes possession by the person who makes the purchase.~~

~~Prohibited List~~

~~The List identifying the prohibited substances and prohibited methods published and from time to time revised by WADA as described in Article 4.1 of the "Code".~~

~~The 2012 Prohibited List is available online at:~~

~~[www.wada-ama.org/Documents/World\\_Anti\\_Doping\\_Program/AWADP\\_Prohibited\\_List/2012/WADA\\_Prohibited\\_List\\_2012\\_EN.pdf](http://www.wada-ama.org/Documents/World_Anti_Doping_Program/AWADP_Prohibited_List/2012/WADA_Prohibited_List_2012_EN.pdf)~~

~~Prohibited Method~~

~~Any method so described on the Prohibited List.~~

~~Prohibited Substance~~

~~Any substance so described on the Prohibited List.~~

~~Provisional Hearing~~

~~For purposes of Article 7.6 of the "Code", an expedited abbreviated hearing occurring prior to a hearing under Regulation 21.8 (Right to a Fair Hearing) that provides the athlete with notice and an opportunity to be heard in either written or oral form.~~

~~Provisional Suspension. See Consequences above.]~~

~~Publicly Disclose or Publicly Report~~

~~To disseminate or distribute information to the general public or persons beyond those persons entitled to earlier notification in accordance with Regulation 21.14 (MNAs Incorporation of ISAF Rules, Reporting and Recognition).~~

~~Registered Testing Pool~~

~~The pool of top level athletes established separately by each International Federation and National Anti-Doping Organization who are subject to both In competition and Out of Competition testing as part of that International Federation's or Organization's test distribution plan. The purpose of~~

~~the ISAF registered testing pool is to identify top-level international athletes who ISAF requires to provide whereabouts information to facilitate OOC by ISAF and WADA~~

## ~~Retroactive TUE~~

~~As defined in the International Standard for Therapeutic Use Exemptions.~~

## ~~Sample~~

~~Any biological material collected for the purposes of doping control.~~

## ~~Signatories~~

~~Those entities signing the "Code" and agreeing to comply with the "Code", including the International Olympic Committee, International Federations, International Paralympic Committee, National Olympic Committees, National Paralympic Committees, Major Event Organizations, National Anti-Doping Organizations, and WADA.~~

## ~~Specified Substances~~

~~As defined in Regulation 21.4.1(b).~~

## ~~Substantial Assistance~~

~~For purposes of Regulation 21.10.4(c), a person providing substantial assistance must: (1) fully disclose in a signed written statement all information he or she possesses in relation to anti-doping rule violations, and (2) fully cooperate with the investigation and adjudication of any case related to that information, including, for example, presenting testimony at a hearing if requested to do so by an Anti-Doping Organization or hearing panel. Further, the information provided must be credible and must comprise an important part of any case which is initiated or, if no case is initiated, must have provided a sufficient basis on which a case could have been brought.~~

## ~~Tampering~~

~~Altering for an improper purpose or in an improper way; bringing improper influence to bear; interfering improperly; obstructing, misleading or engaging in any fraudulent conduct to alter results or prevent normal procedures from occurring; or providing fraudulent information to an Anti-Doping Organization.~~

## ~~Target Testing~~

~~Selection of athletes for testing where specific athletes or groups of athletes are selected on a non-random basis for testing at a specified time.~~

## ~~Team Sport~~

~~A sport in which the substitution of players is permitted during a competition.~~

## ~~Testing~~

~~The parts of the doping control process involving test distribution planning, sample collection, sample handling, and sample transport to the laboratory.~~

## ~~Trafficking~~

~~Selling, giving, transporting, sending, delivering or distributing a prohibited substance or prohibited method (either physically or by any electronic or other means) by an athlete, athlete support personnel or any other Person subject to the jurisdiction of an Anti-Doping Organization to any third party; provided, however, this definition shall not include the actions of bona fide medical personnel involving a prohibited substance used for genuine and legal therapeutic purposes or other acceptable justification, and shall not include actions involving prohibited substances which are not prohibited in Out-of-Competition Testing unless the circumstances as a whole demonstrate such prohibited substances are not intended for genuine and legal therapeutic purposes.~~

## ~~TUE~~

~~As defined in Regulation 21.2.5(a).~~

~~TUE Panel~~~~As defined in Regulation 21.4.3(d).~~~~UNESCO Convention~~~~The International Convention against Doping in Sport adopted by the 33<sup>rd</sup> session of the UNESCO General Conference on 19 October 2005 including any and all amendments adopted by the States Parties to the Convention and the Conference of Parties to the International Convention against Doping in Sport.~~~~Use~~~~The utilization, application, ingestion, injection or consumption by any means whatsoever of any prohibited substance or prohibited method.~~~~WADA~~~~The World Anti-Doping Agency.~~**~~Definition of Doping~~**~~21.1 Doping is defined as the occurrence of one or more of the anti-doping rule violations as detailed in Regulation 21.2 of these Anti-Doping Rules.~~**~~Anti-Doping Rule Violations~~**~~Athletes and other persons shall be responsible for knowing what constitutes an anti-doping rule violation and the substances and methods which have been included on the *Prohibited List*.~~~~The following constitute anti-doping rule violations:~~~~21.2 The presence of a *prohibited substance* or its *metabolites* or *markers* in an athlete's sample~~

- ~~(a) It is each athlete's personal duty to ensure that no *prohibited substance* enters his or her body. Athletes are responsible for any *prohibited substance* or its *metabolites* or *markers* found to be present in their samples. Accordingly, it is not necessary that intent, fault, negligence or knowing use on the athlete's part be demonstrated in order to establish an anti-doping violation under Regulation 21.2.~~
- ~~(b) Sufficient proof of an anti-doping rule violation under Regulation 21.2 is established by either of the following: presence of a *prohibited substance* or its *metabolites* or *markers* in the athlete's A sample where the athlete waives analysis of the B sample and the B sample is not analyzed; or, where the athlete's B sample is analyzed and the analysis of the athlete's B sample confirms the presence of the *prohibited substance* or its *metabolites* or *markers* found in the athlete's A sample.~~
- ~~(c) Excepting those substances for which a quantitative threshold is specifically identified in the *Prohibited List*, the presence of any quantity of a *prohibited substance* or its *metabolites* or *markers* in an athlete's sample shall constitute an anti-doping rule violation.~~
- ~~(d) As an exception to the general rule of Regulation 21.2, the *Prohibited List* or *International Standards* may establish special criteria for the evaluation of *prohibited substances* that can also be produced endogenously.~~

~~21.2.1 Use or attempted use by an athlete of a *prohibited substance* or a *prohibited method*~~

- ~~(a) It is each athlete's personal duty to ensure that no *prohibited substance* enters his or her body. Accordingly, it is not necessary that intent, fault, negligence or knowing use on the athlete's part be demonstrated in order to establish an anti-doping rule violation for use of a *prohibited substance* or a *prohibited method*.~~
- ~~(b) The success or failure of the use of a *prohibited substance* or *prohibited method* is not material. It is sufficient that the *prohibited substance* or *prohibited method* was used or attempted to be used for an anti-doping rule violation to be committed.~~

~~21.2.2 Refusing, or failing without compelling justification, to submit to sample collection after notification as authorized in these Anti-Doping Rules or otherwise evading sample collection.~~

~~21.2.3 Violation of applicable requirements regarding athlete availability for Out-of-Competition Testing (OOCT) set out in the International Standard for Testing, including failure to file required whereabouts information in accordance with Article 11.3 of the International Standard for Testing (a 'filing failure') and failure to be available for testing at the declared whereabouts in accordance with Article 11.4 of the International Standard for Testing (a 'missed test'). Any combination of three missed tests and/or filing failures committed within an eighteen-month period, as declared by ISAF or any other Anti-Doping Organization with jurisdiction over an athlete, shall constitute an anti-doping rule violation.~~

~~21.2.4 Tampering, or attempted tampering with any part of doping control.~~

~~21.2.5 Possession of prohibited substances and methods:~~

- ~~— (a) Possession by an athlete In-Competition of any prohibited method or any prohibited substance, or possession by an athlete Out-of-Competition of any prohibited method or any prohibited substance which is prohibited in OOCT unless the athlete establishes that the possession is pursuant to a therapeutic use exemption ('TUE') granted in accordance with Regulation 21.4.3 (Therapeutic Use) or other acceptable justification.~~
- ~~— (b) Possession by athlete support personnel In-Competition of any prohibited method or any prohibited substance, or possession by athlete support personnel Out-of-Competition of any prohibited method or any prohibited substance which is prohibited Out-of-Competition, in connection with an athlete, competition or training, unless the athlete support personnel establishes that the possession is pursuant to a TUE granted to an athlete in accordance with Regulation 21.4.3 (Therapeutic Use) or other acceptable justification.~~

~~21.2.6 Trafficking or attempted trafficking in any prohibited substance or prohibited method.~~

~~21.2.7 Administration or attempted administration to any athlete, In-Competition or any prohibited method or prohibited substance, or administration or attempted administration to any athlete Out-of-Competition of any prohibited method or any prohibited substance that is prohibited Out-of-Competition, or assisting, encouraging, aiding, abetting, covering up or any other type of complicity involving an anti-doping rule violation or any attempted anti-doping rule violation.~~

## **~~Proof of Doping~~**

~~21.3 Burdens and Standards of Proof~~

~~— ISAF and its MNAs shall have the burden of establishing that an anti-doping rule violation has occurred. The standard of proof shall be whether ISAF or its MNA has established an anti-doping rule violation to the comfortable satisfaction of the hearing panel bearing in mind the seriousness of the allegation which is made. This standard of proof in all cases is greater than a mere balance of probability but less than proof beyond a reasonable doubt. Where these Rules place the burden of proof upon the athlete or other person alleged to have committed an anti-doping rule violation to rebut a presumption or establish specified facts or circumstances, the standard of proof shall be by a balance of probability, except as provided in Regulation 21.10.3 and 21.10.5, where the athlete must satisfy a higher burden of proof.~~

~~21.3.1 Methods of Establishing Facts and Presumptions~~

~~Facts related to anti-doping rule violations may be established by any reliable means, including admissions. The following rules of proof shall be applicable in doping cases:~~

- ~~— (a) WADA accredited laboratories are presumed to have conducted sample analysis and custodial procedures in accordance with the International Standard for Laboratories. The athlete or other person may rebut this presumption by~~

~~establishing that a departure from the *International Standard* occurred which could reasonably have caused the adverse analytical finding.~~

~~If the athlete or other person rebuts the preceding presumption by showing that a departure from the *International Standard* occurred which could reasonably have caused the adverse analytical finding, then ISAF or its MNA shall have the burden to establish that such departure did not cause the adverse analytical finding.~~

- ~~(i) Departures from any other *International Standard* or other anti-doping rule or policy which did not cause an adverse analytical finding or other anti-doping rule violation shall not invalidate such results. If the athlete or other person establishes that a departure from another *International Standard* or other anti-doping rule or policy which could reasonably have caused the adverse analytical finding or other anti-doping rule violation occurred, then ISAF or its MNA shall have the burden to establish that such a departure did not cause the adverse analytical finding or the factual basis for the anti-doping rule violation.~~
- ~~(ii) The facts established by a decision of a court or professional disciplinary tribunal of competent jurisdiction which is not the subject of a pending appeal shall be irrebuttable evidence against the athlete or other person to whom the decision pertained of these facts unless the athlete or other person establishes that the decision violated principles of natural justice.~~

~~The hearing panel in a hearing on an anti-doping rule violation may draw an inference adverse to the athlete or other person who is asserted to have committed an anti-doping rule violation based on the athlete's or other person's refusal, after a request made in a reasonable time in advance of the hearing, to appear at the hearing (either in person or telephonically as directed by the tribunal) and to answer questions either from the hearing panel or from the Anti-Doping Organization asserting the anti-doping rule violation.~~

## ~~**The Prohibited List**~~

### ~~21.4 Incorporation of the *Prohibited List*~~

~~These Anti-Doping Rules incorporate the *Prohibited List*. ISAF will make the current *Prohibited List* available to each MNA, and each MNA shall ensure that the current *Prohibited List* is available to its members and constituents.~~

#### ~~21.4.1 *Prohibited Substances* and *Prohibited Methods* Identified on the *Prohibited List*~~

##### ~~(a) *Prohibited Substances* and *Prohibited Methods*~~

~~Unless provided otherwise in the *Prohibited List* and/or a revision, the *Prohibited List* and revisions shall go into effect under these Anti-Doping Rules three months after publication of the *prohibited list* by WADA without requiring any further action by ISAF. As described in Article 4.2 of the "Code", ISAF may request that WADA expand the *Prohibited List* for the sport of sailing, or certain disciplines within the sport of sailing. ISAF may also request that WADA include additional substances or methods, which have the potential for abuse in the sport of sailing, in the monitoring programme described in Article 4.5 of the "Code". As provided in the "Code", WADA shall make the final decision on such requests by ISAF.~~

##### ~~(b) *Specified Substances*~~

~~For purposes of the application of Regulation 21.10 (Sanctions on individuals), all prohibited substances shall be 'specified substances' except (a) substances in the classes of anabolic agents and hormones; and (b) those stimulants and hormone antagonists and modulators so identified on the *Prohibited List*. Prohibited methods shall not be specified substances.~~

##### ~~(c) *New Classes of Prohibited Substances*~~

~~In the event WADA expands the *Prohibited List* by adding a new class of prohibited substances in accordance with Article 4.1 of the Code, WADA's Executive Committee shall determine whether any or all prohibited substances within the new class of prohibited substances shall be considered specified substances under Regulation 21.4.1 (b).~~

#### ~~21.4.2 Criteria for Including Substances and Methods on the *Prohibited List*~~

~~As provided in Article 4.3.3 of the "Code", WADA's determination of the prohibited substances and prohibited methods that will be included on the *Prohibited List* and the classification of substances into categories on the *Prohibited List* is final and shall not be subject to challenge by an athlete or other person based on an argument that the substance or method was not a masking agent or did not have the potential to enhance performance, represent a health risk or violate the spirit of sport.~~

#### ~~21.4.3 Therapeutic Use~~

- ~~(a) Athletes with a documented medical condition requiring the use of a prohibited substance or a prohibited method must first obtain a TUE. The presence of a prohibited substance or its metabolites or markers (Regulation 21.2), use or attempted use of a prohibited substance or a prohibited method (Regulation 21.2.1), possession of prohibited substances or prohibited methods (Regulation 21.2.5) or administration of a prohibited substance or prohibited method (Regulation 21.2.7) consistent with the provisions of an applicable TUE issued pursuant to the *International Standard for Therapeutic Use Exemptions* shall not be considered an anti-doping rule violation.~~
- ~~(b) Subject to Regulation 21.4.3(c), athletes included by ISAF in its registered testing pool and other athletes participating in any international event must obtain a TUE from ISAF (regardless of whether the athlete previously has received a TUE at the national level). The application for a TUE must be made as soon as possible (in the case of an athlete in the registered testing pool, this would be when he/she is first notified of his/her inclusion in the pool) and in any event (save in emergency situations) no later than 30 days before the athlete's participation in the event. TUEs granted by ISAF shall be reported to the athlete's MNA and to WADA. Other athletes subject to testing who need to use a prohibited substance or a prohibited method for therapeutic reasons must obtain a TUE from their National Anti-Doping Organization or other body designated by their MNA, as required under the rules of the National Anti-Doping Organization/other body. MNAs shall promptly report any such TUEs to ISAF and WADA.~~
- ~~(c) The ISAF Executive Committee shall appoint a panel of physicians to consider requests for TUEs (the "*TUE Panel*") which shall consist of the current members of the ISAF Medical Commission). Upon ISAF's receipt of a TUE request, the Chair of the *TUE Panel* shall appoint one or more members of the *TUE Panel* (which may include the Chair) to consider such request. The *TUE Panel* member(s) so designated shall promptly evaluate such request in accordance with the *International Standard for Therapeutic Use Exemptions* and render a decision on such request, which shall be the final decision of ISAF.~~
  - ~~(i) In offshore races of more than 50 nautical miles, the use of any prohibited substance or prohibited methods for emergency medical treatment shall be recorded. The ISAF Medical Commission may retroactively approve such use and possession of such medications as might be reasonably required if the acute situation or exceptional circumstances are confirmed to the satisfaction of the Medical Commission.~~
  - ~~(ii) If any prohibited substances carried on board are used, an explanation will need to be provided and the process for retroactive TUE will take place.~~

~~(iii) With the approval of the ISAF or a Member National Authority or National Olympic Committee (NOC), a Team Doctor or a Doctor who is responsible for sailing competitors, officials and others in the care of that Doctor, may carry and employ such medications as the circumstances may require and as might be properly used in the undertaking of the Hippocratic oath. The ISAF Medical Commission may retroactively approve such use.~~

~~(d) WADA, at the request of an athlete or on its own initiation, may review the granting or denial of any TUE by ISAF. If WADA determines that the granting or denial of a TUE did not comply with the International Standard for Therapeutic Use Exemptions in force at the time then WADA may reverse that decision. Decisions on TUEs are subject to further appeal as provided in Regulation 21.13 (Appeals).~~

## **Testing**

### **21.5 Authority to Test**

~~All athletes under the jurisdiction of a MNA shall be subject to In-Competition testing (ICT) by ISAF, the athlete's MNA, and any other Anti-Doping Organization responsible for testing at a competition or event in which they participate. All athletes under the jurisdiction of a MNA including athletes serving a period of ineligibility or a provisional suspension, shall also be subject to OOCCT at any time or place, with or without advance notice, by ISAF, WADA, the athlete's MNA, the National Anti-Doping Organization of any country where the athlete is present, the IOC during the Olympic Games, and the IPC during Paralympic Games. Target testing will be made a priority.~~

#### **21.5.1 Responsibility for ISAF Testing**

~~ISAF shall be responsible for drawing up a test distribution plan for the sport of sailing in accordance with Article 4 of the International Standard for Testing, and for the implementation of that plan, including overseeing all testing conducted by or on behalf of ISAF. Testing may be conducted by members of ISAF or by other qualified persons so authorized by ISAF.~~

#### **21.5.2 Testing Standards**

~~Testing conducted by ISAF and its MNAs shall be in substantial conformity with the International Standard for Testing in force at the time of testing.~~

- ~~(a) Blood (or other non-urine) samples may be used to detect prohibited substances or prohibited methods for screening procedure purposes or for longitudinal hematological profiling ("the passport"). If the sample is collected for screening only, it will have no consequences for the athlete other than to identify him/her for a urine test under these anti-doping rules. In these circumstances, ISAF may decide at its own discretion which blood parameters are to be measured in the screening sample and what levels of those parameters will be used to indicate that an athlete should be selected for a urine test. If however, the sample is collected for longitudinal hematological profiling ("the passport"), it may be used for anti-doping purposes in accordance with Article 2.2 of the Code.~~

#### **21.5.3 Co-ordination of Testing**

~~ISAF and MNAs shall promptly report completed tests through the WADA clearinghouse to avoid unnecessary duplication in testing.~~

#### **21.5.4 Athlete Whereabouts Requirements**

- ~~(a) ISAF has identified a registered testing pool of those athletes who are required to comply with the whereabouts requirements of the International Standard for Testing, and shall publish the criteria for athletes to be included in this registered testing pool as well as a list of the athletes meeting those criteria for the period in question. ISAF shall review and update as necessary its criteria for including~~

~~athletes in its registered testing pool, and shall revise the membership of its registered testing pool from time to time as appropriate in accordance with the set criteria.~~

- ~~Each athlete in the registered testing pool (a) shall advise ISAF of his/her whereabouts on a semi-annual basis in the manner set out in Article 11.3 of the International Standard for Testing; (b) shall update this information as necessary, in accordance with Article 11.4.2 of the International Standard for Testing, so that it remains accurate and complete at all times; and (c) shall make him/herself available for testing at such whereabouts, in accordance with Article 11.4 of the International Standard for Testing.~~
- ~~(b) An athlete's failure to advise ISAF of his/her whereabouts shall be deemed a filing failure for purposes of Regulation 21.2.3 where the conditions of Article 11.3.5 of the International Standard for Testing are met.~~
- ~~(c) An athlete's failure to be available for testing at his/her declared whereabouts shall be deemed a missed test for purposes of Regulation 21.2.3 where the conditions of Article 11.4.3 of the International Standard for Testing are met.~~
- ~~(d) Each MNA shall also assist its National Anti-Doping Organization in establishing a national level registered testing pool of top level national athletes to whom the whereabouts requirements of the International Standard for Testing shall also apply. Where these athletes are also in ISAF's registered testing pool, ISAF and the National Anti-Doping Organization will agree (with the assistance of WADA if required) on which of them will take responsibility for receiving whereabouts filings from the athlete and sharing it with the other (and with other Anti-Doping Organizations) in accordance with Regulation 21.5.4(e).~~
- ~~(e) Whereabouts information provided pursuant to Regulation 21.5.4(a) and (c) shall be shared with WADA and other Anti-Doping Organizations having jurisdiction to test an athlete in accordance with Articles 11.7.1(d) and 11.7.3(d) of the International Standard for Testing, including the strict condition that it be used only for doping control purposes.~~

#### ~~21.5.5 Retirement and Return to Competition~~

- ~~(a) An athlete who has been identified by ISAF for inclusion in ISAF's registered testing pool shall continue to be subject to these Anti-Doping Rules, including the obligation to comply with the whereabouts requirements of the International Standard for Testing unless and until the athlete gives written notice to ISAF that he or she has retired or until he or she no longer satisfies the criteria for inclusion in the ISAF's registered testing pool and has been so informed by ISAF.~~
- ~~(b) An athlete who has given notice of retirement to ISAF may not resume competing unless he or she notifies ISAF at least six months before he or she expects to return to competition and makes him/herself available for unannounced Out of Competition testing, including (if requested) complying with the whereabouts requirements of the International Standard for Testing, at any time during the period before actual return to competition.~~
- ~~(c) MNAs/National Anti-Doping Organizations may establish similar requirements for retirement and returning to competition for athletes in the national registered testing pool.~~

#### ~~21.5.6 Selection of athletes to be Tested~~

- ~~(a) At international events, ISAF shall determine the number of finishing placement tests, random tests and target tests to be performed.~~
- ~~The following athletes shall be tested for each competition at an international event:~~

- ~~(i) For events competed with single handed boats: Each athlete finishing in one of the top three placements in the competition, plus one other athlete in the competition selected at random.~~
- ~~(ii) For all other events: One athlete selected at random from each of the top three finishing teams, plus one athlete selected at random from any of the other teams in the competition.~~
- ~~(b) At National Events, each MNA shall determine the number of athletes selected for testing in each competition and the procedures for selecting the athletes for testing.~~
- ~~(c) In addition to the selection procedures set forth in Regulation 21.5.6(a) and 21.5.76(b) above, ISAF at International events, and the MNA at National events, may also select athletes or teams for target testing so long as such target testing is not used for any purpose other than legitimate doping control purposes.~~
- ~~(d) Athletes shall be selected for Out of Competition testing by ISAF and by MNAs through a process that substantially complies with the International Standard for Testing in force at the time of selection.~~

~~21.5.7 MNAs and the organizing committees for MNA events shall provide access to independent observers at events as directed by ISAF.~~

### ~~Analysis of Samples~~

~~Doping control samples collected under these Anti-Doping Rules shall be analyzed in accordance with the following principles:~~

#### ~~21.6 Use of Approved Laboratories~~

~~ISAF shall send doping control samples for analysis only to WADA-accredited laboratories or as otherwise approved by WADA. The choice of the WADA-accredited laboratory (or other laboratory or method approved by WADA) used for the sample analysis shall be determined exclusively by ISAF.~~

##### ~~21.6.1 Purpose of Collection and Analysis of Samples~~

~~Samples shall be analyzed to detect prohibited substances and prohibited methods identified on the Prohibited List and other substances as may be directed by WADA pursuant to the Monitoring Programme described in Article 4.5 of the "Code" or to assist ISAF in profiling relevant parameters in an athlete's urine, blood or other matrix, including DNA or genomic profiling, for anti-doping purposes.~~

##### ~~21.6.2 Research on Samples~~

~~No sample may be used for any purpose other than as described in Regulation 21.6.1 without the athlete's written consent. Samples used (with the athlete's consent) for purposes other than Regulation 21.6.1 shall have any means of identification removed such that they cannot be traced back to a particular athlete.~~

##### ~~21.6.3 Standards for Sample Analysis and Reporting~~

~~Laboratories shall analyze doping control samples and report results in conformity with the International Standard for Laboratories.~~

##### ~~21.6.4 Retesting Samples~~

~~A sample may be reanalyzed for the purposes described in Regulation 21.6.1 at any time exclusively at the direction of ISAF or WADA. The circumstances and conditions for retesting samples shall conform with the requirements of the International Standard for Laboratories.~~

### ~~Results Management~~

#### ~~21.7 Results Management for Tests Initiated by ISAF~~

~~Results management for tests initiated by ISAF (including tests performed by WADA pursuant to agreement with ISAF) shall proceed as set forth below:~~

- ~~(a) The results from all analyses must be sent to ISAF in encoded form, in a report signed by an authorized representative of the laboratory. All communication must be conducted in confidentiality and in conformity with ADAMS, a database management tool developed by WADA. ADAMS is consistent with data privacy statutes and norms applicable to WADA and other organizations using it.~~
- ~~(b) Upon receipt of an A sample adverse analytical finding, the ISAF Anti-Doping Administrator shall conduct a review to determine whether: (a) the adverse analytical finding is consistent with an applicable TUE or (b) there is any apparent departure from the International Standard for Testing or International Standard for Laboratories that caused the adverse analytical finding.~~
- ~~(c) In the following circumstances:~~
  - ~~(i) The adverse analytical finding is for a Glucocorticosteroid, formoterol, salbutamol, salmeterol or terbutaline; and~~
  - ~~(ii) The sample in question was provided by an athlete who is not in ISAF's registered testing pool, during his/her participation in an International event for which (in accordance with Article 7.13 of the International Standard for Therapeutic Use Exemptions and Regulation 21.4.3(c) of these Anti-Doping Rules ISAF does not require a TUE for asthma medication in advance;~~

~~then, before the matter is referred to ISAF under Regulation 21.7, the athlete shall be given an opportunity to apply to the TUE Committee for a retroactive TUE in accordance with Article 7.13 of the International Standard for Therapeutic Use Exemptions. The result of that application shall be forwarded to ISAF for consideration in its review of the adverse analytical finding under Regulation 21.7(b).~~

- ~~(d) If the initial review of an adverse analytical finding under Regulation 21.7(b) does not reveal an applicable TUE or departure from the International Standard for Testing or the International Standard for Laboratories that caused the adverse analytical finding, ISAF shall promptly notify the athlete of: (a) the adverse analytical finding; (b) the anti-doping rule violated; (c) the athlete's right to promptly request the analysis of the B sample or, failing such request, that the B sample analysis may be deemed waived; (d) the scheduled date, time and place for the B sample analysis (which shall be within the time period specified in the International Standard for Laboratories) if the athlete or ISAF chooses to request an analysis of the B sample; (e) the opportunity for the athlete and/or the athlete's representative to attend the B sample opening and analysis at the scheduled date, time and place if such analysis is requested; and (f) the athlete's right to request copies of the A and B sample laboratory documentation package which includes information as required by the International Standard for Laboratories. ISAF shall also notify the athlete's National Anti-Doping Organization and WADA. If ISAF decides not to bring forward the adverse analytical finding as an anti-doping rule violation, it shall so notify the athlete, the athlete's National Anti-Doping Organization and WADA.~~
- ~~(e) Where requested by the athlete or ISAF, arrangements shall be made for testing the B sample within the time period specified in the International Standard for Testing. An athlete may accept the A sample analytical results by waiving the requirement for B sample analysis. ISAF may nonetheless elect to proceed with the B sample analysis.~~
- ~~(f) The athlete and/or his representative shall be allowed to be present at the analysis of the B sample within the time period specified in the International Standard for Laboratories. Also a representative of the athlete's MNA as well as a representative of ISAF shall be allowed to be present.~~

- ~~(g) If the B sample proves negative, then (unless ISAF takes the case forward as an anti-doping rule violation under Regulation 21.2.1) the entire test shall be considered negative and the athlete, his MNA, and ISAF shall be so informed.~~
- ~~(h) If a prohibited substance or the use of a prohibited method is identified, the findings shall be reported to the athlete, his MNA, ISAF, and to WADA.~~
- ~~(i) For apparent anti-doping rule violations that do not involve adverse analytical findings, ISAF shall conduct any necessary follow-up investigation and, at such time as it is satisfied that an anti-doping rule violation has occurred, it shall then promptly notify the athlete of the anti-doping rule which appears to have been violated, and the basis of the violation.~~

#### ~~21.7.1 Results Management for Atypical Findings~~

- ~~(a) As provided in the International Standards, in certain circumstances laboratories are directed to report the presence of prohibited substances that may also be produced endogenously as atypical findings that should be investigated further.~~
- ~~(b) If a laboratory reports an atypical finding in respect of a sample collected from an athlete by or on behalf of ISAF, the ISAF Anti-Doping Administrator shall conduct a review to determine whether: (a) the atypical finding is consistent with an applicable TUE that has been granted as provided in the International Standard for Therapeutic Use Exemptions, or (b) there is any apparent departure from the International Standard for Testing or International Standard for Laboratories that caused the atypical analytical finding.~~
- ~~(c) If the initial review of an atypical finding under Regulation 21.7.1(b) reveals an applicable TUE or departure from the International Standard for Testing or the International Standard for Laboratories that caused the atypical finding, the entire test shall be considered negative [and the athlete, his MNA, and ISAF shall be so informed].~~
- ~~(d) If the initial review of an atypical finding under Regulation 21.7.1(b) does not reveal an applicable TUE or departure from the International Standard for Testing or the International Standard for Laboratories that caused the atypical finding, ISAF shall conduct the follow-up investigation required by the International Standards. If, once that investigation is completed, it is concluded that the atypical finding should be considered an adverse analytical finding, ISAF shall pursue the matter in accordance with Regulation 21.7(c).~~
- ~~(e) ISAF will not provide notice of an atypical finding until it has completed its investigation and has decided whether it will bring the atypical finding forward as an adverse analytical finding unless one of the following circumstances exists:~~
- ~~(f) If ISAF determines the B sample should be analyzed prior to the conclusion of its follow-up investigation, it may conduct the B sample analysis after notifying the athlete, with such notice to include a description of the atypical finding and the information described in Regulation 21.7(d), (e) to (f).~~
- ~~(g) If ISAF receives a request, either from a Major Event Organization shortly before one of its International events or from a sports organization responsible for meeting an imminent deadline for selecting team members for an International Event, to disclose whether any athlete identified on a list provided but the Major Event Organization or sports organization has a pending atypical finding, ISAF shall so identify any such athlete after first providing notice of the atypical finding to the athlete.~~

#### ~~21.7.2 Results Management for Tests Initiated During Other International events~~

~~Results management and the conduct of hearings from a test by the International Olympic Committee, the International Paralympic Committee, or a major event organization, shall~~

~~be managed, as far as sanctions beyond disqualification from the event or the results of the event, by ISAF.~~

### ~~21.7.3 Results Management for Tests initiated by MNAs~~

~~Results management conducted by MNAs shall be consistent with the general principles for effective and fair results management which underlie the detailed provisions set forth in Regulation 21.7. Results of all doping controls shall be reported to ISAF and to WADA within 14 days of the conclusion of the MNAs results management process. Any apparent anti-doping rule violation by an athlete who is a member of that MNA shall be promptly referred to an appropriate hearing panel established pursuant to the rules of the MNA or national law. Apparent anti-doping rule violations by athletes who are members of another MNA shall be referred to the athlete's MNA for hearing.~~

### ~~21.7.4 Results Management for Whereabouts Violations~~

- ~~(a) Results management in respect of an apparent filing failure by an athlete in ISAF's registered testing pool shall be conducted by ISAF in accordance with Article 11.6.2 of the International Standard for Testing (unless it has been agreed in accordance with Regulation 21.5.4(d) that the MNA or National Anti-Doping Organization shall take such responsibility).~~
- ~~(b) Results management in respect of an apparent missed test by an athlete in ISAF's registered testing pool as a result of an attempt to test the athlete by or on behalf of ISAF shall be conducted by ISAF in accordance with Article 11.6.3 of the International Standard for Testing. Results management in respect of an apparent missed test by such athlete as a result of an attempt to test the athlete by or on behalf of another Anti-Doping Organization shall be conducted by that other Anti-Doping Organization in accordance with Article 11.7.6(c) of the International Standard for Testing~~
- ~~(c) Where, in any eighteen-month period, an athlete in ISAF's registered testing pool is declared to have three filing failures, or three missed tests, or any combination of filing failures or missed tests adding up to three in total, whether under these Anti-Doping Rules or under the rules of any other Anti-Doping Organization, ISAF shall bring them forward as an apparent anti-doping rule violation.~~

### ~~21.7.5 Provisional Suspensions~~

- ~~(a) If analysis of an A sample has resulted in an adverse analytical finding for a prohibited substance that is not a Specified Substance, and a review in accordance with Regulation 21.7(b) does not reveal an applicable TUE or departure from the International Standard for Testing or the International Standard for Laboratories that caused the adverse analytical finding, ISAF shall Provisionally Suspend the athlete pending the hearing panel's determination of whether he/she has committed an anti-doping rule violation.~~
- ~~(b) In any case not covered by Regulation 21.7.4(a) where ISAF decides to take the matter forward as an apparent anti-doping rule violation in accordance with the foregoing provisions of this Regulation 21.7, the ISAF Executive, after consultation with the ISAF Anti-Doping Administrator, may provisionally suspend the athlete pending the hearing panel's determination of whether he/she has committed an anti-doping rule violation.~~
- ~~(c) Where a provisional suspension is imposed, whether pursuant to Regulation 21.7.5(a) or Regulation 21.7.5(b), the athlete shall be given either (a) an opportunity for a provisional hearing before imposition of the provisional suspension or on a timely basis after imposition of the provisional suspension; or (b) an opportunity for an expedited hearing in accordance with Regulation 21.8 (Right to a Fair Hearing) on a timely basis after imposition of a provisional suspension. MNAs shall impose provisional suspensions in accordance with the principles set forth in this Regulation 21.7.5.~~

~~(d) If a provisional suspension is imposed based on an adverse analytical finding in respect of an A sample, and any subsequent analysis of the B sample analysis does not confirm the A sample analysis, then the athlete shall not be subject to any further provisional suspension on account of a violation of Article 2.1 of the Code (Presence of a prohibited substance or its metabolites or markers). In circumstances where the athlete (or the athlete's team as provided in the rules of ISAF) has been removed from a competition based on a violation of Regulation 21.2 and the subsequent B sample analysis does not confirm the A sample finding, if, without otherwise affecting the competition, it is still possible for the athlete or team to be reinserted, the athlete or team may continue to take part in the competition.~~

#### ~~21.7.6 Retirement from Sport~~

~~If an athlete or other person retires while a results management process is underway, ISAF retains jurisdiction to complete its results management process. If an athlete or other person retires before any results management process has begun and ISAF would have had results management jurisdiction over the athlete or other person at the time the athlete or other person committed an anti-doping rule violation, ISAF has jurisdiction to conduct results management.~~

***Right to a Fair Hearing***

~~21.8 When it appears, following the results management process described in Regulation 21.7 (Results Management), that these Anti-Doping Rules have been violated, the athlete or other person involved shall be brought before a disciplinary panel of the athlete or other person's MNA for a hearing to adjudicate whether a violation of these Anti-Doping Rules occurred and if so what consequences should be imposed. The hearing process shall respect the following principles:~~

- ~~(a) a timely hearing;~~
- ~~(b) fair and impartial hearing panel;~~
- ~~(c) the right to be represented by counsel at the person's own expense;~~
- ~~(d) the right to be informed in a fair and timely manner of the asserted anti-doping rule violation;~~
- ~~(e) the right to respond to the asserted anti-doping rule violation and resulting consequences;~~
- ~~(f) the right of each party to present evidence, including the right to call and question witnesses (subject to the hearing panel's discretion to accept testimony by telephone or written submission);~~
- ~~(g) the person's right to an interpreter at the hearing, with the hearing panel to determine the identity, and responsibility for the cost of the interpreter; and~~
- ~~(h) a timely, written, reasoned decision, specifically including an explanation of the reason(s) for any period of Ineligibility.~~

~~21.8.1 Hearings pursuant to this Regulation shall be completed expeditiously and in all cases within three months of the completion of the Results Management process described in Regulation 21.7 (Results Management). Hearings held in connection with events may be conducted by an expedited process. If the completion of the hearing is delayed beyond three months, ISAF may elect, if the athlete is an international level athlete, to bring the case directly to a single arbitrator from the Court of Arbitration for Sport. The case before the Court of Arbitration for Sport shall be handled in accordance with the Court of Arbitration for Sport appeal procedure without reference to any time limit for appeal. If the completion of the hearing is delayed beyond three months, and the athlete is not an international level athlete, ISAF may elect to bring the case directly to the national level appellate body referenced in Regulation 21.13.1(b). In either case, the hearing shall proceed at the responsibility of and the expense of the MNA. In either case the appeal from such decision shall be to the Court of Arbitration for Sport.~~

~~21.8.2 MNAs shall keep ISAF fully informed as to the status of pending cases and the results of all hearings.~~

~~21.8.3 ISAF shall have the right to attend hearings as an observer.~~

~~21.8.4 The athlete or other person may forego a hearing by acknowledging the violation of these Anti-Doping Rules and accepting consequences consistent with Regulations 21.9 (Automatic Disqualification of Individual Results), and 21.10 (Sanctions on Individuals) as proposed by the MNA. The right to a hearing may be waived either expressly or by the athlete's or other person's failure to challenge the MNA's assertion that an anti-doping rule violation has occurred within 30 days. Where no hearing occurs, the MNA shall submit to the persons described in Regulation 21.13.1(c) a reasoned decision explaining the action taken.~~

~~21.8.5 Decisions by MNAs, whether as the result of a hearing or the athlete or other person's acceptance of consequences, may be appealed as provided in Regulation 21.13 (Appeals).~~

~~21.8.6 Hearing decisions by the MNA shall not be subject to further administrative review at the national level except as provided in Regulations 21.13 (Appeals) or as required by applicable national law.~~

### ~~**Automatic Disqualification of Individual Results**~~

~~21.9 A violation of these Anti-Doping Rules in individual sports in connection with an ICT automatically leads to disqualification of the result obtained in that competition with all resulting consequences, including forfeiture of any medals, points and prizes.~~

### ~~**Sanctions on Individuals**~~

~~21.10 Disqualification of Results in Event During which an Anti-Doping Rule Violation Occurs  
An Anti-Doping Rule violation occurring during or in connection with an event may lead to disqualification of all of the athlete's individual results obtained in that event with all consequences, including forfeiture of all medals, points and prizes, except as provided in Regulation 21.10(a).~~

~~(a) If the athlete establishes that he or she bears no fault or negligence for the violation, the athlete's individual results in the other competition shall not be disqualified unless the athlete's results in a competition other than the competition in which the anti-doping rule violation occurred were likely to have been affected by the athlete's anti-doping rule violation.~~

~~21.10.1 Ineligibility for Presence, Use or Attempted Use, or Possession of prohibited substances and prohibited methods~~

~~The period of ineligibility imposed for a violation of Regulation 21.2 (presence of prohibited substance or its metabolites or markers), Regulation 21.2.1 (use or attempted use of prohibited substance or prohibited method) or Regulation 21.2.5 (possession of prohibited substances and methods) shall be as follows, unless the conditions for eliminating or reducing the period of ineligibility, as provided in Regulation 21.10.3 and 21.10.4, or the conditions for increasing the period of ineligibility, as provided in Regulation 21.10.5, are met:~~

~~First violation: Two (2) years' ineligibility.~~

~~21.10.2 Ineligibility for Other Anti-Doping Rule Violations~~

~~The period of ineligibility for violations of these Anti-Doping Rules other than as provided in Regulation 21.10.1 shall be as follows:~~

~~(a) For violations of Regulation 21.2.2 (refusing or failing to submit to sample collection) or Regulation 21.2.4 (tampering with doping control), the ineligibility period shall be two (2) years unless the conditions provided in Regulation 21.10.4, or the conditions provided in Regulation 21.10.5, are met.~~

~~(b) For violations of Regulation 21.2.6 (trafficking) or Regulation 21.2.7 (administration of prohibited substance or prohibited method), the period of ineligibility imposed shall be a minimum of four (4) years up to lifetime ineligibility unless the conditions provided in Regulation 21.10.4 are met. An anti-doping rule violation involving a minor shall be considered a particularly serious violation, and, if committed by athlete support personnel for violations other than specified substances, shall result in lifetime ineligibility for such athlete support personnel. In addition, significant violations of such~~

~~Regulations which also violate non-sporting laws and regulations, shall be reported to the competent administrative, professional or judicial authorities.~~

- ~~(c) For violations of Regulation 21.2.3 (filing failures and/or missed tests), the period of *ineligibility* shall be at a minimum one (1) year and at a maximum two (2) years based on the athlete's degree of fault.~~

#### ~~21.10.3 Elimination or Reduction of the Period of Ineligibility for Specified Substances under Specific Circumstances~~

~~Where an athlete or other person can establish how a specified substance entered his or her body or came into his or her possession and that such specified substance was not intended to enhance the athlete's sport performance or mask the use of a performance-enhancing substance, the period of *ineligibility* found in Regulation 21.10.1 shall be replaced with the following:~~

~~First violation: At a minimum, a reprimand and no period of *ineligibility* from future events, and at a maximum, two (2) years of *ineligibility*.~~

~~To justify any elimination or reduction, the athlete or other person must produce corroborating evidence in addition to his or her word which establishes to the comfortable satisfaction of the hearing panel the absence of an intent to enhance sport performance or mask the use of a performance-enhancing substance. The athlete or other person's degree of fault shall be the criterion considered in assessing any reduction of the period of *ineligibility*.~~

#### ~~21.10.4 Elimination or Reduction of Period of Ineligibility Based on Exceptional Circumstances~~

##### ~~(a) No Fault or Negligence~~

~~If an athlete establishes in an individual case that he or she bears *no fault or negligence*, the otherwise applicable period of *ineligibility* shall be eliminated. When a *prohibited substance* or its *markers* or *metabolites* is detected in an athlete's sample in violation of Regulation 21.2 (Presence of *prohibited substance*), the athlete must also establish how the *prohibited substance* entered his or her system in order to have the period of *ineligibility* eliminated. In the event this Regulation is applied and the period of *ineligibility* otherwise applicable is eliminated, the anti-doping rule violation shall not be considered a violation for the limited purpose of determining the period of *ineligibility* for multiple violations under Regulation 21.10.6.~~

##### ~~(b) No Significant Fault or Negligence~~

~~If an athlete or other person establishes in an individual case that he or she bears *no significant fault or negligence*, then the period of *ineligibility* may be reduced, but the reduced period of *ineligibility* may not be less than one-half of the period of *ineligibility* otherwise applicable. If the otherwise applicable period of *ineligibility* is a lifetime, the reduced period under this section may be no less than 8 years. When a *prohibited substance* or its *markers* or *metabolites* is detected in an athlete's sample in violation of Regulation 21.2 (Presence of *prohibited substance* or its *metabolites* or *markers*), the athlete must also establish how the *prohibited substance* entered his or her system in order to have the period of *ineligibility* reduced.~~

##### ~~(c) Substantial Assistance in Discovering or Establishing Anti-Doping Rule Violations~~

~~The ISAF Executive Committee may, prior to a final appellate decision under Regulation 21.13 or the expiration of the time to appeal, suspend a part of the period of *ineligibility* imposed in an individual case where the *athlete* or other *person* has provided substantial assistance to an *Anti-Doping Organization*, criminal authority or professional disciplinary body which results the *Anti-Doping Organization* discovering or establishing an anti-doping rule violation by another *person* or which results in a criminal or disciplinary body discovering or establishing a criminal offense or the breach of professional rules by another *person*. After a final appellate decision under Regulation 21.13 or the expiration of time to appeal, ISAF may only suspend a part of the applicable period of *ineligibility* with the approval of WADA. The extent to which the otherwise applicable period of *ineligibility* may be suspended shall be based on the seriousness of the anti-doping rule violation committed by the *athlete* or other *person* and the significance of the *substantial assistance* provided by the *athlete* or other *person* to the effort to eliminate doping in sport. No more than three quarters of the otherwise applicable period of *ineligibility* may be suspended. If the otherwise applicable period of *ineligibility* is a lifetime, the non-suspended period under this Regulation must be no less than 8 years. If ISAF suspends any part of the period of *ineligibility* under this Regulation, it shall promptly provide a written justification for its decision to each *Anti-Doping Organization* having a right to appeal the decision. If ISAF subsequently reinstates any part of the suspended period of *ineligibility* because the *athlete* or other *person* has failed to provide the *substantial assistance* which was anticipated, the *athlete* or other *person* may appeal the reinstatement pursuant to Regulation 21.13.1.~~

~~(d) Admission of an Anti-Doping Rule Violation in the Absence of Other Evidence~~

~~Where an *athlete* or other *person* voluntarily admits the commission of an anti-doping rule violation before having received notice of a sample collection which could establish an anti-doping rule violation (or, in the case of an anti-doping rule violation other than Regulation 21.2, before receiving first notice of the admitted violation pursuant to Regulation 21.7) and that admission is the only reliable evidence of the violation at the time of admission, then the period of *ineligibility* may be reduced, but not below one-half of the period of *ineligibility* otherwise applicable.~~

~~(e) Where an *athlete* or Other Person Establishes Entitlement to Reduction in Sanction under More than One Provision of this Article~~

~~Before applying any reductions under Regulation 21.10.4(b), 21.10.4(c) or 21.10.4(d), the otherwise applicable period of *ineligibility* shall be determined in accordance with Regulation 21.10.1, 21.10.2, 21.10.3 and 21.10.5. If the *athlete* or other *person* establishes entitlement to a reduction or suspension of the period of *ineligibility* under two or more of Regulation 21.10.4(b), 21.10.4(c) or 21.10.4(d), then the period of *ineligibility* may be reduced or suspended, but not below one quarter of the otherwise applicable period of *ineligibility*.~~

~~21.10.5 Aggravating Circumstances Which May Increase the Period of *Ineligibility*~~

~~If ISAF establishes in an individual case involving an anti-doping rule violation other than violations under Regulation 21.2.6 (*trafficking*) and 21.2.7 (Administration) that aggravating circumstances are present which justify the imposition of a period of *ineligibility* greater than the standard sanction, then the period of *ineligibility* otherwise applicable shall be increased~~

~~up to a maximum of four years unless the athlete or other person can prove to the comfortable satisfaction of the hearing panel that he did not knowingly violate the anti-doping rule.~~

~~An athlete or other person can avoid the application of this Regulation by admitting the anti-doping rule violation as asserted promptly after being confronted with the anti-doping rule violation by ISAF.~~

#### ~~21.10.6 Multiple Violations~~

##### ~~(a) Second Anti-Doping Rule Violation~~

~~For an athlete's or other person's first anti-doping rule violation, the period of ineligibility is set forth in Regulation 21.10.1 and 21.10.2 (subject to elimination, reduction or suspension under Regulation 21.10.3 or 21.10.4, or to an increase under Regulation 21.10.5). For a second anti-doping rule violation the period of ineligibility shall be within the range set forth in the table below:~~

<del>Second Violation</del>	<del>RS</del>	<del>FFMT</del>	<del>NSF</del>	<del>St</del>	<del>AS</del>	<del>TRA</del>
<del>First Violation</del>						
<del>RS</del>	<del>1-4</del>	<del>2-4</del>	<del>2-4</del>	<del>4-6</del>	<del>8-10</del>	<del>10-life</del>
<del>FFMT</del>	<del>1-4</del>	<del>4-8</del>	<del>4-8</del>	<del>6-8</del>	<del>10-life</del>	<del>life</del>
<del>NSF</del>	<del>1-4</del>	<del>4-8</del>	<del>4-8</del>	<del>6-8</del>	<del>10-life</del>	<del>life</del>
<del>St</del>	<del>2-4</del>	<del>6-8</del>	<del>6-8</del>	<del>8-life</del>	<del>life</del>	<del>life</del>
<del>AS</del>	<del>4-5</del>	<del>10-life</del>	<del>10-life</del>	<del>life</del>	<del>life</del>	<del>life</del>
<del>TRA</del>	<del>8-life</del>	<del>life</del>	<del>life</del>	<del>life</del>	<del>life</del>	<del>life</del>

~~Definitions for purposes of the second anti-doping rule violation table:~~

~~RS (reduced sanction for specified substance under Regulation 21.10.3): The anti-doping rule violation was or should be sanctioned by a reduced sanction under Regulation 21.10.3 because it involved a specified substance and the other conditions under Regulation 21.10.3 were met.~~

~~FFMT (filing failures and/or missed tests): The anti-doping rule violation was or should be sanctioned under Regulation 21.10.2(c)(filing failures and/or missed tests).~~

~~NSF (reduced sanction for no significant fault or negligence): The anti-doping rule violation was or should be sanctioned by a reduced sanction under Regulation 21.10.4(b) because no significant fault or negligence under Regulation 21.10.4(b) was proved by the athlete.~~

~~St (standard sanction under Regulation 21.10.1 or 21.10.2(a)): The anti-doping rule violation was or should be sanctioned by the standard sanction of two years under Regulation 21.10.1 or 21.10.2(a).~~

~~AS (aggravated sanction): The anti-doping rule violation was or should be sanctioned by an aggravated sanction under Regulation 21.10.5 because the Anti-Doping Organization established the conditions set forth under Regulation 21.10.5.~~

- ~~TPA (trafficking or attempted trafficking and administration or attempted administration): The anti-doping rule violation was or should be sanctioned by a sanction under Regulation 21.10.2(b).~~
- ~~(b) Application of Regulation 21.10.4(c) and 21.10.4(d) to second Anti-Doping Rule Violation~~
- ~~Where an athlete or other person who commits a second anti-doping rule violation establishes entitlement to suspension or reduction of a portion of the period of *ineligibility* under Regulation 21.10.4(c) or Regulation 21.10.4(d), the hearing panel shall first determine the otherwise applicable period of *ineligibility* within the range established in the table in Regulation 21.10.6(a), and then apply the appropriate suspension or reduction of the period of *ineligibility*. The remaining period of *ineligibility*, after applying any suspension or reduction under Regulation 21.10.4(c) and 21.10.4(d), must be at least one-fourth of the otherwise applicable period of *ineligibility*.~~
- ~~(c) Third Anti-Doping Rule Violation~~
- ~~A third anti-doping rule violation will always result in a lifetime period of *ineligibility*, except if the third violation fulfills the condition for elimination or reduction of the period of *ineligibility* under Regulation 21.10.3 or involves a violation of Regulation 21.2.3 (filing failures and/or missed tests). In these particular cases, the period of *ineligibility* shall be from eight (8) years to life ban.~~
- ~~(d) Additional Rules for Certain Potential Multiple Violations~~
- ~~(i) For purposes of imposing sanctions under Regulation 21.10.6, an anti-doping rule violation will only be considered a second violation if ISAF (or its MNA) can establish that the athlete or other person committed the second anti-doping rule violation after the athlete or other person received notice pursuant to Regulation 21.7 (Results Management), or after ISAF (or its MNA) made reasonable efforts to give notice, of the first anti-doping rule violation; if ISAF (or its MNA) cannot establish this, the violations shall be considered together as one single first violation, and the sanction imposed shall be based on the violation that carries the more severe sanction however, the occurrence of multiple violations may be considered as a factor in determining aggravating circumstances (Regulation 21.10.5).~~
- ~~(ii) If, after the resolution of a first anti-doping rule violation, ISAF discovers facts involving an anti-doping rule violation by the athlete or other person which occurred prior to notification regarding the first violation, then ISAF shall impose an additional sanction based on the sanction that could have been imposed if the two violations would have been adjudicated at the same time. Results in all competitions dating back to the earlier anti-doping rule violation will be disqualified as provided in Regulation 21.10.7. To avoid the possibility of a finding of aggravating circumstances (Regulation 21.10.5) on account of the earlier in time but later discovered violation, the athlete or other person must voluntarily admit the earlier anti-doping rule violation on a timely basis after notice of the violation for which he or she is first charged. The same rule shall also apply when ISAF discovers facts involving another prior violation after the resolution of a second anti-doping rule violation~~
- ~~(e) Multiple Anti-Doping Rule Violations during an Eight Year Period~~

~~For purposes of Regulation 21.10.6, each anti-doping rule violation must take place within the same eight (8) year period in order to be considered multiple violations.~~

#### ~~21.10.7 Disqualification of Results in Competitions Subsequent to Sample Collection or Commission of an Anti-Doping Rule Violation~~

~~In addition to the automatic disqualification of the results in the competition which produced the positive sample under Regulation 21.9 (Automatic Disqualification of Individual Results), all other competitive results obtained from the date a positive sample was collected (whether In Competition or Out of Competition), or other anti-doping rule violation occurred, through the commencement of any provisional suspension or ineligibility period, shall, unless fairness requires otherwise, be disqualified with all of the resulting consequences including forfeiture of any medals, points and prizes.~~

~~(a) As a condition of regaining eligibility after being found to have committed an anti-doping rule violation, the athlete must first repay all prize money forfeited under this Regulation.~~

~~Forfeited prize money shall be allocated first to reimburse the collection expenses incurred by the Anti-Doping Organization in order to perform the necessary steps to collect the prize money back, then to reimburse the expenses incurred by the Anti-Doping Organization in order to conduct results management in the case, with the balance, if any, allocated in accordance with ISAF's specific rules.~~

#### ~~21.10.8 Commencement of Ineligibility Period~~

~~Except as provided below, the period of ineligibility shall start on the date of the hearing decision providing for ineligibility or, if the hearing is waived, on the date ineligibility is accepted or otherwise imposed.~~

~~(a) Delays Not Attributable to the athlete or other Person~~

~~Where there have been substantial delays in the hearing process or other aspects of doping control not attributable to the athlete or other person, ISAF or the Anti-Doping Organization imposing the sanction may start the period of ineligibility at an earlier date commencing as early as the date of sample collection or the date on which another anti-doping rule violation last occurred.~~

~~(b) Timely Admission~~

~~Where the athlete promptly (which, in all events, means before the athlete competes again) admits the anti-doping rule violation after being confronted with the anti-doping rule violation by ISAF the period of ineligibility may start as early as the date of sample collection or the date on which another anti-doping rule violation last occurred. In each case, however, where this Regulation is applied, the athlete or other person shall serve at least one-half of the period of ineligibility going forward from the date the athlete or other person accepted the imposition of a sanction, the date of a hearing decision imposing a sanction, or the date the sanction is otherwise imposed.~~

~~(c) If a provisional suspension is imposed and respected by the athlete, then the athlete shall receive a credit for such period of provisional suspension against any period of ineligibility which may ultimately be imposed.~~

~~(d) If an athlete voluntarily accepts a provisional suspension in writing from ISAF and thereafter refrains from competing, the athlete shall receive a credit for such period of voluntary provisional suspension against any period of ineligibility which may ultimately be imposed. A copy of the athlete's voluntary acceptance of a provisional suspension~~

~~shall be provided promptly to each party entitled to receive notice of a potential anti-doping rule violation under Regulation 21.14.~~

- ~~(e) No credit against a period of *ineligibility* shall be given for any time period before the effective date of the *provisional suspension* or voluntary *provisional suspension* regardless of whether the *athlete* elected not to compete or was suspended by his or her team.~~

#### ~~21.10.9 Status During *Ineligibility*~~

- ~~(a) Prohibition against Participation during *Ineligibility*~~

~~— No *athlete* or other *person* who has been declared *ineligible* may, during the period of *ineligibility*, participate in any capacity in an event or activity (other than authorized anti-doping education or rehabilitation programmes) authorized or organized by ISAF or any *MNA*, or a club or other member organization of ISAF or any *MNA*, or in competitions authorized or organized by any professional league or any international or national level event organization. An *athlete* or other *person* subject to a period of *ineligibility* longer than four years may, after completing four years of the period of *ineligibility*, participate in local sport events in a sport other than sports subject to the jurisdictions of ISAF and its *MNAs*, but only so long as the local sport event is not at a level that could otherwise qualify such *person* directly or indirectly to compete in (or accumulate points toward) a national championship or *international event*.~~

~~— An *athlete* or other *person* subject to a period of *ineligibility* shall remain subject to testing.~~

- ~~(b) Violation of the Prohibition of Participation during *Ineligibility*~~

~~— Where an *athlete* or other *person* who has been declared *ineligible* violates the prohibition against participation during *ineligibility* described in Regulation 21.10.9(a), the results of such participation shall be *disqualified* and the period of *ineligibility* which was originally imposed shall start over again as of the date of the violation. The new period of *ineligibility* may be reduced under Regulation 21.10.4(b) if the *athlete* or other *person* establishes he or she bears *no significant fault or negligence* for violating the prohibition against participation. The determination of whether an *athlete* or other *person* has violated the prohibition against participation, and whether a reduction under Regulation 21.10.4(b) is appropriate, shall be made by ISAF.~~

- ~~(c) Withholding of Financial Support during *Ineligibility*~~

~~— In addition, for any anti-doping rule violation not involving a reduced sanction for *specified substances* as described in Regulation 21.10.3, some or all sport-related financial support or other sport-related benefits received by such *person* will be withheld by ISAF and its *MNAs*.~~

#### ~~21.10.10 Reinstatement Testing~~

~~As a condition to regaining eligibility at the end of a specified period of *ineligibility*, an *athlete* must, during any period of *provisional suspension* or *ineligibility*, make him or herself available for OCCT by ISAF, the applicable *MNA*, and any other *Anti-Doping Organization* having testing jurisdiction, and must comply with the whereabouts requirements of Article 11 of the *International Standard for Testing*. If an *athlete* subject to a period of *ineligibility* retires from sport and is removed from OCCT pools and later seeks reinstatement, the *athlete* shall not be eligible for reinstatement until the *athlete* has notified ISAF and the applicable *MNA*~~

~~and has been subject to OCCT for a period of time equal to the longer of (a) the period set forth in Regulation 21.5.5(a) (c) and (b) period of *ineligibility* remaining as of the date the *athlete* had retired. During such remaining period of *ineligibility*, a minimum of 2 tests must be conducted on the *athlete* with at least three months between each test. The *MNA* shall be responsible for conducting the necessary tests, but tests by any *Anti-Doping Organization* may be used to satisfy the requirement. The results of such tests shall be reported to ISAF. In addition, immediately prior to the end of the period of *ineligibility*, an *athlete* must undergo testing by ISAF for the *prohibited substances* and methods that are prohibited in OCCT. Once the period of an *athlete's ineligibility* has expired, and the *athlete* has fulfilled the conditions of reinstatement, then the *athlete* will become automatically re-eligible and no application by the *athlete* or by the *athlete's MNA* will then be necessary.~~

### ~~**Consequences to Teams**~~

~~21.11 If more than one crewmember of a boat has been notified of a possible adverse analytical finding under these Anti-Doping Rules in connection with an event, the crew of the boat shall be subject to target testing for that event.~~

~~21.11.1 If a crewmember of a boat, having a crew of more than three crewmembers on board, is found to have committed a violation of these Anti-Doping Rules during an event, the boat may be subject to such disciplinary action by the Protest Committee or Jury as it deems appropriate, provided that the boat shall not be subject to any disqualifications or any other form of competitive penalty in such event, unless there have been breaches of this Anti-Doping Code by more than one crewmember during such event and the Protest Committee or Jury is satisfied there has been a resulting material advantage to such boat in breach of Racing Rule of Sailing 2 (Fair Sailing), or such breaches have been organized or condoned by other crewmembers or those charged with managing the boat and/or its crewmembers.~~

### ~~**Sanctions and Costs Assessed Against Member National Authorities**~~

~~21.12 The ISAF Executive Committee has the authority to withhold some or all funding or other non financial support to *MNAs* that are not in compliance with these Anti-Doping Rules.~~

### ~~**Appeals**~~

~~21.13 Decisions Subject to Appeal~~

~~Decisions made under these Anti-Doping Rules may be appealed as set forth below in Regulation 21.13.1 through 21.13.3 or as otherwise provided in these Anti-Doping Rules. Such decisions shall remain in effect while under appeal unless the appellate body orders otherwise. Before an appeal is commenced, any post-decision review authorized in these rules must be exhausted (except as provided in Regulation 21.13(a)).~~

~~(a) **WADA Not Required to Exhaust Internal Remedies**~~

~~Where WADA has a right to appeal under Regulation 21.13 and no other party has appealed a final decision within the ISAF or its *MNA's* process, WADA may appeal such decision directly to CAS without having to exhaust other remedies in the ISAF or its *MNA's* process.~~

~~21.13.1 Appeals from Decisions Regarding Anti-Doping Rule Violations, Consequences, and Provisional Suspensions~~

~~A decision that an anti-doping rule violation was committed, a decision imposing consequences for an anti-doping rule violation, or a decision that no anti-doping rule violation was committed; a decision that an anti-doping rule violation proceeding cannot go forward for procedural reasons (including, for example, prescription); a decision under Regulation~~

~~21.10.9(b) (prohibition of participation during *ineligibility*); a decision that ISAF or its MNA lacks jurisdiction to rule on an alleged anti-doping rule violation or its consequences; a decision by any MNA not to bring forward an *adverse analytical finding* as an anti-doping rule violation, or a decision not to go forward with an anti-doping rule violation after an investigation under Regulation 21.7.3; and a decision to impose a *provisional suspension* as a result of a *provisional hearing* or otherwise in violation of Regulation 21.7.3 may be appealed exclusively as provided in this Regulation 21.13.1. Notwithstanding any other provision herein, the only person that may appeal from a *provisional suspension* is the athlete or other person upon whom the *provisional suspension* is imposed.~~

~~(a) Appeals Involving *International Level Athletes*~~

~~In cases arising from *competition* in an *international event* or in cases involving *international level athletes*, the decision may be appealed exclusively to the CAS in accordance with the provisions applicable before such court.~~

~~(b) Appeals Involving *National Level Athletes*~~

~~In cases involving athletes who do not have a right to appeal under Regulation 21.13.1(a), each MNA shall have in place an appeal procedure that respects the following principles: a timely hearing; a fair and impartial hearing panel; the right to be represented by a counsel at the person's expense; and a timely, written, reasoned decision. ISAF's rights of appeal with respect to these cases are set forth in Regulation 21.13.1(c) below.~~

~~(c) *Persons Entitled to Appeal*~~

~~In cases under Regulation 21.13.1(a), the following parties shall have the right to appeal to CAS: (a) the athlete or other person who is the subject of the decision being appealed; (b) the other party to the case in which the decision was rendered; (c) ISAF and any other *Anti-Doping Organization* under whose rules a sanction could have been imposed; (d) the International Olympic Committee or International Paralympic Committee, as applicable, where the decision may have an effect in relation to the Olympic Games or Paralympic Games, including decisions affecting eligibility for the Olympic Games or Paralympic Games; and (e) WADA. In cases under Regulation 21.13.1(b), the parties having the right to appeal to the national level reviewing body shall be as provided in the MNAs rules but, at a minimum, shall include the following parties: (a) the athlete or other person who is the subject of the decision being appealed; (b) the other party to the case in which the decision was rendered; (c) ISAF; and (d) WADA. For cases under Regulation 21.13.1(b), WADA and ISAF shall also have the right to appeal to CAS with respect to the decision of the national level reviewing body.~~

~~21.13.2 Failure to Render a Timely Decision by ISAF and its MNA's~~

~~Where, in a particular case, ISAF or its MNA's fail to render a decision with respect to whether an anti-doping rule violation was committed within a reasonable deadline set by WADA, WADA may elect to appeal directly to CAS as if ISAF or its MNA had rendered a decision finding no anti-doping rule violation. If the CAS panel determines that an anti-doping rule violation was committed and that WADA acted reasonably in electing to appeal directly to CAS, then WADA's costs and attorneys fees in prosecuting the appeal shall be reimbursed to WADA by ISAF or its MNA's.~~

~~21.13.3 Appeals from Decisions Granting or Denying a Therapeutic Use Exemption~~

~~Decisions by WADA reversing the grant or denial of a TUE may be appealed exclusively to CAS by the athlete, ISAF, or National Anti-Doping Organization or other body designated by a MNA which granted or denied the exemption. Decisions to deny TUEs, and which are not reversed by WADA, may be appealed by international level athletes to CAS and by other athletes to the national level reviewing body described in Regulation 21.13.1(b). If the national level reviewing body reverses the decision to deny a TUE, that decision may be appealed to CAS by WADA.~~

~~When ISAF, National Anti-Doping Organizations or other bodies designated by MNA's fail to take action on a properly submitted TUE application within a reasonable time, their failure to decide may be considered a denial for purposes of the appeal rights provided in this Regulation.~~

#### ~~21.13.4 Appeal from Decisions Pursuant to Regulation 21.12 (Sanctions and Cost assessed against MNAs)~~

~~Decisions by ISAF pursuant to Regulation 21.12 may be appealed exclusively to CAS by the MNA.~~

#### ~~21.13.5 Time for Filing Appeals~~

~~The time to file an appeal to CAS shall be twenty one (21) days from the date of receipt of the decision by the appealing party.~~

~~The above notwithstanding, the filing deadline for an appeal or intervention filed by WADA shall be the later of:~~

- ~~(a) Twenty one (21) days after the last day on which any other party in the case could have appealed, or~~
- ~~(b) Twenty one (21) days after WADA's receipt of the complete file relating to the decision.~~

### ~~**Member National Authorities Incorporation of ISAF Rules, Reporting and Recognition**~~

#### ~~21.14 Incorporation of ISAF Anti-Doping Rules~~

~~All MNAs shall comply with these Anti-Doping Rules. These Anti-Doping Rules shall also be incorporated either directly or by reference into each MNAs Rules. All MNAs shall include in their regulations the procedural rules necessary to effectively implement these Anti-Doping Rules. Each MNA shall obtain the written acknowledgement and agreement, in the form attached as Annexe 1, of all athletes subject to doping control and athlete support personnel for such athletes. Notwithstanding whether or not the required form has been signed, the Rules of each MNA shall specifically provide that all athletes, athlete support personnel and other persons under the jurisdiction of the MNA shall be bound by these Anti-Doping Rules.~~

#### ~~21.14.1 Statistical Reporting~~

~~ISAF shall publish annually a general statistical report of its doping control activities during the calendar year with a copy provided to WADA.~~

#### ~~21.14.2 Doping Control Information Clearinghouse~~

~~When an MNA has received an adverse analytical finding on one of its athletes it shall report the following information to ISAF and WADA within fourteen (14) days of the process described in Regulation 21.7(b) and 21.7(c): the athlete's name, country, sport and discipline~~

~~within the sport, whether the test was *In Competition* or *Out of Competition*, the date of sample collection and the analytical result reported by the laboratory. The MNA shall also regularly update ISAF and WADA on the status and findings of any review or proceedings conducted pursuant to in Regulation 21.7 (Results Management), Regulation 21.8 (Right to a Fair Hearing) or Regulation 21.13 (Appeals), and comparable information shall be provided to ISAF and WADA within 14 days of the notification described in Regulation 21.7(i), with respect to other violations of these Anti-Doping Rules. In any case in which the period of *ineligibility* is eliminated under Regulation 21.10.4(a) (*no fault or negligence*) or reduced under Regulation 21.10.4(b) (*No Significant Fault or Negligence*), ISAF and WADA shall be provided with a written reasoned decision explaining the basis for the elimination or reduction. Neither ISAF nor WADA shall disclose this information beyond those persons within their organizations with a need to know until the MNA has made public disclosure or has failed to make public disclosure as required in Regulation 21.14.2 below.~~

#### ~~21.14.3 Public Disclosure~~

- ~~(a) Neither ISAF nor its MNA shall publicly identify athletes whose samples have resulted in adverse analytical findings, or who were alleged to have violated other Regulations of these Anti-Doping Rules until it has been determined in a hearing in accordance with Regulation 21.8 (Right to a Fair Hearing) that an anti-doping rule violation has occurred, or such hearing has been waived, or the assertion of an anti-doping rule violation has not been timely challenged or the athlete has been provisionally suspended. Once a violation of these Anti-Doping Rules has been established, it shall be publicly reported within 20 days. ISAF or its MNAs must also report within 20 days appeal decisions on an anti-doping rule violation. ISAF or its MNA's shall also, within the time period for publication, send all hearing and appeal decisions to WADA.~~
- ~~(b) In any case where it is determined, after a hearing or appeal, that the athlete or other person did not commit an anti-doping rule violation, the decision may be disclosed publicly only with the consent of the athlete or other person who is the subject of the decision. ISAF or its MNA shall use reasonable efforts to obtain such consent, and if consent is obtained, shall publicly disclose the decision in its entirety or in such redacted form as the athlete or other person may approve.~~
- ~~(c) Neither ISAF nor its MNA's or WADA accredited laboratory, or official of either, shall publicly comment on the specific facts of a pending case (as opposed to general description of process and science) except in response to public comments attributed to the athlete, other person or their representatives.~~

#### ~~21.14.4 Recognition of Decisions by ISAF and MNAs~~

~~Any decision of ISAF or a MNA regarding a violation of these Anti-Doping Rules shall be recognized by all MNAs, which shall take all necessary action to render such results effective.~~

#### ~~Recognition of Decisions by Other Organizations~~

- ~~21.15 Subject to the right to appeal provided in Regulation 21.13 (Appeals), the testing, TUEs and hearing results or other final adjudications of any signatory to the "Code" which are consistent with the "Code" and are within the signatory's authority, shall be recognized and respected by ISAF and its MNAs. ISAF and its MNAs may recognize the same actions of other bodies which have not accepted the "Code" if the rules of these bodies are otherwise consistent with the "Code".~~

#### ~~Statute of Limitations~~

~~21.16 No action may be commenced under these Anti-Doping Rules against an athlete or other person for a violation of an anti-doping rule contained in these Anti-Doping Rules unless such action is commenced within eight years from the date the violation occurred.~~

#### ~~**ISAF Compliance Reports to WADA**~~

~~21.17 ISAF will report to WADA on ISAF's compliance with the 'Code' every second year and shall explain reasons for any non-compliance.~~

#### ~~**Amendment and Interpretation of Anti-Doping Rules**~~

~~21.18 These Anti-Doping Rules may be amended from time to time by the ISAF Executive Committee.~~

~~21.18.1 Except as provided in Regulation 21.17.4, these Anti-Doping Rules shall be interpreted as an independent and autonomous text and not by reference to existing law or statutes.~~

~~21.18.2 The headings used for the various Parts and Regulations of these Anti-Doping Rules are for convenience only and shall not be deemed part of the substance of these Anti-Doping Rules or to affect in any way the language of the provisions to which they refer.~~

~~21.18.3 The INTRODUCTION and the DEFINITIONS shall be considered integral parts of these Anti-Doping Rules.~~

~~21.18.4 These Anti-Doping Rules have been adopted pursuant to the applicable provisions of the "Code" and shall be interpreted in a manner that is consistent with applicable provisions of the "Code". The comments annotating various provisions of the "Code" may, where applicable, assist in the understanding and interpretation of these Anti-Doping Rules.~~

~~21.18.5 Notice to an athlete or other person who is a member of a MNA may be accomplished by delivery of the notice to the MNA.~~

~~21.18.6 These Anti-Doping Rules shall come into full force and effect on 1 January 2009 (the "effective date"). They shall not apply retrospectively to matters pending before the effective date; provided, however that:~~

- ~~(a) Any case pending prior to the effective date, or brought after the effective date based on an anti-doping rule violation that occurred prior to the effective date, shall be governed by the predecessor to these anti-doping rules in force at the time of the anti-doping rule violation, subject to any application of the principle of lex mitior by the hearing panel determining the case.~~
- ~~(b) Any Regulation 21.2.3 whereabouts violation (whether a filing failure or a missed test) declared by ISAF under rules in force prior to the effective date that has not expired prior to the effective date and that would qualify as a whereabouts violation under Article 11 of the *International Standard for Testing* shall be carried forward and may be relied upon, prior to expiry, as one of the three filing failures and/or missed tests giving rise to an anti-doping rule violation under Regulation 21.2.3 of these Anti-Doping Rules. Unless otherwise stated by ISAF, however:
 
  - ~~(i) a filing failure that is carried forward in this manner may only be combined with (post-effective date) filing failures;~~
  - ~~(ii) a missed test that is carried forward in this manner may only be combined with (post-effective date) missed tests; and~~~~

- ~~(iii) a filing failure or missed test declared by any Anti-Doping Organization other than ISAF and a MNA prior to the effective date may not be combined with any filing failure or missed test declared under these Anti-Doping Rules.~~
- ~~(c) Where a period of *ineligibility* imposed by ISAF under rules in force prior to the effective date has not yet expired as of the effective date, the person who is *ineligible* may apply to ISAF for a reduction in the period of *ineligibility* in light of the amendments made to the Code as from the effective date. To be valid, such application must be made before the period of *ineligibility* has expired.~~
- ~~(d) Subject always to Regulation 21.10.6(c), anti-doping rule violations committed under rules in force prior to the effective date shall be taken into account as prior offences for purposes of determining sanctions under Regulation 21.10.6. Where such pre effective date anti-doping rule violation involved a substance that would be treated as a *specified substance* under these Anti-Doping Rules, for which a period of *ineligibility* of less than two years was imposed, such violation shall be considered a *reduced sanction violation* for purposes of Regulation 21.10.6(a).~~

### **~~ANNEXE 1 – Acknowledgment and Agreement~~**

~~I, as a member of [National Club] affiliated to [MNA] and/or a participant in a [MNA or ISAF] authorized or recognized event, hereby acknowledge and agree as follows:~~

- ~~1. I have received and had an opportunity to review the International Sailing Federation Anti-Doping Rules.~~
- ~~2. I consent and agree to comply with and be bound by all of the provisions of the International Sailing Federation Anti-Doping Rules, including but not limited to, all amendments to the Anti-Doping Rules and all *International Standards* incorporated in the Anti-Doping Rules.~~
- ~~3. I acknowledge and agree that MNAs and the International Sailing Federation have jurisdiction to impose sanctions as provided in the International Sailing Federation Anti-Doping Rules.~~
- ~~4. I also acknowledge and agree that any dispute arising out of a decision made pursuant to the International Sailing Federation Anti-Doping Rules, after exhaustion of the process expressly provided for in the International Sailing Federation Anti-Doping Rules, may be appealed exclusively as provided in Regulation 21.13 (Appeals) of the International Sailing Federation Anti-Doping Rules to an appellate body for final and binding arbitration, which in the case of *international level athletes* is the Court of Arbitration for Sport.~~
- ~~5. I acknowledge and agree that the decisions of the arbitral appellate body referenced above shall be final and enforceable, and that I will not bring any claim, arbitration, lawsuit or litigation in any other court or tribunal.~~
- ~~6. I have read and understand this Acknowledgement and Agreement.~~

\_\_\_\_\_  
Date \_\_\_\_\_ Print Name (Last Name, First Name) \_\_\_\_\_

\_\_\_\_\_  
Date of Birth \_\_\_\_\_ Signature (or, if a *minor*, signature of  
(Day/Month/Year) \_\_\_\_\_ legal guardian) \_\_\_\_\_

~~**Note:** The World Anti-Doping Code Prohibited List of Substances and Methods is normally updated every year. The 2012 Prohibited List is available online at: [www.wada-ama.org/Documents/World\\_Anti-Doping\\_Program/WADP-Prohibited-list/2012/WADA\\_Prohibited\\_List\\_2012\\_EN.pdf](http://www.wada-ama.org/Documents/World_Anti-Doping_Program/WADP-Prohibited-list/2012/WADA_Prohibited_List_2012_EN.pdf)~~

~~Please always check the ISAF website [www.sailing.org/medical](http://www.sailing.org/medical) in case there have been any emergency changes and to ensure you have the most recent information. This information is also available on the WADA website [www.wada-ama.org](http://www.wada-ama.org)~~

## APPENDIX 2 – ANTI-DOPING CODE

### 21. ANTI-DOPING CODE

#### INTRODUCTION

##### ***Preface***

These Anti-Doping Rules are adopted and implemented in accordance with the International Sailing Federation (ISAF)'s responsibilities under the Code, and in furtherance of ISAF's continuing efforts to eradicate doping in sport.

These Anti-Doping Rules are sport rules governing the conditions under which sport is played. Aimed at enforcing anti-doping principles in a global and harmonized manner, they are distinct in nature from criminal and civil laws, and are not intended to be subject to or limited by any national requirements and legal standards applicable to criminal or civil proceedings. When reviewing the facts and the law of a given case, all courts, arbitral tribunals and other adjudicating bodies should be aware of and respect the distinct nature of these Anti-Doping Rules implementing the Code and the fact that these rules represent the consensus of a broad spectrum of stakeholders around the world as to what is necessary to protect and ensure fair sport.

##### ***Fundamental Rationale for the Code and ISAF's Anti-Doping Rules***

Anti-doping programs seek to preserve what is intrinsically valuable about sport. This intrinsic value is often referred to as "the spirit of sport". It is the essence of Olympism, the pursuit of human excellence through the dedicated perfection of each person's natural talents. It is how we play true. The spirit of sport is the celebration of the human spirit, body and mind, and is reflected in values we find in and through sport, including:

- Ethics, fair play and honesty
- Health
- Excellence in performance
- Character and education
- Fun and joy
- Teamwork
- Dedication and commitment
- Respect for rules and laws
- Respect for self and other *Participants*
- Courage
- Community and solidarity

Doping is fundamentally contrary to the spirit of sport.

##### ***Scope of these Anti-Doping Rules***

These Anti-Doping Rules shall apply to ISAF and to each of its *Member National Authorities (MNAs)*. They also apply to the following *Athletes, Athlete Support Personnel* and other *Persons*, each of whom is deemed, as a condition of his/her membership, accreditation and/or participation in the sport, to have agreed to be bound by these Anti-Doping Rules, and to have submitted to the authority of ISAF

to enforce these Anti-Doping Rules and to the jurisdiction of the hearing panels specified in Regulation 8 and Regulation 13 to hear and determine cases and appeals brought under these Anti-Doping Rules:

- (a) all *Athletes* and *Athlete Support Personnel* who are members of ISAF, or of any *MNA*, or of any member or affiliate organization of any *MNA* (including any clubs, teams, associations or leagues);
- (b) all *Athletes* and *Athlete Support Personnel* participating in such capacity in *Events*, *Competitions* and other activities organized, convened, authorized or recognized by ISAF, or any *MNA*, or any member or affiliate organization of any *MNA* (including any clubs, teams, associations or leagues), wherever held;
- (c) any other *Athlete* or *Athlete Support Personnel* or other *Person* who, by virtue of an accreditation, a licence or other contractual arrangement, or otherwise, is subject to the jurisdiction of ISAF, or of any *MNA*, or of any member or affiliate organization of any *MNA* (including any clubs, teams, associations or leagues), for purposes of anti-doping; and
- (d) *Athletes* who are not regular members of ISAF or of one of its *MNAs* but who want to be eligible to compete in a particular *International Event*. ISAF may include such *Athletes* in its *Registered Testing Pool* so that they are required to provide information about their whereabouts for purposes of *Testing* under these Anti-Doping Rules for at least one month prior to the *International Event* in question.

Within the overall pool of *Athletes* set out above who are bound by and required to comply with these Anti-Doping Rules, the following *Athletes* shall be considered to be *International-Level Athletes* for purposes of these Anti-Doping Rules, and therefore the specific provisions in these Anti-Doping Rules applicable to *International-Level Athletes* (as regards *Testing* but also as regards *TUEs*, whereabouts information, results management, and appeals) shall apply to such *Athletes*:

- (a) *Athletes* who compete in any of the following *International Events*:

ISAF Sailing World Cup  
ISAF Sailing World Championship  
ISAF Youth Sailing World Championships  
IFDS Combined World Championship  
Olympic Games  
Paralympic Games

And any other events that ISAF adds to the recognized International Events on the ISAF Anti-Doping microsite found at [www.sailing.org](http://www.sailing.org).

## DEFINITIONS

ADAMS: The Anti-Doping Administration and Management System is a Web-based database management tool for data entry, storage, sharing, and reporting designed to assist stakeholders and WADA in their anti-doping operations in conjunction with data protection legislation.

Administration: Providing, supplying, supervising, facilitating, or otherwise participating in the *Use* or *Attempted Use* by another *Person* of a *Prohibited Substance* or *Prohibited Method*. However, this definition shall not include the actions of bona fide medical personnel involving a *Prohibited Substance* or *Prohibited Method* used for genuine and legal therapeutic purposes or other acceptable justification and shall not include actions involving *Prohibited Substances* which are not prohibited in *Out-of-Competition Testing* unless the circumstances as a whole demonstrate that such *Prohibited Substances* are not intended for genuine and legal therapeutic purposes or are intended to enhance sport performance.

Adverse Analytical Finding: A report from a WADA-accredited laboratory or other WADA-approved laboratory that, consistent with the International Standard for Laboratories and related Technical Documents, identifies in a *Sample* the presence of a *Prohibited Substance* or its *Metabolites* or *Markers* (including elevated quantities of endogenous substances) or evidence of the *Use* of a *Prohibited Method*.

Adverse Passport Finding: A report identified as an *Adverse Passport Finding* as described in the applicable *International Standards*.

Anti-Doping Organization: A *Signatory* that is responsible for adopting rules for initiating, implementing or enforcing any part of the *Doping Control* process. This includes, for example, the International Olympic Committee, the International Paralympic Committee, other *Major Event Organizations* that conduct *Testing* at their *Events*, WADA, International Federations, and *National Anti-Doping Organizations*.

Athlete: Any *Person* who competes in sport at the international level (as defined by each International Federation), or the national level (as defined by each *National Anti-Doping Organization*). An *Anti-Doping Organization* has discretion to apply anti-doping rules to an *Athlete* who is neither an *International-Level Athlete* nor a *National-Level Athlete*, and thus to bring them within the definition of “Athlete.” In relation to *Athletes* who are neither *International-Level* nor *National-Level Athletes*, an *Anti-Doping Organization* may elect to: conduct limited *Testing* or no *Testing* at all; analyze *Samples* for less than the full menu of *Prohibited Substances*; require limited or no whereabouts information; or not require advance *TUEs*. However, if an Regulation 21.2.1, 21.2.3 or 21.2.5 anti-doping rule violation is committed by any *Athlete* over whom an *Anti-Doping Organization* has authority who competes below the international or national level, then the *Consequences* set forth in the *Code* (except Regulation 21.14.3(b)) must be applied. For purposes of Regulation 21.2.8 and Regulation 21.2.9 and for purposes of anti-doping information and education, any *Person* who participates in sport under the authority of any *Signatory*, government, or other sports organization accepting the *Code* is an *Athlete*.

Athlete Biological Passport: The program and methods of gathering and collating data as described in the International Standard for Testing and Investigations and International Standard for Laboratories.

Athlete Support Personnel: Any coach, trainer, manager, agent, team staff, official, medical, paramedical personnel, parent or any other *Person* working with, treating or assisting an *Athlete* participating in or preparing for sports *Competition*.

Attempt: Purposely engaging in conduct that constitutes a substantial step in a course of conduct planned to culminate in the commission of an anti-doping rule violation. Provided, however, there shall be no anti-doping rule violation based solely on an *Attempt* to commit a violation if the *Person* renounces the *Attempt* prior to it being discovered by a third party not involved in the *Attempt*.

Atypical Finding: A report from a WADA-accredited laboratory or other WADA-approved laboratory which requires further investigation as provided by the International Standard for Laboratories or related Technical Documents prior to the determination of an *Adverse Analytical Finding*.

Atypical Passport Finding: A report described as an *Atypical Passport Finding* as described in the applicable *International Standards*.

CAS: The Court of Arbitration for Sport.

Code: The World Anti-Doping Code.

Competition: A single race, match, game or singular sport contest. For example, a basketball game or the finals of the Olympic 100-meter race in athletics. For stage races and other sport contests where prizes are awarded on a daily or other interim basis the distinction between a *Competition* and an *Event* will be as provided in the rules of the applicable International Federation.

Consequences of Anti-Doping Rule Violations (“Consequences”): An *Athlete's* or other *Person's* violation of an anti-doping rule may result in one or more of the following: (a) Disqualification means the *Athlete's* results in a particular *Competition* or *Event* are invalidated, with all resulting *Consequences* including forfeiture of any medals, points and prizes; (b) Ineligibility means the *Athlete* or other *Person* is barred on account of an anti-doping rule violation for a specified period of time from participating in any *Competition* or other activity or funding as provided in Regulation 21.10.12(a); (c) Provisional Suspension means the *Athlete* or other *Person* is barred temporarily from participating in any *Competition* or activity prior to the final decision at a hearing conducted under Regulation 21.8; (d) Financial Consequences means a financial sanction imposed for an anti-doping rule violation or to recover costs associated with an anti-doping rule violation; and (e) Public Disclosure or Public Reporting means the dissemination or distribution of information to the general public or *Persons* beyond those *Persons* entitled to earlier notification in accordance with Regulation 21.14. Teams in *Team Sports* may also be subject to *Consequences* as provided in Regulation 21.11 of the *Code*.

Contaminated Product: A product that contains a *Prohibited Substance* that is not disclosed on the product label or in information available in a reasonable Internet search.

Disqualification: See *Consequences of Anti-Doping Rule Violations* above.

Doping Control: All steps and processes from test distribution planning through to ultimate disposition of any appeal including all steps and processes in between such as provision of whereabouts information, *Sample* collection and handling, laboratory analysis, *TUEs*, results management and hearings.

Event: A series of individual *Competitions* conducted together under one ruling body (e.g., the Olympic Games, FINA World Championships, or Pan American Games).

Event Venues: Those venues so designated by the ruling body for the *Event*.

Event Period: The time between the beginning and end of an *Event*, as established by the ruling body of the *Event*.

Fault: *Fault* is any breach of duty or any lack of care appropriate to a particular situation. Factors to be taken into consideration in assessing an *Athlete* or other *Person's* degree of *Fault* include, for

example, the *Athlete's* or other *Person's* experience, whether the *Athlete* or other *Person* is a *Minor*, special considerations such as impairment, the degree of risk that should have been perceived by the *Athlete* and the level of care and investigation exercised by the *Athlete* in relation to what should have been the perceived level of risk. In assessing the *Athlete's* or other *Person's* degree of *Fault*, the circumstances considered must be specific and relevant to explain the *Athlete's* or other *Person's* departure from the expected standard of behavior. Thus, for example, the fact that an *Athlete* would lose the opportunity to earn large sums of money during a period of *Ineligibility*, or the fact that the *Athlete* only has a short time left in his or her career, or the timing of the sporting calendar, would not be relevant factors to be considered in reducing the period of *Ineligibility* under Regulation 21.10.5(a) or 21.10.5(b).

*Financial Consequences*: see *Consequences of Anti-Doping Rule Violations*, above.

*In-Competition*: For purposes of differentiating between *In-Competition* and *Out-of-Competition Testing*, for *Events* for which ISAF is the ruling body, *In-Competition* is defined as that period of time between the scheduled time of the warning signal of the first race of the *Event*, until to the protest time limit following the final race of the *Event*.

*Independent Observer Program*: A team of observers, under the supervision of WADA, who observe and provide guidance on the *Doping Control* process at certain *Events* and report on their observations.

*Individual Sport*: Any sport that is not a *Team Sport*.

*Ineligibility*: See *Consequences of Anti-Doping Rule Violations* above.

*International Event*: An *Event* or *Competition* where the International Olympic Committee, the International Paralympic Committee, an International Federation, a *Major Event Organization*, or another international sport organization is the ruling body for the *Event* or appoints the technical officials for the *Event*.

*International-Level Athlete*: *Athletes* who compete in sport at the international level, as defined by each International Federation, consistent with the International Standard for Testing and Investigations. For the sport of Sailing, *International-Level Athletes* are defined as set out in the Scope section of the Introduction to these Anti-Doping Rules.

*International Standard*: A standard adopted by WADA in support of the *Code*. Compliance with an *International Standard* (as opposed to another alternative standard, practice or procedure) shall be sufficient to conclude that the procedures addressed by the *International Standard* were performed properly. *International Standards* shall include any Technical Documents issued pursuant to the *International Standard*.

*Major Event Organizations*: The continental associations of *National Olympic Committees* and other international multi-sport organizations that function as the ruling body for any continental, regional or other *International Event*.

*Marker*: A compound, group of compounds or biological variable(s) that indicates the *Use* of a *Prohibited Substance* or *Prohibited Method*.

*Metabolite*: Any substance produced by a biotransformation process.

Minor: A natural *Person* who has not reached the age of eighteen years.

National Anti-Doping Organization: The entity(ies) designated by each country as possessing the primary authority and responsibility to adopt and implement anti-doping rules, direct the collection of *Samples*, the management of test results, and the conduct of hearings at the national level. If this designation has not been made by the competent public authority(ies), the entity shall be the country's *National Olympic Committee* or its designee.

National Event: A sport *Event* or *Competition* involving *International-* or *National-Level Athletes* that is not an *International Event*.

MNA: A national or regional entity which is a member of or is recognized by ISAF as the entity governing ISAF's sport in that nation or region. A *Relevant MNA* means the *MNA* designated by ISAF as having jurisdiction over the *Athlete* or other *Person* in question. MNAs have the duties and responsibilities of *National Federations* under the *Code*.

National-Level Athlete: *Athletes* who compete in sport at the national level, as defined by each *National Anti-Doping Organization*, consistent with the International Standard for Testing and Investigations.

National Olympic Committee: The organization recognized by the International Olympic Committee. The term *National Olympic Committee* shall also include the National Sport Confederation in those countries where the National Sport Confederation assumes typical *National Olympic Committee* responsibilities in the anti-doping area.

No Fault or Negligence: The *Athlete* or other *Person's* establishing that he or she did not know or suspect, and could not reasonably have known or suspected even with the exercise of utmost caution, that he or she had *Used* or been administered the *Prohibited Substance* or *Prohibited Method* or otherwise violated an anti-doping rule. Except in the case of a *Minor*, for any violation of Regulation 21.2.1, the *Athlete* must also establish how the *Prohibited Substance* entered his or her system.

No Significant Fault or Negligence: The *Athlete* or other *Person's* establishing that his or her *Fault* or negligence, when viewed in the totality of the circumstances and taking into account the criteria for *No Fault* or negligence, was not significant in relationship to the anti-doping rule violation. Except in the case of a *Minor*, for any violation of Regulation 21.2.1, the *Athlete* must also establish how the *Prohibited Substance* entered his or her system.

Out-of-Competition: Any period which is not *In-Competition*.

Participant: Any *Athlete* or *Athlete Support Person*.

Person: A natural *Person* or an organization or other entity.

Possession: The actual, physical *Possession*, or the constructive *Possession* (which shall be found only if the *Person* has exclusive control or intends to exercise control over the *Prohibited Substance* or *Prohibited Method* or the premises in which a *Prohibited Substance* or *Prohibited Method* exists); provided, however, that if the *Person* does not have exclusive control over the *Prohibited Substance* or *Prohibited Method* or the premises in which a *Prohibited Substance* or *Prohibited Method* exists, constructive *Possession* shall only be found if the *Person* knew about the presence of the *Prohibited Substance* or *Prohibited Method* and intended to exercise control over it. Provided, however, there

shall be no anti-doping rule violation based solely on *Possession* if, prior to receiving notification of any kind that the *Person* has committed an anti-doping rule violation, the *Person* has taken concrete action demonstrating that the *Person* never intended to have *Possession* and has renounced *Possession* by explicitly declaring it to an *Anti-Doping Organization*. Notwithstanding anything to the contrary in this definition, the purchase (including by any electronic or other means) of a *Prohibited Substance* or *Prohibited Method* constitutes *Possession* by the *Person* who makes the purchase *Prohibited List*. The List identifying the *Prohibited Substances* and *Prohibited Methods*.

*Prohibited Method*: Any method so described on the *Prohibited List*.

*Prohibited Substance*: Any substance, or class of substances, so described on the *Prohibited List*.

*Provisional Hearing*: For purposes of Regulation 21.7.9, an expedited abbreviated hearing occurring prior to a hearing under Regulation 21.8 that provides the *Athlete* with notice and an opportunity to be heard in either written or oral form.

*Provisional Suspension*: See *Consequences of Anti-Doping Rule Violations* above.

*Publicly Disclose or Publicly Report*: See *Consequences of Anti-Doping Rule Violations* above.

*Regional Anti-Doping Organization*: A regional entity designated by member countries to coordinate and manage delegated areas of their national anti-doping programs, which may include the adoption and implementation of anti-doping rules, the planning and collection of *Samples*, the management of results, the review of *TUEs*, the conduct of hearings, and the conduct of educational programs at a regional level.

*Registered Testing Pool*: The pool of highest-priority *Athletes* established separately at the international level by International Federations and at the national level by *National Anti-Doping Organizations*, who are subject to focused *In-Competition* and *Out-of-Competition Testing* as part of that International Federation's or *National Anti-Doping Organization's* test distribution plan and therefore are required to provide whereabouts information as provided in Regulation 21.5.6 of the *Code* and the International Standard for Testing and Investigations.

*Sample or Specimen*: Any biological material collected for the purposes of *Doping Control*.

*Signatories*: Those entities signing the *Code* and agreeing to comply with the *Code*, as provided in Article 23 of the *Code*.

*Specified Substance*: See Regulation 21.4.2(b).

*Strict Liability*: The rule which provides that under Regulation 21.2.1 and Regulation 21.2.2, it is not necessary that intent, *Fault*, negligence, or knowing *Use* on the *Athlete's* part be demonstrated by the *Anti-Doping Organization* in order to establish an anti-doping rule violation.

*Substantial Assistance*: For purposes of Regulation 21.10.6(a), a *Person* providing *Substantial Assistance* must: (1) fully disclose in a signed written statement all information he or she possesses in relation to anti-doping rule violations, and (2) fully cooperate with the investigation and adjudication of any case related to that information, including, for example, presenting testimony at a hearing if requested to do so by an *Anti-Doping Organization* or hearing panel. Further, the information provided

must be credible and must comprise an important part of any case which is initiated or, if no case is initiated, must have provided a sufficient basis on which a case could have been brought.

**Tampering:** Altering for an improper purpose or in an improper way; bringing improper influence to bear; interfering improperly; obstructing, misleading or engaging in any fraudulent conduct to alter results or prevent normal procedures from occurring.

**Target Testing:** Selection of specific *Athletes* for *Testing* based on criteria set forth in the International Standard for Testing and Investigations.

**Team Sport:** A sport in which the substitution of players is permitted during a *Competition*.

**Testing:** The parts of the *Doping Control* process involving test distribution planning, *Sample* collection, *Sample* handling, and *Sample* transport to the laboratory.

**Trafficking:** Selling, giving, transporting, sending, delivering or distributing (or *Possessing* for any such purpose) a *Prohibited Substance* or *Prohibited Method* (either physically or by any electronic or other means) by an *Athlete*, *Athlete Support Person* or any other *Person* subject to the jurisdiction of an *Anti-Doping Organization* to any third party; provided, however, this definition shall not include the actions of "bona fide" medical personnel involving a *Prohibited Substance* used for genuine and legal therapeutic purposes or other acceptable justification, and shall not include actions involving *Prohibited Substances* which are not prohibited in *Out-of-Competition Testing* unless the circumstances as a whole demonstrate such *Prohibited Substances* are not intended for genuine and legal therapeutic purposes or are intended to enhance sport performance.

**TUE:** Therapeutic Use Exemption, as described in Regulation 21.4.4.

**TUE Committee:** A Committee of the ISAF Medical Commission responsible for evaluating requests for TUEs, as described in Regulation 21.4.

**UNESCO Convention:** The International Convention against Doping in Sport adopted by the 33<sup>rd</sup> session of the UNESCO General Conference on 19 October, 2005 including any and all amendments adopted by the States Parties to the Convention and the Conference of Parties to the International Convention against Doping in Sport.

**Use:** The utilization, application, ingestion, injection or consumption by any means whatsoever of any *Prohibited Substance* or *Prohibited Method*.

**WADA:** The World Anti-Doping Agency

### **Definition of Doping**

21.1 Doping is defined as the occurrence of one or more of the anti-doping rule violations set forth in Regulation 21.2.1 through Regulation 21.2.10 of these Anti-Doping Rules.

### **Anti-Doping Rule Violations**

- 21.2 The purpose of Regulation 21.2 is to specify the circumstances and conduct which constitute anti-doping rule violations. Hearings in doping cases will proceed based on the assertion that one or more of these specific rules have been violated.

*Athletes* or other *Persons* shall be responsible for knowing what constitutes an anti-doping rule violation and the substances and methods which have been included on the *Prohibited List*.

The following constitute anti-doping rule violations:

#### **21.2.1 Presence of a Prohibited Substance or its Metabolites or Markers in an Athlete's Sample**

- (a) It is each *Athlete's* personal duty to ensure that no *Prohibited Substance* enters his or her body. *Athletes* are responsible for any *Prohibited Substance* or its *Metabolites* or *Markers* found to be present in their *Samples*. Accordingly, it is not necessary that intent, *Fault*, negligence or knowing *Use* on the *Athlete's* part be demonstrated in order to establish an anti-doping rule violation under Regulation 21.2.1.
- (b) Sufficient proof of an anti-doping rule violation under Regulation 21.2.1 is established by any of the following: presence of a *Prohibited Substance* or its *Metabolites* or *Markers* in the *Athlete's A Sample* where the *Athlete* waives analysis of the *B Sample* and the *B Sample* is not analyzed; or, where the *Athlete's B Sample* is analyzed and the analysis of the *Athlete's B Sample* confirms the presence of the *Prohibited Substance* or its *Metabolites* or *Markers* found in the *Athlete's A Sample*; or, where the *Athlete's B Sample* is split into two bottles and the analysis of the second bottle confirms the presence of the *Prohibited Substance* or its *Metabolites* or *Markers* found in the first bottle
- (c) Excepting those substances for which a quantitative threshold is specifically identified in the *Prohibited List*, the presence of any quantity of a *Prohibited Substance* or its *Metabolites* or *Markers* in an *Athlete's Sample* shall constitute an anti-doping rule violation.
- (d) As an exception to the general rule of Regulation 21.2.1, the *Prohibited List* or *International Standards* may establish special criteria for the evaluation of *Prohibited Substances* that can also be produced endogenously.

#### **21.2.2 Use or Attempted Use by an Athlete of a Prohibited Substance or a Prohibited Method**

- (a) It is each *Athlete's* personal duty to ensure that no *Prohibited Substance* enters his or her body and that no *Prohibited Method* is Used. Accordingly, it is not necessary that intent, *Fault*, negligence or knowing *Use* on the *Athlete's* part be demonstrated in order to establish an anti-doping rule violation for *Use* of a *Prohibited Substance* or a *Prohibited Method*.
- (b) The success or failure of the *Use* or Attempted *Use* of a *Prohibited Substance* or *Prohibited Method* is not material. It is sufficient that the *Prohibited Substance* or

Prohibited Method was Used or Attempted to be Used for an anti-doping rule violation to be committed.

### **21.2.3 Evading, Refusing or Failing to Submit to Sample Collection**

Evading *Sample* collection, or without compelling justification refusing or failing to submit to *Sample* collection after notification as authorized in these Anti-Doping Rules or other applicable anti-doping rules.

### **21.2.4 Whereabouts Failures**

Any combination of three missed tests and/or filing failures, as defined in the International Standard for Testing and Investigations, within a twelve-month period by an *Athlete* in a *Registered Testing Pool*.

### **21.2.5 Tampering or Attempted Tampering with any part of Doping Control**

Conduct which subverts the *Doping Control* process but which would not otherwise be included in the definition of *Prohibited Methods*. *Tampering* shall include, without limitation, intentionally interfering or attempting to interfere with a *Doping Control* official, providing fraudulent information to an *Anti-Doping Organization*, or intimidating or attempting to intimidate a potential witness.

### **21.2.6 Possession of a Prohibited Substance or a Prohibited Method**

- (a) *Possession by an Athlete In-Competition of any Prohibited Substance or any Prohibited Method, or Possession by an Athlete Out-of-Competition of any Prohibited Substance or any Prohibited Method which is prohibited Out-of-Competition unless the Athlete establishes that the Possession is consistent with a Therapeutic Use Exemption ("TUE") granted in accordance with Regulation 21.4.4 or other acceptable justification.*
- (b) *Possession by an Athlete Support Person In-Competition of any Prohibited Substance or any Prohibited Method, or Possession by an Athlete Support Person Out-of-Competition of any Prohibited Substance or any Prohibited Method which is prohibited Out-of-Competition in connection with an Athlete, Competition or training, unless the Athlete Support Person establishes that the Possession is consistent with a TUE granted to an Athlete in accordance with Regulation 21.4.4 or other acceptable justification.*

### **21.2.7 Trafficking or Attempted Trafficking in any Prohibited Substance or Prohibited Method**

### **21.2.8 Administration or Attempted Administration to any Athlete In-Competition of any Prohibited Substance or Prohibited Method, or Administration or Attempted Administration to any Athlete Out-of-Competition of any Prohibited Substance or any Method that is prohibited Out-of-Competition**

### **21.2.9 Complicity**

Assisting, encouraging, aiding, abetting, conspiring, covering up or any other type of intentional complicity involving an anti-doping rule violation, *Attempted* anti-doping rule violation or violation of Regulation 21.10.12(a) by another *Person*.

### 21.2.10 Prohibited Association

Association by an *Athlete* or other *Person* subject to the authority of an *Anti-Doping Organization* in a professional or sport-related capacity with any *Athlete Support Person* who:

- (a) If subject to the authority of an *Anti-Doping Organization*, is serving a period of *Ineligibility*; or
- (b) If not subject to the authority of an *Anti-Doping Organization* and where *Ineligibility* has not been addressed in a results management process pursuant to the *Code*, has been convicted or found in a criminal, disciplinary or professional proceeding to have engaged in conduct which would have constituted a violation of anti-doping rules if *Code*-compliant rules had been applicable to such *Person*. The disqualifying status of such *Person* shall be in force for the longer of six years from the criminal, professional or disciplinary decision or the duration of the criminal, disciplinary or professional sanction imposed; or
- (c) Is serving as a front or intermediary for an individual described in Regulation 21.2.10(a) or 21.2.10(b).

In order for this provision to apply, it is necessary that the *Athlete* or other *Person* has previously been advised in writing by an *Anti-Doping Organization* with jurisdiction over the *Athlete* or other *Person*, or by WADA, of the *Athlete Support Person's* disqualifying status and the potential *Consequence* of prohibited association and that the *Athlete* or other *Person* can reasonably avoid the association. The *Anti-Doping Organization* shall also use reasonable efforts to advise the *Athlete Support Person* who is the subject of the notice to the *Athlete* or other *Person* that the *Athlete Support Person* may, within 15 days, come forward to the *Anti-Doping Organization* to explain that the criteria described in Regulations 21.2.10(a) and 21.2.10(b) do not apply to him or her. (Notwithstanding Regulation 21.17, this Regulation applies even when the *Athlete Support Person's* disqualifying conduct occurred prior to the effective date provided in Regulation 21.20.7.)

The burden shall be on the *Athlete* or other *Person* to establish that any association with *Athlete Support Personnel* described in Regulation 21.2.10(a) and 21.2.10(b) is not in a professional or sport-related capacity.

*Anti-Doping Organizations* that are aware of *Athlete Support Personnel* who meet the criteria described in Regulation 21.2.10(a) and 21.2.10(b) or 21.2.10(c) shall submit that information to WADA.

## 21.3 Proof of **Doping**

### 21.3.1 Burdens and Standards of Proof

ISAF and its MNAs shall have the burden of establishing that an anti-doping rule violation has occurred. The standard of proof shall be whether ISAF has established an anti-doping rule violation to the comfortable satisfaction of the hearing panel bearing in mind the seriousness of the allegation

which is made. This standard of proof in all cases is greater than a mere balance of probability but less than proof beyond a reasonable doubt. Where these Anti-Doping Rules place the burden of proof upon the *Athlete* or other *Person* alleged to have committed an anti-doping rule violation to rebut a presumption or establish specified facts or circumstances, the standard of proof shall be by a balance of probability.

### 21.3.2 Methods of Establishing Facts and Presumptions

Facts related to anti-doping rule violations may be established by any reliable means, including admissions. The following rules of proof shall be applicable in doping cases:

- (a) Analytical methods or decision limits approved by WADA after consultation within relevant scientific community and which have been the subject of peer review are presumed to be scientifically valid. Any *Athlete* or other *Person* seeking to rebut this presumption of scientific validity shall, as a condition precedent to any such challenge, first notify WADA of the challenge and the basis of the challenge. CAS on its own initiative may also inform WADA of any such challenge. At WADA's request, the CAS panel shall appoint an appropriate scientific expert to assist the panel in its evaluation of the challenge. Within 10 days of WADA's receipt of such notice, and WADA's receipt of the CAS file, WADA shall also have the right to intervene as a party, appear amicus curiae, or otherwise provide evidence in such proceeding.
- (b) WADA-accredited laboratories, and other laboratories approved by WADA, are presumed to have conducted *Sample* analysis and custodial procedures in accordance with the International Standard for Laboratories. The *Athlete* or other *Person* may rebut this presumption by establishing that a departure from the International Standard for Laboratories occurred which could reasonably have caused the *Adverse Analytical Finding*. If the *Athlete* or other *Person* rebuts the preceding presumption by showing that a departure from the International Standard for Laboratories occurred which could reasonably have caused the *Adverse Analytical Finding*, then ISAF shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding*.
- (c) Departures from any other *International Standard* or other anti-doping rule or policy set forth in the *Code* or these Anti-Doping Rules which did not cause an *Adverse Analytical Finding* or other anti-doping rule violation shall not invalidate such evidence or results. If the *Athlete* or other *Person* establishes a departure from another *International Standard* or other anti-doping rule or policy which could reasonably have caused an anti-doping rule violation based on an *Adverse Analytical Finding* or other anti-doping rule violation, then ISAF shall have the burden to establish that such departure did not cause the *Adverse Analytical Finding* or the factual basis for the anti-doping rule violation.
- (d) The facts established by a decision of a court or professional disciplinary tribunal of competent jurisdiction which is not the subject of a pending appeal shall be irrebuttable evidence against the *Athlete* or other *Person* to whom the decision pertained of those facts unless the *Athlete* or other *Person* establishes that the decision violated principles of natural justice.
- (e) The hearing panel in a hearing on an anti-doping rule violation may draw an inference adverse to the *Athlete* or other *Person* who is asserted to have committed an anti-doping rule violation based on the *Athlete's* or other *Person's* refusal, after a request made in a reasonable time in advance of the hearing, to appear at the hearing (either in person or telephonically as directed by the hearing panel) and to answer questions from the hearing

panel or ISAF.

## 21.4 The Prohibited List

### 21.4.1 Incorporation of the *Prohibited List*

These Anti-Doping Rules incorporate the *Prohibited List*, which is published and revised by WADA as described in Article 4.1 of the *Code*

### 21.4.2 *Prohibited Substances and Prohibited Methods Identified on the Prohibited List*

#### (a) *Prohibited Substances and Prohibited Methods*

Unless provided otherwise in the *Prohibited List* and/or a revision, the *Prohibited List* and revisions shall go into effect under these Anti-Doping Rules three months after publication by WADA, without requiring any further action by ISAF or its MNAs. All *Athletes* and other *Persons* shall be bound by the *Prohibited List*, and any revisions thereto, from the date they go into effect, without further formality. It is the responsibility of all *Athletes* and other *Persons* to familiarize themselves with the most up-to-date version of the *Prohibited List* and all revisions thereto.

#### (b) *Specified Substances*

For purposes of the application of Regulation 21.10, all *Prohibited Substances* shall be *Specified Substances* except substances in the classes of anabolic agents and hormones and those stimulants and hormone antagonists and modulators so identified on the *Prohibited List*. The category of *Specified Substances* shall not include *Prohibited Methods*.

### 21.4.3 WADA's Determination of the *Prohibited List*

WADA's determination of the *Prohibited Substances* and *Prohibited Methods* that will be included on the *Prohibited List*, the classification of substances into categories on the *Prohibited List*, and the classification of a substance as prohibited at all times or *In-Competition* only, is final and shall not be subject to challenge by an *Athlete* or other *Person* based on an argument that the substance or method was not a masking agent or did not have the potential to enhance performance, represent a health risk or violate the spirit of sport.

### 21.4.4 Therapeutic Use Exemptions ("*TUEs*")

- (a) The presence of a *Prohibited Substance* or its *Metabolites* or *Markers*, and/or the *Use* or *Attempted Use*, *Possession* or *Administration* or *Attempted Administration* of a *Prohibited Substance* or *Prohibited Method*, shall not be considered an anti-doping rule violation if it is consistent with the provisions of a *TUE* granted in accordance with the International Standard for Therapeutic Use Exemptions.
- (b) If an *International-Level Athlete* is using a *Prohibited Substance* or a *Prohibited Method* for therapeutic reasons:

- (i) Where the *Athlete* already has a *TUE* granted by his or her *National Anti-Doping Organization* for the substance or method in question, that *TUE* is not automatically valid for international-level *Competition*. However, the *Athlete* may apply to ISAF to recognize that *TUE*, in accordance with Article 7 of the International Standard for Therapeutic Use Exemptions. If that *TUE* meets the criteria set out in the International Standard for Therapeutic Use Exemptions, then ISAF shall recognize it for purposes of international-level *Competition* as well. If ISAF considers that the *TUE* does not meet those criteria and so refuses to recognize it, ISAF shall notify the *Athlete* and his or her *National Anti-Doping Organization* promptly, with reasons. The *Athlete* and the *National Anti-Doping Organization* shall have 21 days from such notification to refer the matter to WADA for review in accordance with Regulation 21.4.4(f). If the matter is referred to WADA for review, the *TUE* granted by the *National Anti-Doping Organization* remains valid for national-level *Competition* and *Out-of-Competition Testing* (but is not valid for international-level *Competition*) pending WADA's decision. If the matter is not referred to WADA for review, the *TUE* becomes invalid for any purpose when the 21-day review deadline expires.
- (ii) If the *Athlete* does not already have a *TUE* granted by his/her *National Anti-Doping Organization* for the substance or method in question, the *Athlete* must apply directly to ISAF for a *TUE* in accordance with the process set out in the International Standard for Therapeutic Use Exemptions, using the form posted on ISAF's website at <http://www.sailing.org/sailors/antidoping/documents.php>. If ISAF denies the *Athlete's* application, it must notify the *Athlete* promptly, with reasons. If ISAF grants the *Athlete's* application, it shall notify not only the *Athlete* but also his/her *National Anti-Doping Organization*. If the *National Anti-Doping Organization* considers that the *TUE* granted by ISAF does not meet the criteria set out in the International Standard for Therapeutic Use Exemptions, it has 21 days from such notification to refer the matter to WADA for review in accordance with Regulation 21.4.4(f). If the *National Anti-Doping Organization* refers the matter to WADA for review, the *TUE* granted by ISAF remains valid for international-level *Competition* and *Out-of-Competition Testing* (but is not valid for national-level *Competition*) pending WADA's decision. If the *National Anti-Doping Organization* does not refer the matter to WADA for review, the *TUE* granted by ISAF becomes valid for national-level *Competition* as well when the 21-day review deadline expires.
- (c) If ISAF chooses to test an *Athlete* who is not an *International-Level Athlete*, ISAF shall recognize a *TUE* granted to that *Athlete* by his or her *National Anti-Doping Organization*. If ISAF chooses to test an *Athlete* who is not an *International-Level* or a *National-Level Athlete*, ISAF shall permit that *Athlete* to apply for a retroactive *TUE* for any *Prohibited Substance* or *Prohibited Method* that he/she is using for therapeutic reasons.
- (d) An application to ISAF for grant or recognition of a *TUE* must be made as soon as the need arises and in any event (save in emergency or exceptional situations or where Article 4.3 of the International Standard for Therapeutic Use

Exemptions applies) at least 30 days before the *Athlete's* next *Competition*. ISAF shall appoint a panel to consider applications for the grant or recognition of *TUEs* (the "TUE Committee"). The TUE Committee shall promptly evaluate and decide upon the application in accordance with the relevant provisions of the International Standard for Therapeutic Use Exemptions. Its decision shall be the final decision of ISAF, and shall be reported to *WADA* and other relevant *Anti-Doping Organizations*, including the *Athlete's National Anti-Doping Organization*, through *ADAMS*, in accordance with the International Standard for Therapeutic Use Exemptions.

- (i) In offshore races of more than 50 nautical miles, the use of any *Prohibited Substance* or *Prohibited Methods* for emergency medical treatment shall be recorded. The TUE Committee may approve such *Use* and *Possession* of such medications as reasonably required if the acute situation or exceptional circumstances are confirmed to the satisfaction of the TUE Committee.
  - (ii) If any Prohibited Substances carried on board are used, an explanation satisfactory to the TUE Committee will need to be provided and the process for consideration of retroactive approval of a TUE will take place.
  - (iii) With the approval of the ISAF or a Member National Authority or National Olympic Committee (NOC), a Team Doctor or a Doctor who is responsible for sailing competitors, officials and others in the care of that Doctor, may carry and employ such medications as the circumstances may require and as might be properly used in the undertaking of the Hippocratic oath. The TUE Committee may retroactively approve such *Use*.
- (e) Expiration, Cancellation, Withdrawal or Reversal of a TUE
- (i) A TUE granted pursuant to these Anti-Doping Rules: (a) shall expire automatically at the end of any term for which it was granted, without the for any further notice or other formality; (b) may be cancelled if the *Athlete* does not promptly comply with any requirements or conditions imposed by the TUE Committee upon grant of the TUE; (c) may be withdrawn by the TUE Committee if it is subsequently determined that the criteria for grant of a TUE are not in fact met; or (d) may be reversed on review by *WADA* or on appeal.
  - (ii) In such event, the *Athlete* shall not be subject to any *Consequences* based on his/her *Use* or *Possession* or *Administration* of the *Prohibited Substance* or *Prohibited Method* in question in accordance with the *TUE* prior to the effective date of expiry, cancellation, withdrawal or reversal of the *TUE*. The review pursuant to Regulation 21.7.2 of any subsequent *Adverse Analytical Finding* shall include consideration of whether such finding is consistent with *Use* of the *Prohibited Substance* or *Prohibited Method* prior to that date, in which event no anti-doping rule violation shall be asserted.
- (f) Reviews and Appeals of TUE Decisions

- (i) WADA shall review any decision by ISAF not to recognize a *TUE* granted by the *National Anti-Doping Organization* that is referred to WADA by the *Athlete* or the *Athlete's National Anti-Doping Organization*. In addition, WADA shall review any decision by ISAF to grant a *TUE* that is referred to WADA by the *Athlete's National Anti-Doping Organization*. WADA may review any other *TUE* decisions at any time, whether upon request by those affected or on its own initiative. If the *TUE* decision being reviewed meets the criteria set out in the International Standard for Therapeutic Use Exemptions, WADA will not interfere with it. If the *TUE* decision does not meet those criteria, WADA will reverse it.
- (ii) Any *TUE* decision by ISAF (or by a *National Anti-Doping Organization* where it has agreed to consider the application on behalf of ISAF) that is not reviewed by WADA, or that is reviewed by WADA but is not reversed upon review, may be appealed by the *Athlete* and/or the *Athlete's National Anti-Doping Organization* exclusively to CAS, in accordance with Regulation 21.13.
- (iii) A decision by WADA to reverse a *TUE* decision may be appealed by the *Athlete*, the *National Anti-Doping Organization* and/or ISAF exclusively to CAS, in accordance with Regulation 21.13.
- (iv) A failure to take action within a reasonable time on a properly submitted application for grant or recognition of a *TUE* or for review of a *TUE* decision shall be considered a denial of the application.

## 21.5 Testing and Investigations

### 21.5.1 Purpose of Testing and Investigations

*Testing* and investigations shall only be undertaken for anti-doping purposes. They shall be conducted in conformity with the provisions of the International Standard for Testing and Investigations and the specific protocols of ISAF supplementing that International Standard. (See Annexe 3)

- (a) *Testing* shall be undertaken to obtain analytical evidence as to the *Athlete's* compliance (or non-compliance) with the strict *Code* prohibition on the presence/Use of a *Prohibited Substance* or *Prohibited Method*. Test distribution planning, *Testing*, post-*Testing* activity and all related activities conducted by ISAF shall be in conformity with the International Standard for Testing and Investigations. ISAF shall determine the number of finishing placement tests, random tests and target tests to be performed, in accordance with the criteria established by the International Standard for Testing and Investigations. All provisions of the International Standard for Testing and Investigations shall apply automatically in respect of all such *Testing*.
- (b) Investigations shall be undertaken:
  - (i) in relation to *Atypical Findings*, *Atypical Passport Findings* and *Adverse Passport Findings*, in accordance with Regulations 21.7.4 and 21.7.5 respectively, gathering intelligence or evidence (including, in particular,

analytical evidence) in order to determine whether an anti-doping rule violation has occurred under Regulation 21.2.1 and/or Regulation 21.2.2; and

- (ii) in relation to other indications of potential anti-doping rule violations, in accordance with Regulations 21.7.6 and 21.7.7, gathering intelligence or evidence (including, in particular, non-analytical evidence) in order to determine whether an anti-doping rule violation has occurred under any of Regulations 21.2.2 to 21.2.10.
- (c) ISAF may obtain, assess and process anti-doping intelligence from all available sources, to inform the development of an effective, intelligent and proportionate test distribution plan, to plan Target Testing, and/or to form the basis of an investigation into a possible anti-doping rule violation(s).

### 21.5.2 Authority to conduct *Testing*

- (a) Subject to the jurisdictional limitations for *Event Testing* set out in Article 5.3 of the *Code*, ISAF shall have *In-Competition* and *Out-of-Competition Testing* authority over all of the *Athletes* specified in the Introduction to these Anti-Doping Rules (under the heading "Scope").
- (b) ISAF may require any *Athlete* over whom it has *Testing* authority (including any *Athlete* serving a period of *Ineligibility*) to provide a *Sample* at any time and at any place.
- (c) WADA shall have *In-Competition* and *Out-of-Competition Testing* authority as set out in Article 20.7.8 of the *Code*.
- (d) If ISAF delegates or contracts any part of *Testing* to a *National Anti-Doping Organization* (directly or through a *MNA*), that *National Anti-Doping Organization* may collect additional *Samples* or direct the laboratory to perform additional types of analysis at the *National Anti-Doping Organization's* expense. If additional *Samples* are collected or additional types of analysis are performed, ISAF shall be notified.

### 21.5.3 *Event Testing*

- (a) Except as provided in Article 5.3 of the *Code*, only a single organization should be responsible for initiating and directing *Testing* at *Event Venues* during an *Event Period*. At *International Events*, the collection of *Samples* shall be initiated and directed by ISAF (or any other international organization which is the ruling body for the *Event*). At the request of ISAF (or any other international organization which is the ruling body for an *Event*), any *Testing* during the *Event Period* outside of the *Event Venues* shall be coordinated with ISAF (or the relevant ruling body of the *Event*).
- (b) If an *Anti-Doping Organization* which would otherwise have *Testing* authority but is not responsible for initiating and directing *Testing* at an *Event* desires to conduct *Testing* of *Athletes* at the *Event Venues* during the *Event Period*, the *Anti-Doping Organization* shall first confer with ISAF (or any other international organization which is the ruling body of the *Event*) to obtain permission to

conduct and coordinate such *Testing*. If the *Anti-Doping Organization* is not satisfied with the response from ISAF (or any other international organization which is the ruling body of the *Event*), the *Anti-Doping Organization* may ask WADA for permission to conduct *Testing* and to determine how to coordinate such *Testing*, in accordance with the procedures set out in the International Standard for Testing and Investigations. WADA shall not grant approval for such *Testing* before consulting with and informing ISAF (or any other international organization which is the ruling body for the *Event*). WADA's decision shall be final and not subject to appeal. Unless otherwise provided in the authorization to conduct *Testing*, such tests shall be considered *Out-of-Competition* tests. Results management for any such test shall be the responsibility of the *Anti-Doping Organization* initiating the test unless provided otherwise in the rules of the ruling body of the *Event*.

#### 21.5.4 Test Distribution Planning

Consistent with the International Standard for Testing and Investigations, and in coordination with other *Anti-Doping Organizations* conducting *Testing* on the same *Athletes*, ISAF shall develop and implement an effective, intelligent and proportionate test distribution plan that prioritizes appropriately between disciplines, categories of *Athletes*, types of *Testing*, types of *Samples* collected, and types of *Sample* analysis, all in compliance with the requirements of the International Standard for Testing and Investigations. ISAF shall provide WADA upon request with a copy of its current test distribution plan.

#### 21.5.5 Coordination of Testing

Where reasonably feasible, *Testing* shall be coordinated through ADAMS or another system approved by WADA in order to maximize the effectiveness of the combined *Testing* effort and to avoid unnecessary repetitive *Testing*.

#### 21.5.6 Athlete Whereabouts Information

- (a) ISAF shall identify a *Registered Testing Pool* of those *Athletes* who are required to comply with the whereabouts requirements of Annex I to the International Standard for Testing and Investigations, and shall make available through ADAMS, a list which identifies those *Athletes* included in its *Registered Testing Pool* either by name or by clearly defined, specific criteria. ISAF shall coordinate with *National Anti-Doping Organizations* the identification of such *Athletes* and the collection of their whereabouts information. ISAF shall review and update as necessary its criteria for including *Athletes* in its *Registered Testing Pool*, and shall revise the membership of its *Registered Testing Pool* from time to time as appropriate in accordance with the set criteria. *Athletes* shall be notified before they are included in a *Registered Testing Pool* and when they are removed from that pool. Each *Athlete* in the *Registered Testing Pool* shall do the following, in each case in accordance with Annex I to the International Standard for Testing and Investigations: (a) advise ISAF of his/her whereabouts on a quarterly basis; (b) update that information as necessary so that it remains accurate and complete at all times; and (c) make him/herself available for *Testing* at such whereabouts.

- (b) For purposes of Regulation 21.2.4, an *Athlete's* failure to comply with the requirements of the International Standard for Testing and Investigations shall be deemed a filing failure or a missed test (as defined in the International Standard for Testing and Investigations) where the conditions set forth in the International Standard for Testing and Investigations for declaring a filing failure or missed test are met.
- (c) An *Athlete* in ISAF's *Registered Testing Pool* shall continue to be subject to the obligation to comply with the whereabouts requirements of Annex I to the International Standard for Testing and Investigations unless and until (a) the *Athlete* gives written notice to ISAF that he/she has retired or (b) ISAF has informed him or her that he/she no longer satisfies the criteria for inclusion in ISAF's *Registered Testing Pool*.
- (d) Whereabouts information relating to an *Athlete* shall be shared (through *ADAMS*) with *WADA* and other *Anti-Doping Organizations* having authority to test that *Athlete*, shall be maintained in strict confidence at all times, shall be used exclusively for the purposes set out in Article 5.6 of the *Code*, and shall be destroyed in accordance with the International Standard for the Protection of Privacy and Personal Information once it is no longer relevant for these purposes.

#### 21.5.7 Retired *Athletes* Returning to *Competition*

- (a) An *Athlete* in ISAF's *Registered Testing Pool* who has given notice of retirement to ISAF may not resume competing in *International Events* or *National Events* until he/she has given ISAF written notice of his/her intent to resume competing and has made him/herself available for *Testing* for a period of six months before returning to *Competition*, including (if requested) complying with the whereabouts requirements of Annex I to the International Standard for Testing and Investigations. *WADA*, in consultation with ISAF and the *Athlete's National Anti-Doping Organization*, may grant an exemption to the six-month written notice rule where the strict application of that rule would be manifestly unfair to an *Athlete*. This decision may be appealed under Regulation 21.13. Any competitive results obtained in violation of this Regulation 21.5.7(a) shall be *Disqualified*.
- (b) If an *Athlete* retires from sport while subject to a period of *Ineligibility*, the *Athlete* shall not resume competing in *International Events* or *National Events* until the *Athlete* has given six months prior written notice (or notice equivalent to the period of *Ineligibility* remaining as of the date the *Athlete* retired, if that period was longer than six months) to ISAF and to his/her *National Anti-Doping Organization* of his/her intent to resume competing and has made him/herself available for *Testing* for that notice period, including (if requested) complying with the whereabouts requirements of Annex I to the International Standard for Testing and Investigations.

#### 21.5.8 Independent Observer Program

ISAF and the organizing committees for ISAF's *Events*, as well as the *MNAs* and the organizing committees for *National Events*, shall authorize and facilitate the *Independent Observer Program* at such *Events*.

## 21.6 Analysis of *Samples*

*Samples* shall be analyzed in accordance with the following principles

### 21.6.1 Use of Accredited and Approved Laboratories

### 21.6.2 Purpose of Analysis of *Samples*

- (a) *Samples* shall be analyzed to detect *Prohibited Substances* and *Prohibited Methods* and other substances as may be directed by *WADA* pursuant to the Monitoring Program described in Article 4.5 of the *Code*; or to assist ISAF in profiling relevant parameters in an *Athlete's* urine, blood or other matrix, including DNA or genomic profiling; or for any other legitimate anti-doping purpose. *Samples* may be collected and stored for future analysis.
- (b) ISAF shall ask laboratories to analyze *Samples* in conformity with Article 6.4 of the *Code* and Article 4.7 of the International Standard for Testing and Investigations.

### 21.6.3 Research on *Samples*

No *Sample* may be used for research without the *Athlete's* written consent. *Samples* used for purposes other than Regulation 21.6.2 shall have any means of identification removed such that they cannot be traced back to a particular *Athlete*.

### 21.6.4 Standards for Sample Analysis and Reporting

Laboratories shall analyze *Samples* and report results in conformity with the International Standard for Laboratories. To ensure effective *Testing*, the Technical Document referenced at Article 5.4.1 of the *Code* will establish risk assessment-based *Sample* analysis menus appropriate for particular sports and sport disciplines, and laboratories shall analyze *Samples* in conformity with those menus, except as follows:

- (a) ISAF may request that laboratories analyze its *Samples* using more extensive menus than those described in the Technical Document.
- (b) ISAF may request that laboratories analyze its *Samples* using less extensive menus than those described in the Technical Document only if it has satisfied *WADA* that, because of the particular circumstances of its sport, as set out in its test distribution plan, less extensive analysis would be appropriate.
- (c) As provided in the International Standard for Laboratories, laboratories at their own initiative and expense may analyze *Samples* for *Prohibited Substances* or *Prohibited Methods* not included on the *Sample* analysis menu described in the Technical Document or specified by the *Testing* authority. Results from any such analysis shall be reported and have the same validity and consequence as any other analytical result.

### 21.6.5 Further Analysis of Samples

Any *Sample* may be stored and subsequently subjected to further analysis for the purposes set out in Regulation 21.6.2: (a) by *WADA* at any time; and/or (b) by *ISAF* at any time before both the A and B *Sample* analytical results (or A *Sample* result where B *Sample* analysis has been waived or will not be performed) have been communicated by *ISAF* to the *Athlete* as the asserted basis for an Regulation 21.2.1 anti-doping rule violation. Such further analysis of *Samples* shall conform with the requirements of the International Standard for Laboratories and the International Standard for Testing and Investigations.

## 21.7 Results Management

### 21.7.1 Responsibility for Conducting Results Management

The circumstances in which *ISAF* shall take responsibility for conducting results management in respect of anti-doping rule violations involving *Athletes* and other *Persons* under its jurisdiction shall be determined by reference to and in accordance with Article 7 of the *Code*.

### 21.7.2 Review of *Adverse Analytical Findings* From Tests Initiated by *ISAF*

Results management in respect of the results of tests initiated by *ISAF* (including tests performed by *WADA* pursuant to agreement with *ISAF*) shall proceed as follows:

- (a) The results from all analyses must be sent to *ISAF* in encoded form, in a report signed by an authorized representative of the laboratory. All communication must be conducted confidentially and in conformity with *ADAMS*.
- (b) Upon receipt of an *Adverse Analytical Finding*, *ISAF* shall conduct a review to determine whether: (a) an applicable *TUE* has been granted or will be granted as provided in the International Standard for Therapeutic Use Exemptions, or (b) there is any apparent departure from the International Standard for Testing and Investigations or International Standard for Laboratories that caused the *Adverse Analytical Finding*.
- (c) If the review of an *Adverse Analytical Finding* under Regulation 21.7.2(b) reveals an applicable *TUE* or departure from the International Standard for Testing and Investigations or the International Standard for Laboratories that caused the *Atypical Finding*, the entire test shall be considered negative and the *Athlete*, the *Athlete's National Anti-Doping Organization* and *WADA* shall be so informed.

### 21.7.3 Notification After Review Regarding *Adverse Analytical Findings*

- (a) If the review of an *Adverse Analytical Finding* under Regulation 21.7.2(b) does not reveal an applicable *TUE* or entitlement to a *TUE* as provided in the International Standard for Therapeutic Use Exemptions, or departure from the International Standard for Testing and Investigations or the International Standard for Laboratories that caused the *Adverse Analytical Finding*, *ISAF* shall promptly notify the *Athlete*, and simultaneously the *Relevant MNA*, the *Athlete's National Anti-Doping Organization* and *WADA*, in the manner set out in

Regulation 21.14.1, of: (a) the *Adverse Analytical Finding*; (b) the anti-doping rule violated; (c) the *Athlete's* right to promptly request the analysis of the B *Sample* or, failing such request, that the B *Sample* analysis may be deemed waived; (d) the scheduled date, time and place for the B *Sample* analysis if the *Athlete* or ISAF chooses to request an analysis of the B *Sample*; (e) the opportunity for the *Athlete* and/or the *Athlete's* representative to attend the B *Sample* opening and analysis in accordance with the International Standard for Laboratories if such analysis is requested; and (f) the *Athlete's* right to request copies of the A and B *Sample* laboratory documentation package which includes information as required by the International Standard for Laboratories. If ISAF decides not to bring forward the *Adverse Analytical Finding* as an anti-doping rule violation, it shall so notify the *Athlete*, the *Relevant MNA*, the *Athlete's National Anti-Doping Organization* and WADA.

- (b) Where requested by the *Athlete* or ISAF, arrangements shall be made to analyze the B *Sample* in accordance with the International Standard for Laboratories. An *Athlete* may accept the A *Sample* analytical results by waiving the requirement for B *Sample* analysis. ISAF may nonetheless elect to proceed with the B *Sample* analysis.
- (c) The *Athlete* and/or his representative shall be allowed to be present at the analysis of the B *Sample*. Also, a representative of ISAF as well as a representative of the *Relevant MNA* shall be allowed to be present.
- (d) If the B *Sample* analysis does not confirm the A *Sample* analysis, then (unless ISAF takes the case forward as an anti-doping rule violation under Regulation 21.2.2) the entire test shall be considered negative and the *Athlete*, the *Athlete's National Anti-Doping Organization* and WADA shall be so informed.

#### 21.7.4 Review of *Atypical Findings*

- (a) As provided in the International Standard for Laboratories, in some circumstances laboratories are directed to report the presence of *Prohibited Substances*, which may also be produced endogenously, as *Atypical Findings*, i.e., as findings that are subject to further investigation.
- (b) Upon receipt of an *Atypical Finding*, ISAF shall conduct a review to determine whether: (a) an applicable *TUE* has been granted or will be granted as provided in the International Standard for Therapeutic Use Exemptions, or (b) there is any apparent departure from the International Standard for Testing and Investigations or International Standard for Laboratories that caused the *Atypical Finding*.
- (c) If the review of an *Atypical Finding* under Regulation 21.7.4(b) reveals an applicable *TUE* or a departure from the International Standard for Testing and Investigations or the International Standard for Laboratories that caused the *Atypical Finding*, the entire test shall be considered negative and the *Athlete*, the *Relevant MNA*, the *Athlete's National Anti-Doping Organization* and WADA shall be so informed.

- (d) If that review does not reveal an applicable *TUE* or a departure from the International Standard for Testing and Investigations or the International Standard for Laboratories that caused the *Atypical Finding*, ISAF shall conduct the required investigation or cause it to be conducted. After the investigation is completed, either the *Atypical Finding* will be brought forward as an *Adverse Analytical Finding*, in accordance with Regulation 21.7.3(a), or else the *Athlete*, the *Relevant MNA*, the *Athlete's National Anti-Doping Organization* and *WADA* shall be notified that the *Atypical Finding* will not be brought forward as an *Adverse Analytical Finding*.
- (e) ISAF will not provide notice of an *Atypical Finding* until it has completed its investigation and has decided whether it will bring the *Atypical Finding* forward as an *Adverse Analytical Finding* unless one of the following circumstances exists:
  - (i) If ISAF determines the *B Sample* should be analyzed prior to the conclusion of its investigation, it may conduct the *B Sample* analysis after notifying the *Athlete*, with such notice to include a description of the *Atypical Finding* and the information described in Regulation 21.7.3.1(d)-(f).
  - (ii) If ISAF is asked (a) by a *Major Event Organization* shortly before one of its *International Events*, or (b) by a sport organization responsible for meeting an imminent deadline for selecting team members for an *International Event*, to disclose whether any *Athlete* identified on a list provided by the *Major Event Organization* or sport organization has a pending *Atypical Finding*, ISAF shall so advise the *Major Event Organization* or sports organization after first providing notice of the *Atypical Finding* to the *Athlete*.

#### **21.7.5 Review of *Atypical Passport Findings* and *Adverse Passport Findings***

Review of *Atypical Passport Findings* and *Adverse Passport Findings* shall take place as provided in the International Standard for Testing and Investigations and International Standard for Laboratories. At such time as ISAF is satisfied that an anti-doping rule violation has occurred, it shall promptly give the *Athlete* (and simultaneously the *Relevant MNA*, the *Athlete's National Anti-Doping Organization* and *WADA*) notice of the anti-doping rule violation asserted and the basis of that assertion.

#### **21.7.6 Review of Whereabouts Failures**

ISAF shall review potential filing failures and missed tests, as defined in the International Standard for Testing and Investigations, in respect of *Athletes* who file their whereabouts information with ISAF, in accordance with Annex I to the International Standard for Testing and Investigations. At such time as ISAF is satisfied that an Regulation 21.2.4 anti-doping rule violation has occurred, it shall promptly give the *Athlete* (and simultaneously the *Relevant MNA*, the *Athlete's National Anti-Doping Organization* and *WADA*) notice that it is asserting a violation of Regulation 2.4 and the basis of that assertion.

#### **21.7.7 Review of Other Anti-Doping Rule Violations Not Covered by Regulations 21.7.2–21.7.6**

ISAF shall conduct any follow-up investigation required into a possible anti-doping rule violation not covered by Regulations 21.7.2- 21.7.6. At such time as ISAF is satisfied that an anti-doping rule violation has occurred, it shall promptly give the *Athlete* or other *Person* (and simultaneously the *Relevant MNA*, the *Athlete's* or other *Person's National Anti-Doping Organization* and *WADA*) notice of the anti-doping rule violation asserted and the basis of that assertion.

#### 21.7.8 Identification of Prior Anti-Doping Rule Violations

Before giving an *Athlete* or other *Person* notice of an asserted anti-doping rule violation as provided above, ISAF shall refer to *ADAMS* and contact *WADA* and other relevant *Anti-Doping Organizations* to determine whether any prior anti-doping rule violation exists.

#### 21.7.9 Provisional Suspensions

- (a) **Mandatory Provisional Suspension:** If analysis of an *A Sample* has resulted in an *Adverse Analytical Finding* for a *Prohibited Substance* that is not a *Specified Substance*, or for a *Prohibited Method*, and a review in accordance with Regulation 21.7.2(b) does not reveal an applicable *TUE* or departure from the International Standard for Testing and Investigations or the International Standard for Laboratories that caused the *Adverse Analytical Finding*, a *Provisional Suspension* shall be imposed by the *Relevant MNA*, upon or promptly after the notification described in Regulations 21.7.2, 21.7.3 or 21.7.5.
- (b) **Optional Provisional Suspension:** In case of an *Adverse Analytical Finding* for a *Specified Substance*, or in the case of any other anti-doping rule violations not covered by Regulation 21.7.9(a), the *Relevant MNA*, may impose a *Provisional Suspension* on the *Athlete* or other *Person* against whom the anti-doping rule violation is asserted at any time after the review and notification described in Regulations 21.7.2–21.7.7 and prior to the final hearing as described in Regulation 8.
- (c) Where a *Provisional Suspension* is imposed pursuant to Regulation 21.7.9(a) or Regulation 21.7.9(b), the *Athlete* or other *Person* shall be given either: (a) an opportunity for a *Provisional Hearing* either before or on a timely basis after imposition of the *Provisional Suspension*; or (b) an opportunity for an expedited final hearing in accordance with Regulation 21.8 on a timely basis after imposition of the *Provisional Suspension*. Furthermore, the *Athlete* or other *Person* has a right to appeal from the *Provisional Suspension* in accordance with Regulation 21.13.2 (save as set out in Regulation 21.7.9(c)(i)).
  - (i) The *Provisional Suspension* may be lifted if the *Athlete* demonstrates to the hearing panel that the violation is likely to have involved a *Contaminated Product*. A hearing panel's decision not to lift a mandatory *Provisional Suspension* on account of the *Athlete's* assertion regarding a *Contaminated Product* shall not be appealable.
  - (ii) The *Provisional Suspension* shall be imposed (or shall not be lifted) unless the *Athlete* or other *Person* establishes that: (a) the assertion of

an anti-doping rule violation has no reasonable prospect of being upheld, e.g., because of a patent flaw in the case against the *Athlete* or other *Person*; or (b) the *Athlete* or other *Person* has a strong arguable case that he/she bears *No Fault or Negligence* for the anti-doping rule violation(s) asserted, so that any period of *Ineligibility* that might otherwise be imposed for such a violation is likely to be completely eliminated by application of Regulation 21.10.4; or (c) some other facts exist that make it clearly unfair, in all of the circumstances, to impose a *Provisional Suspension* prior to a final hearing in accordance with Regulation 21.8. This ground is to be construed narrowly, and applied only in truly exceptional circumstances. For example, the fact that the *Provisional Suspension* would prevent the *Athlete* or other *Person* participating in a particular *Competition* or *Event* shall not qualify as exceptional circumstances for these purposes.

- (d) If a *Provisional Suspension* is imposed based on an A *Sample Adverse Analytical Finding* and subsequent analysis of the B *Sample* does not confirm the A *Sample* analysis, then the *Athlete* shall not be subject to any further *Provisional Suspension* on account of a violation of Regulation 21.2.1. In circumstances where the *Athlete* (or the *Athlete's* team) has been removed from a *Competition* based on a violation of Regulation 21.2.1 and the subsequent B *Sample* analysis does not confirm the A *Sample* finding, then if it is still possible for the *Athlete* or team to be reinserted, without otherwise affecting the *Competition*, the *Athlete* or team may continue to take part in the *Competition*. In addition, the *Athlete* or team may thereafter take part in other *Competitions* in the same *Event*.
- (e) In all cases where an *Athlete* or other *Person* has been notified of an anti-doping rule violation but a *Provisional Suspension* has not been imposed on him or her, the *Athlete* or other *Person* shall be offered the opportunity to accept a *Provisional Suspension* voluntarily pending the resolution of the matter.

#### 21.7.10 Resolution Without a Hearing

- (a) An *Athlete* or other *Person* against whom an anti-doping rule violation is asserted may admit that violation at any time, waive a hearing, and accept the *Consequences* that are mandated by these Anti-Doping Rules or (where some discretion as to *Consequences* exists under these Anti-Doping Rules) that have been offered by the *Relevant MNA*.
- (b) Alternatively, if the *Athlete* or other *Person* against whom an anti-doping rule violation is asserted fails to dispute that assertion within the deadline specified in the notice sent by the ISAF asserting the violation, then he/she shall be deemed to have admitted the violation, to have waived a hearing, and to have accepted the *Consequences* that are mandated by these Anti-Doping Rules or (where some discretion as to *Consequences* exists under these Anti-Doping Rules) that have been offered by the *Relevant MNA*.

#### 21.7.11 Notification of Results Management Decisions

In all cases where ISAF has asserted the commission of an anti-doping rule violation, withdrawn the assertion of an anti-doping rule violation, a *Relevant MNA* has imposed a *Provisional Suspension*, or a *Relevant MNA* has agreed with an *Athlete* or other *Person* on the imposition of *Consequences* without a hearing, ISAF or the *Relevant MNA* (as appropriate) shall give notice thereof in accordance with Regulation 21.14.2(a) to ISAF, the *Relevant MNA*, and other *Anti-Doping Organizations* with a right to appeal under Regulation 21.13.2(c).

#### 21.7.12 Retirement from Sport

If an *Athlete* or other *Person* retires while ISAF is conducting the results management process, ISAF retains jurisdiction to complete its results management process. If an *Athlete* or other *Person* retires before any results management process has begun, and ISAF would have had results management authority over the *Athlete* or other *Person* at the time the *Athlete* or other *Person* committed an anti-doping rule violation, ISAF has authority to conduct results management in respect of that anti-doping rule violation.

### 21.8 Right to a Fair Hearing

#### 21.8.1 Principles for a Fair Hearing

- (a) When ISAF sends a notice to an *Athlete* or other *Person* asserting an anti-doping rule violation, and the *Athlete* or other *Person* does not waive a hearing in accordance with Regulation 21.7.10(a) or Regulation 21.7.10(b), then the case shall be referred to a hearing panel of the *Relevant MNA* (*“the Panel”*), for hearing and adjudication.
- (b) Hearings shall be scheduled and completed within a reasonable time. Hearings held in connection with *Events* that are subject to these Anti-Doping Rules may be conducted by an expedited process where permitted by the hearing panel.
- (c) The *Panel* shall determine the procedure to be followed at the hearing (which may include reference to any rules of procedure adopted by the *Relevant MNA*).
- (d) WADA and ISAF may attend the hearing as observers. In any event, the *Relevant MNA*, shall keep WADA and ISAF fully apprised as to the status of pending cases and the result of all hearings.
- (e) The *Panel* shall act in a fair and impartial manner towards all parties at all times.

#### 21.8.2 Decisions

- (a) At the end of the hearing, or on a timely basis thereafter, the *Panel* shall issue a written decision that includes the full reasons for the decision and for any period of *Ineligibility* imposed, including (if applicable) a justification for why the greatest potential *Consequences* were not imposed.
- (b) The decision may be appealed to the CAS as provided in Regulation 21.13. Copies of the decision shall be provided to the *Athlete* or other *Person*, ISAF and to other *Anti-Doping Organizations* with a right to appeal under Regulation 21.13.2(c).

- (c) If no appeal is brought against the decision, then (a) if the decision is that an anti-doping rule violation was committed, the decision shall be *Publicly Disclosed* as provided in Regulation 21.14.3(b); but (b) if the decision is that no anti-doping rule violation was committed, then the decision shall only be *Publicly Disclosed* with the consent of the *Athlete* or other *Person* who is the subject of the decision. The *Relevant MNA* shall use reasonable efforts to obtain such consent, and if consent is obtained, shall *Publicly Disclose* the decision in its entirety or in such redacted form as the *Athlete* or other *Person* may approve. The principles contained at Regulation 21.14.3(f) shall be applied in cases involving a *Minor*.

### 21.8.3 Single Hearing Before CAS

- (a) Cases asserting anti-doping rule violations may be heard directly at CAS, with no requirement for a prior hearing, with the consent of the *Athlete*, ISAF, the *Relevant MNA*, WADA, and any other *Anti-Doping Organization* that would have had a right to appeal a first instance hearing decision to CAS.
- (b) If ISAF is satisfied that a *Relevant MNA* is not conducting the hearing process in accordance with this Code, it may direct that the case be heard directly at CAS. ISAF shall consult with the *Athlete*, WADA and the *Relevant MNA* before exercising its discretion under this Regulation.

### 21.9 Automatic *Disqualification* of Individual Results

An anti-doping rule violation in *Individual Sports* in connection with an *In-Competition* test automatically leads to *Disqualification* of the result obtained in that *Competition* with all resulting *Consequences*, including forfeiture of any medals, points and prizes.

### 21.10 Sanctions on Individuals

#### 21.10.1 *Disqualification* of Results in the *Event* during which an Anti-Doping Rule Violation Occurs

An anti-doping rule violation occurring during or in connection with an *Event* may, upon the decision of the ruling body of the *Event*, lead to *Disqualification* of all of the *Athlete's* individual results obtained in that *Event* with all *Consequences*, including forfeiture of all medals, points and prizes, except as provided in Regulation 21.10.1(a).

Factors to be included in considering whether to *Disqualify* other results in an *Event* might include, for example, the seriousness of the *Athlete's* anti-doping rule violation and whether the *Athlete* tested negative in the other *Competitions*.

- (a) If the *Athlete* establishes that he or she bears *No Fault or Negligence* for the violation, the *Athlete's* individual results in the other *Competitions* shall not be *Disqualified*, unless the *Athlete's* results in *Competitions* other than the *Competition* in which the anti-doping rule violation occurred were likely to have been affected by the *Athlete's* anti-doping rule violation.

#### 21.10.2 *Ineligibility* for Presence, *Use* or *Attempted Use*, or *Possession* of a *Prohibited Substance* or *Prohibited Method*

The period of *Ineligibility* for a violation of Regulations 21.2.1, 21.2.2 or 21.2.6 shall be as follows, subject to potential reduction or suspension pursuant to Regulations 21.10.4, 21.10.5 or 21.10.6:

- (a) The period of *Ineligibility* shall be four years where:
  - (i) The anti-doping rule violation does not involve a *Specified Substance*, unless the *Athlete* or other *Person* can establish that the anti-doping rule violation was not intentional.
  - (ii) The anti-doping rule violation involves a *Specified Substance* and ISAF can establish that the anti-doping rule violation was intentional.
- (b) If Regulation 21.10.2(a) does not apply, the period of *Ineligibility* shall be two years.
- (c) As used in Regulations 21.10.2 and 21.10.3, the term “intentional” is meant to identify those *Athletes* who cheat. The term therefore requires that the *Athlete* or other *Person* engaged in conduct which he or she knew constituted an anti-doping rule violation or knew that there was a significant risk that the conduct might constitute or result in an anti-doping rule violation and manifestly disregarded that risk. An anti-doping rule violation resulting from an *Adverse Analytical Finding* for a substance which is only prohibited *In-Competition* shall be rebuttably presumed to be not intentional if the substance is a *Specified Substance* and the *Athlete* can establish that the *Prohibited Substance* was *Used Out-of-Competition*. An anti-doping rule violation resulting from an *Adverse Analytical Finding* for a substance which is only prohibited *In-Competition* shall not be considered intentional if the substance is not a *Specified Substance* and the *Athlete* can establish that the *Prohibited Substance* was *Used Out-of-Competition* in a context unrelated to sport performance.

### 21.10.3 *Ineligibility* for Other Anti-Doping Rule Violations

- (a) For violations of Regulation 21.2.3 or Regulation 21.2.5, the period of *Ineligibility* shall be four years unless, in the case of failing to submit to *Sample* collection, the *Athlete* can establish that the commission of the anti-doping rule violation was not intentional (as defined in Regulation 21.10.2(c)), in which case the period of *Ineligibility* shall be two years.
- (b) For violations of Regulation 21.2.4, the period of *Ineligibility* shall be two years, subject to reduction down to a minimum of one year, depending on the *Athlete's* degree of *Fault*. The flexibility between two years and one year of *Ineligibility* in this Regulation is not available to *Athletes* where a pattern of last-minute whereabouts changes or other conduct raises a serious suspicion that the *Athlete* was trying to avoid being available for *Testing*.
- (c) For violations of Regulation 21.2.7 or 21.2.8, the period of *Ineligibility* shall be a minimum of four years up to lifetime *Ineligibility*, depending on the seriousness of the violation. An Regulation 21.2.7 or Regulation 21.2.8 violation involving a *Minor* shall be considered a particularly serious violation and, if committed by *Athlete* (c) For violations of Regulation 21.2.7 or 21.2.8, the period of *Ineligibility* shall be a minimum of four years up to lifetime *Ineligibility*, depending on the seriousness of the violation. An Regulation 21.2.7 or Regulation 21.2.8 violation involving a *Minor*

shall be considered a particularly serious violation and, if committed by *Athlete* (c) For violations of Regulation 21.2.7 or 21.2.8, the period of *Ineligibility* shall be a minimum of four years up to lifetime *Ineligibility*, depending on the seriousness of the violation. An Regulation 21.2.7 or Regulation 21.2.8 violation involving a *Minor* shall be considered a particularly serious violation and, if committed by *Athlete* (c) For violations of Regulation 21.2.7 or 21.2.8, the period of *Ineligibility* shall be a minimum of four years up to lifetime *Ineligibility*, depending on the seriousness of the violation. An Regulation 21.2.7 or Regulation 21.2.8 violation involving a *Minor* shall be considered a particularly serious violation and, if committed by *Athlete Support Personnel* for violations other than for *Specified Substances*, shall result in lifetime *Ineligibility* for *Athlete Support Personnel*. In addition, significant violations of Regulation 21.2.7 or 21.2.8 which may also violate non-sporting laws and regulations, shall be reported to the competent administrative, professional or judicial authorities.

- (d) For violations of Regulation 21.2.9, the period of *Ineligibility* imposed shall be a minimum of two years, up to four years, depending on the seriousness of the violation.
- (e) For violations of Regulation 21.2.10, the period of *Ineligibility* shall be two years, subject to reduction down to a minimum of one year, depending on the *Athlete* or other *Person's* degree of *Fault* and other circumstances of the case.

#### **21.10.4 Elimination of the Period of *Ineligibility* where there is *No Fault or Negligence***

If an *Athlete* or other *Person* establishes in an individual case that he or she bears *No Fault or Negligence*, then the otherwise applicable period of *Ineligibility* shall be eliminated.

#### **21.10.5 Reduction of the Period of *Ineligibility* based on *No Significant Fault or Negligence***

- (a) Reduction of Sanctions for *Specified Substances* or *Contaminated Products* for Violations of Regulation 21.2.1, 21.2.2 or 21.2.6.

- (i) *Specified Substances*

Where the anti-doping rule violation involves a *Specified Substance*, and the *Athlete* or other *Person* can establish *No Significant Fault or Negligence*, then the period of *Ineligibility* shall be, at a minimum, a reprimand and no period of *Ineligibility*, and at a maximum, two years of *Ineligibility*, depending on the *Athlete's* or other *Person's* degree of *Fault*.

- (ii) *Contaminated Products*

In cases where the *Athlete* or other *Person* can establish *No Significant Fault or Negligence* and that the detected *Prohibited Substance* came from a *Contaminated Product*, then the period of *Ineligibility* shall be, at a minimum, a reprimand and no period of *Ineligibility*, and at a maximum, two years *Ineligibility*, depending on the *Athlete's* or other *Person's* degree of *Fault*.

- (b) Application of *No Significant Fault or Negligence* beyond the Application of Regulation 21.10.5(a)

If an *Athlete* or other *Person* establishes in an individual case where Regulation 21.10.5(a) is not applicable that he or she bears *No Significant Fault or Negligence*, then, subject to further reduction or elimination as provided in Regulation 21.10.6, the otherwise applicable period of *Ineligibility* may be reduced based on the *Athlete* or other *Person's* degree of *Fault*, but the reduced period of *Ineligibility* may not be less than one-half of the period of *Ineligibility* otherwise applicable. If the otherwise applicable period of *Ineligibility* is a lifetime, the reduced period under this Regulation may be no less than eight years.

#### **21.10.6 Elimination, Reduction, or Suspension of Period of *Ineligibility* or other Consequences for Reasons Other than *Fault***

- (a) *Substantial Assistance* in Discovering or Establishing Anti-Doping Rule Violations

- (i) ISAF may, prior to a final appellate decision under Regulation 21.13 or the expiration of the time to appeal, suspend a part of the period of *Ineligibility* imposed in an individual case in which it has results management authority where the *Athlete* or other *Person* has provided *Substantial Assistance* to an *Anti-Doping Organization*, criminal authority or professional disciplinary body which results in: (i) the *Anti-Doping Organization* discovering or bringing forward an anti-doping rule violation by another *Person*, or (ii) which results in a criminal or disciplinary body discovering or bringing forward a criminal offense or the breach of professional rules committed by another *Person* and the information provided by the *Person* providing *Substantial Assistance* is made available to ISAF. After a final appellate decision under Regulation 21.13 or the expiration of time to appeal, ISAF may only suspend a part of the otherwise applicable period of *Ineligibility* with the approval of WADA. The extent to which the otherwise applicable period of *Ineligibility* may be suspended shall be based on the seriousness of the anti-doping rule violation committed by the *Athlete* or other *Person* and the significance of the *Substantial Assistance* provided by the *Athlete* or other *Person* to the effort to eliminate doping in sport. No more than three-quarters of the otherwise applicable period of *Ineligibility* may be suspended. If the otherwise applicable period of *Ineligibility* is a lifetime, the non-suspended period under this Regulation must be no less than eight years. If the *Athlete* or other *Person* fails to continue to cooperate and to provide the complete and credible *Substantial Assistance* upon which a suspension of the period of *Ineligibility* was based, ISAF shall reinstate the original period of *Ineligibility*. If ISAF decides to reinstate a suspended period of *Ineligibility* or decides not to reinstate a suspended period of *Ineligibility*, that decision may be appealed by any *Person* entitled to appeal under Regulation 21.13.
- (ii) To further encourage *Athletes* and other *Persons* to provide *Substantial Assistance* to *Anti-Doping Organizations*, at the request of ISAF or at the request of the *Athlete* or other *Person* who has (or has been asserted to

have) committed an anti-doping rule violation, *WADA* may agree at any stage of the results management process, including after a final appellate decision under Regulation 21.13, to what it considers to be an appropriate suspension of the otherwise-applicable period of *Ineligibility* and other *Consequences*. In exceptional circumstances, *WADA* may agree to suspensions of the period of *Ineligibility* and other *Consequences* for *Substantial Assistance* greater than those otherwise provided in this Regulation, or even no period of *Ineligibility*, and/or no return of prize money or payment of fines or costs. *WADA's* approval shall be subject to reinstatement of sanction, as otherwise provided in this Regulation. Notwithstanding Regulation 21.13, *WADA's* decisions in the context of this Regulation may not be appealed by any other *Anti-Doping Organization*.

- (iii) If ISAF suspends any part of an otherwise applicable sanction because of *Substantial Assistance*, then notice providing justification for the decision shall be provided to the other *Anti-Doping Organizations* with a right to appeal under Regulation 21.13.2(c) as provided in Regulation 21.14.2. In unique circumstances where *WADA* determines that it would be in the best interest of anti-doping, *WADA* may authorize ISAF to enter into appropriate confidentiality agreements limiting or delaying the disclosure of the *Substantial Assistance* agreement or the nature of *Substantial Assistance* being provided.

(b) Admission of an Anti-Doping Rule Violation in the Absence of Other Evidence

Where an *Athlete* or other *Person* voluntarily admits the commission of an anti-doping rule violation before having received notice of a *Sample* collection which could establish an anti-doping rule violation (or, in the case of an anti-doping rule violation other than Regulation 21.2.1, before receiving first notice of the admitted violation pursuant to Regulation 21.7) and that admission is the only reliable evidence of the violation at the time of admission, then the period of *Ineligibility* may be reduced, but not below one-half of the period of *Ineligibility* otherwise applicable.

(c) Prompt Admission of an Anti-Doping Rule Violation after being Confronted with a Violation Sanctionable under Regulation 21.10.2(a) or Regulation 21.10.3(a)

An *Athlete* or other *Person* potentially subject to a four-year sanction under Regulation 21.10.2(a) or 21.10.3(a) (for evading or refusing *Sample Collection* or *Tampering with Sample Collection*), by promptly admitting the asserted anti-doping rule violation after being confronted by ISAF, and also upon the approval and at the discretion of both *WADA* and ISAF, may receive a reduction in the period of *Ineligibility* down to a minimum of two years, depending on the seriousness of the violation and the *Athlete* or other *Person's* degree of *Fault*.

(d) Application of Multiple Grounds for Reduction of a Sanction

Where an *Athlete* or other *Person* establishes entitlement to reduction in sanction under more than one provision of Regulation 21.10.4, 21.10.5 or 21.10.6, before applying any reduction or suspension under Regulation 21.10.6, the otherwise applicable period of

*Ineligibility* shall be determined in accordance with Regulations 21.10.2, 21.10.3, 21.10.4, and 21.10.5. If the *Athlete* or other *Person* establishes entitlement to a reduction or suspension of the period of *Ineligibility* under Regulation 21.10.6, then the period of *Ineligibility* may be reduced or suspended, but not below one-fourth of the otherwise applicable period of *Ineligibility*.

### 21.10.7 Multiple Violations

- (a) For an *Athlete* or other *Person*'s second anti-doping rule violation, the period of *Ineligibility* shall be the greater of:
  - (i) six months;
  - (ii) one-half of the period of *Ineligibility* imposed for the first anti-doping rule violation without taking into account any reduction under Regulation 21.10.6; or
  - (iii) twice the period of *Ineligibility* otherwise applicable to the second anti-doping rule violation treated as if it were a first violation, without taking into account any reduction under Regulation 21.10.6.

The period of *Ineligibility* established above may then be further reduced by the application of Regulation 21.10.6.

- (b) A third anti-doping rule violation will always result in a lifetime period of *Ineligibility*, except if the third violation fulfills the condition for elimination or reduction of the period of *Ineligibility* under Regulation 21.10.4 or 21.10.5, or involves a violation of Regulation 21.2.4. In these particular cases, the period of *Ineligibility* shall be from eight years to lifetime *Ineligibility*.
- (c) An anti-doping rule violation for which an *Athlete* or other *Person* has established *No Fault or Negligence* shall not be considered a prior violation for purposes of this Regulation.
- (d) Additional Rules for Certain Potential Multiple Violations
  - (i) For purposes of imposing sanctions under Regulation 21.10.7, an anti-doping rule violation will only be considered a second violation if ISAF can establish that the *Athlete* or other *Person* committed the second anti-doping rule violation after the *Athlete* or other *Person* received notice pursuant to Regulation 21.7, or after ISAF made reasonable efforts to give notice of the first anti-doping rule violation. If ISAF cannot establish this, the violations shall be considered together as one single first violation, and the sanction imposed shall be based on the violation that carries the more severe sanction.
  - (ii) If, after the imposition of a sanction for a first anti-doping rule violation, ISAF discovers facts involving an anti-doping rule violation by the *Athlete* or other *Person* which occurred prior to notification regarding the first violation, then ISAF shall impose an additional sanction based on the

sanction that could have been imposed if the two violations had been adjudicated at the same time. Results in all *Competitions* dating back to the earlier anti-doping rule violation will be *Disqualified* as provided in Regulation 21.10.8.

(e) Multiple Anti-Doping Rule Violations during Ten-Year Period

For purposes of Regulation 21.10.7, each anti-doping rule violation must take place within the same ten-year period in order to be considered multiple violations.

#### 21.10.8 *Disqualification of Results in Competitions Subsequent to Sample Collection or Commission of an Anti-Doping Rule Violation*

In addition to the automatic *Disqualification* of the results in the *Competition* which produced the positive *Sample* under Regulation 21.9, all other competitive results of the *Athlete* obtained from the date a positive *Sample* was collected (whether *In-Competition* or *Out-of-Competition*), or other anti-doping rule violation occurred, through the commencement of any *Provisional Suspension* or *Ineligibility* period, shall, unless fairness requires otherwise, be *Disqualified* with all of the resulting *Consequences* including forfeiture of any medals, points and prizes.

#### 21.10.9 Allocation of CAS Cost Awards and Forfeited Prize Money

The priority for repayment of CAS cost awards and forfeited prize money shall be: first, payment of costs awarded by CAS; and second, reimbursement of the expenses of *the Relevant MNA and ISAF (in the proportions they were incurred)*.

#### 21.10.10 Financial Consequences

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#### 21.10.11 Commencement of Ineligibility Period

Except as provided below, the period of *Ineligibility* shall start on the date of the final hearing decision providing for *Ineligibility* or, if the hearing is waived or there is no hearing, on the date *Ineligibility* is accepted or otherwise imposed.

(a) Delays Not Attributable to the *Athlete* or other *Person*

Where there have been substantial delays in the hearing process or other aspects of *Doping Control* not attributable to the *Athlete* or other *Person*, ISAF may start the period of *Ineligibility* at an earlier date commencing as early as the date of *Sample* collection or the date on which another anti-doping rule violation last occurred. All competitive results achieved during the period of *Ineligibility*, including retroactive *Ineligibility*, shall be *Disqualified*.

(b) Timely Admission

Where the *Athlete* or other *Person* promptly (which, in all events, for an *Athlete* means before the *Athlete* competes again) admits the anti-doping rule violation after being confronted with the anti-doping rule violation by ISAF, the period of *Ineligibility* may

start as early as the date of *Sample* collection or the date on which another anti-doping rule violation last occurred. In each case, however, where this Regulation is applied, the *Athlete* or other *Person* shall serve at least one-half of the period of *Ineligibility* going forward from the date the *Athlete* or other *Person* accepted the imposition of a sanction, the date of a hearing decision imposing a sanction, or the date the sanction is otherwise imposed. This Regulation shall not apply where the period of *Ineligibility* has already been reduced under Regulation 21.10.6(c).

- (c) Credit for *Provisional Suspension* or Period of *Ineligibility* Served
  - (i) If a *Provisional Suspension* is imposed and respected by the *Athlete* or other *Person*, then the *Athlete* or other *Person* shall receive a credit for such period of *Provisional Suspension* against any period of *Ineligibility* which may ultimately be imposed. If a period of *Ineligibility* is served pursuant to a decision that is subsequently appealed, then the *Athlete* or other *Person* shall receive a credit for such period of *Ineligibility* served against any period of *Ineligibility* which may ultimately be imposed on appeal.
  - (ii) If an *Athlete* or other *Person* voluntarily accepts a *Provisional Suspension* in writing from ISAF and thereafter respects the *Provisional Suspension*, the *Athlete* or other *Person* shall receive a credit for such period of voluntary *Provisional Suspension* against any period of *Ineligibility* which may ultimately be imposed. A copy of the *Athlete* or other *Person*'s voluntary acceptance of a *Provisional Suspension* shall be provided promptly to each party entitled to receive notice of an asserted anti-doping rule violation under Regulation 21.14.1.
  - (iii) No credit against a period of *Ineligibility* shall be given for any time period before the effective date of the *Provisional Suspension* or voluntary *Provisional Suspension* regardless of whether the *Athlete* elected not to compete or was suspended by his or her team.
  - (iv) In *Team Sports*, where a period of *Ineligibility* is imposed upon a team, unless fairness requires otherwise, the period of *Ineligibility* shall start on the date of the final hearing decision providing for *Ineligibility* or, if the hearing is waived, on the date *Ineligibility* is accepted or otherwise imposed. Any period of team *Provisional Suspension* (whether imposed or voluntarily accepted) shall be credited against the total period of *Ineligibility* to be served.

#### 21.10.12 Status During *Ineligibility*

- (a) Prohibition Against Participation During *Ineligibility*

No *Athlete* or other *Person* who has been declared *Ineligible* may, during the period of *Ineligibility*, participate in any capacity in a *Competition* or activity (other than authorized anti-doping education or rehabilitation programs) authorized or organized by ISAF or any *MNA* or a club or other member organization of ISAF or any *MNA*, or in *Competitions* authorized or organized by any professional league or any international or

national level *Event* organization or any elite or national-level sporting activity funded by a governmental agency.

An *Athlete* or other *Person* subject to a period of *Ineligibility* longer than four years may, after completing four years of the period of *Ineligibility*, participate as an *Athlete* in local sport events not sanctioned or otherwise under the jurisdiction of a *Code Signatory* or member of a *Code Signatory*, but only so long as the local sport event is not at a level that could otherwise qualify such *Athlete* or other *Person* directly or indirectly to compete in (or accumulate points toward) a national championship or *International Event*, and does not involve the *Athlete* or other *Person* working in any capacity with *Minors*.

An *Athlete* or other *Person* subject to a period of *Ineligibility* shall remain subject to *Testing*.

(b) Return to Training

As an exception to Regulation 21.10.12(a), an *Athlete* may return to train with a team or to use the facilities of a club or other member organization of ISAF's member organization during the shorter of: (1) the last two months of the *Athlete's* period of *Ineligibility*, or (2) the last one-quarter of the period of *Ineligibility* imposed.

(c) Violation of the Prohibition of Participation During Ineligibility

Where an *Athlete* or other *Person* who has been declared *Ineligible* violates the prohibition against participation during *Ineligibility* described in Regulation 21.10.12(a), the results of such participation shall be *Disqualified* and a new period of *Ineligibility* equal in length up to the original period of *Ineligibility* shall be added to the end of the original period of *Ineligibility*. The new period of *Ineligibility* may be adjusted based on the *Athlete* or other *Person's* degree of *Fault* and other circumstances of the case. The determination of whether an *Athlete* or other *Person* has violated the prohibition against participation, and whether an adjustment is appropriate, shall be made by ISAF. This decision may be appealed under Regulation 21.13.

Where an *Athlete Support Person* or other *Person* assists a *Person* in violating the prohibition against participation during *Ineligibility*, ISAF shall impose sanctions for a violation of Regulation 21.2.9 for such assistance.

(d) Withholding of Financial Support during Ineligibility

In addition, for any anti-doping rule violation not involving a reduced sanction as described in Regulation 21.10.4 or 21.10.5, some or all sport-related financial support or other sport-related benefits received by such *Person* will be withheld by ISAF and its *MNAs*.

### 21.10.13 Automatic Publication of Sanction

A mandatory part of each sanction shall include automatic publication, as provided in Regulation 21.14.3.

## 21.11 Consequences to Teams

### 21.11.1 Testing of Teams Sports

Where one member of a team has been notified of an anti-doping rule violation under Regulation 21.7 in connection with an Event, the ruling body for the Event shall conduct appropriate Target Testing of all members of the team during the Event Period.

### 21.11.3 Event Ruling Body may Establish Stricter Consequences for Team Sports

The ruling body for an Event may elect to establish rules for the Event which impose Consequences for Team Sports stricter than those in Regulation 21.11.2 for the purposes of the Event.

21.11.4 The boat and its crewmembers may be subject to such further disciplinary action by the Protest Committee, Jury or ISAF Disciplinary Commission as deemed appropriate, when satisfied that there has been a breaching Racing Rule of Sailing 2 (Fair Sailing).

### 21.11.5 Testing of Teams

Where one member of a team (outside of Team Sports) has been notified of an anti-doping rule violation under Regulation 21.7 in connection with an Event, the ruling body for the Event shall conduct appropriate Target Testing of all members of the team during the Event Period.

- (a) An anti-doping rule violation committed by a member of a team in connection with an In-Competition test automatically leads to Disqualification of the result obtained by the team in that Competition, with all resulting consequences for the team and its members, including forfeiture of any medals, points and prizes.
- (b) An anti-doping rule violation committed by a member of a team occurring during or in connection with an Event may lead to Disqualification of all of the results obtained by the team in that Event with all consequences for the team and its members, including forfeiture of all medals, points and prizes, except as provided in Regulation 21.11.5(c).
- (c) Where an Athlete who is a member of a team committed an anti-doping rule violation during or in connection with one Competition in an Event, if the other member(s) of the team establish(es) that he/she/they bear(s) No Fault or Negligence for that violation, the results of the team in any other Competition(s) in that Event shall not be Disqualified unless the results of the team in the Competition(s) other than the Competition in which the anti-doping rule violation occurred were likely to have been affected by the Athlete's anti-doping rule violation.

The boat and its crewmembers may be subject to such further disciplinary action by the protest committee, jury or ISAF Disciplinary Commission as deemed appropriate, when satisfied that there has been a breaching Racing Rule of Sailing 2 (Fair Sailing).

## 21.12 Sanctions and Costs Assessed Against Sporting Bodies

12.1 ISAF has the authority to withhold some or all funding or other non-financial support to MNAs that are not in compliance with these Anti-Doping Rules

## 21.13 Appeals

### 21.13.1 Decisions Subject to Appeal

Decisions made under these Anti-Doping Rules may be appealed as set forth below in Regulation 21.13.2 through 21.13.7 or as otherwise provided in these Anti-Doping Rules, the *Code* or the *International Standards*. Such decisions shall remain in effect while under appeal unless the appellate body orders otherwise. Before an appeal is commenced, any post-decision review provided in the *Anti-Doping Organization's* rules must be exhausted, provided that such review respects the principles set forth in Regulation 21.2.2 below (except as provided in Regulation 21.13.1(c)).

#### (a) Scope of Review Not Limited

The scope of review on appeal includes all issues relevant to the matter and is expressly not limited to the issues or scope of review before the initial decision maker.

#### (b) CAS Shall Not Defer to the Findings Being Appealed

In making its decision, CAS need not give deference to the discretion exercised by the body whose decision is being appealed.

#### (c) WADA Not Required to Exhaust Internal Remedies

Where WADA has a right to appeal under Regulation 21.13 and no other party has appealed a final decision within ISAF and its MNA's process, WADA may appeal such decision directly to CAS without having to exhaust other remedies in ISAF and its MNA's process.

### 21.13.2 Appeals from Decisions Regarding Anti-Doping Rule Violations, Consequences, Provisional Suspensions, Recognition of Decisions and Jurisdiction

A decision that an anti-doping rule violation was committed, a decision imposing *Consequences* or not imposing *Consequences* for an anti-doping rule violation, or a decision that no anti-doping rule violation was committed; a decision that an anti-doping rule violation proceeding cannot go forward for procedural reasons (including, for example, prescription); a decision by WADA not to grant an exception to the six months notice requirement for a retired *Athlete* to return to *Competition* under Regulation 21.5.7(a); a decision by WADA assigning results management under Article 7.1 of the *Code*; a decision by ISAF not to bring forward an *Adverse Analytical Finding* or an *Atypical Finding* as an anti-doping rule violation, or a decision not to go forward with an anti-doping rule violation after an investigation under Regulation 21.7.7; a decision to impose a *Provisional Suspension* as a result of a *Provisional Hearing*; ISAF's failure to comply with Regulation 21.7.9; a decision that ISAF and/or its MNA lacks jurisdiction to rule on an alleged anti-doping rule violation or its *Consequences*; a decision to suspend, or not suspend, a period of *Ineligibility* or to reinstate, or not reinstate, a suspended

period of *Ineligibility* under Regulation 21.10.6(a); a decision under Regulation 21.10.12(c); and a decision by ISAF not to recognize another *Anti-Doping Organization's* decision under Regulation 21.15, may be appealed exclusively as provided in Regulations 21.13.2 – 21.13.7

(a) Appeals Involving *International-Level Athletes* or *International Events*

In cases arising from participation in an *International Event* or in cases involving *International-Level Athletes*, the decision may be appealed exclusively to CAS.

(b) Appeals Involving Other *Athletes* or Other *Persons*

In cases where Regulation 21.13.2(a) is not applicable, the decision may be appealed to a national-level appeal body, being an independent and impartial body established in accordance with rules adopted by the *National Anti-Doping Organization* having jurisdiction over the *Athlete* or other *Person*. The rules for such appeal shall respect the following principles: a timely hearing; a fair and impartial hearing panel; the right to be represented by counsel at the *Person's* own expense; and a timely, written, reasoned decision. If the *National Anti-Doping Organization* has not established such a body, the decision may be appealed to CAS in accordance with the provisions applicable before such court.

(c) *Persons Entitled to Appeal*

In cases under Regulation 21.13.2(a), the following parties shall have the right to appeal to CAS: (a) the *Athlete* or other *Person* who is the subject of the decision being appealed; (b) the other party to the case in which the decision was rendered; (c) ISAF; (d) the *National Anti-Doping Organization* of the *Person's* country of residence or countries where the *Person* is a national or license holder; (e) the International Olympic Committee or International Paralympic Committee, as applicable, where the decision may have an effect in relation to the Olympic Games or Paralympic Games, including decisions affecting eligibility for the Olympic Games or Paralympic Games; and (f) WADA.

In cases under Regulation 21.13.2(b), the parties having the right to appeal to the national-level appeal body shall be as provided in the *National Anti-Doping Organization's* rules but, at a minimum, shall include the following parties: (a) the *Athlete* or other *Person* who is the subject of the decision being appealed; (b) the other party to the case in which the decision was rendered; (c) ISAF; (d) the *National Anti-Doping Organization* of the *Person's* country of residence; (e) the International Olympic Committee or International Paralympic Committee, as applicable, where the decision may have an effect in relation to the Olympic Games or Paralympic Games, including decisions affecting eligibility for the Olympic Games or Paralympic Games; and (f) WADA. For cases under Regulation 21.13(b), WADA, the International Olympic Committee, the International Paralympic Committee, and ISAF shall also have the right to appeal to CAS with respect to the decision of the national-level appeal body. Any party filing an appeal shall be entitled to assistance from CAS to obtain all relevant information from the *Anti-Doping Organization* whose decision is being appealed and the information shall be provided if CAS so directs.

Notwithstanding any other provision herein, the only *Person* who may appeal from a *Provisional Suspension* is the *Athlete* or other *Person* upon whom the *Provisional Suspension* is imposed.

(d) Cross Appeals and other Subsequent Appeals Allowed

Cross appeals and other subsequent appeals by any respondent named in cases brought to CAS under the *Code* are specifically permitted. Any party with a right to appeal under this Regulation 13 must file a cross appeal or subsequent appeal at the latest with the party's answer.

### 21.13.3 Failure to Render a Timely Decision

Where, in a particular case, ISAF and/or its MNAs fails to render a decision with respect to whether an anti-doping rule violation was committed within a reasonable deadline set by WADA, WADA may elect to appeal directly to CAS as if ISAF and its MNAs had rendered a decision finding no anti-doping rule violation. If the CAS hearing panel determines that an anti-doping rule violation was committed and that WADA acted reasonably in electing to appeal directly to CAS, then WADA's costs and attorney fees in prosecuting the appeal shall be reimbursed to WADA by ISAF and/or its MNAs.

### 21.13.4 Appeals Relating to TUEs

TUE decisions may be appealed exclusively as provided in Regulation 21.4.4.

### 21.13.5 Notification of Appeal Decisions

Any *Anti-Doping Organization* that is a party to an appeal shall promptly provide the appeal decision to the *Athlete* or other *Person* and to the other *Anti-Doping Organizations* that would have been entitled to appeal under Regulation 21.13.2(c) as provided under Regulation 21.14.2.

### 21.13.6 Appeal from Decisions Pursuant to Regulation 12

Decisions by ISAF pursuant to Regulation 21.12 may be appealed exclusively to CAS by the MNA.

### 21.13.7 Time for Filing Appeals

(a) Appeals to CAS

The time to file an appeal to CAS shall be twenty-one days from the date of receipt of the decision by the appealing party. The above notwithstanding, the following shall apply in connection with appeals filed by a party entitled to appeal but which was not a party to the proceedings that led to the decision being appealed:

- (i) Within fifteen days from notice of the decision, such party/ies shall have the right to request a copy of the case file from the body that issued the decision;

- (ii) If such a request is made within the fifteen-day period, then the party making such request shall have twenty-one days from receipt of the file to file an appeal to CAS.

The above notwithstanding, the filing deadline for an appeal filed by *WADA* shall be the later of:

- (i) Twenty-one days after the last day on which any other party in the case could have appealed; or
- (ii) Twenty-one days after *WADA's* receipt of the complete file relating to the decision.

(b) Appeals Under Regulation 21.13.2(b)

The time to file an appeal to an independent and impartial body established at national level in accordance with rules established by the *National Anti-Doping Organization* shall be indicated by the same rules of the *National Anti-Doping Organization*.

The above notwithstanding, the filing deadline for an appeal or intervention filed by *WADA* shall be the later of:

- (i) Twenty-one days after the last day on which any other party in the case could have appealed, or
- (ii) Twenty-one days after *WADA's* receipt of the complete file relating to the decision.

## 21.14 Confidentiality and Reporting

### 21.14.1 Information Concerning *Adverse Analytical Findings, Atypical Findings, and Other Asserted Anti-Doping Rule Violations*

- (a) Notice of Anti-Doping Rule Violations to Athletes and other Persons Notice to *Athletes* or other *Persons* of anti-doping rule violations asserted against them shall occur as provided under Regulations 21.7 and 21.14 of these Anti-Doping Rules.
- (b) Notice of Anti-Doping Rule Violations to National Anti-Doping Organizations and WADA  
Notice of the assertion of an anti-doping rule violation to *National Anti-Doping Organizations* and *WADA* shall occur as provided under Regulations 21.7 and 21.14 of these Anti-Doping Rules, simultaneously with the notice to the *Athlete* or other *Person*.
- (c) Content of an Anti-Doping Rule Violation Notice  
Notification of an anti-doping rule violation under Regulation 21.2.1 shall include: the *Athlete's* name, country, sport and discipline within the sport, the *Athlete's* competitive level, whether the test was *In-Competition* or *Out-of-Competition*, the date of *Sample* collection, the analytical result reported by the laboratory, and other information as required by the International Standard for Testing and Investigations.

Notice of anti-doping rule violations other than under Regulation 21.2.1 shall include the rule violated and the basis of the asserted violation.

(d) Status Reports

Except with respect to investigations which have not resulted in notice of an anti-doping rule violation pursuant to Regulation 21.14.1(a), *National Anti-Doping Organizations* and *WADA* shall be regularly updated on the status and findings of any review or proceedings conducted pursuant to Regulation 21.7, 21.8 or 21.13 and shall be provided with a prompt written reasoned explanation or decision explaining the resolution of the matter.

(e) Confidentiality

The recipient organizations shall not disclose this information beyond those *Persons* with a need to know (which would include the appropriate personnel at the applicable *National Olympic Committee*, *MNA*, and team in a *Team Sport*) until ISAF has made *Public Disclosure* or has failed to make *Public Disclosure* as required in Regulation 21.14.3.

(f) ISAF shall ensure that information concerning *Adverse Analytical Findings*, *Atypical Findings*, and other asserted anti-doping rule violations remains confidential until such information is *Publicly Disclosed* in accordance with Regulation 21.14.3.

#### 21.14.2 Notice of Anti-Doping Rule Violation Decisions and Request for Files

- (a) Anti-doping rule violation decisions rendered pursuant to Regulation 21.7.11, 21.8.2, 21.10.4, 21.10.5, 21.10.6, 21.10.12(c) or 21.13.5 shall include the full reasons for the decision, including, if applicable, a justification for why the greatest possible *Consequences* were not imposed. Where the decision is not in English or French, the *Relevant MNA* shall provide a short English or French summary of the decision and the supporting reasons.
- (b) An *Anti-Doping Organization* having a right to appeal a decision received pursuant to Regulation 21.14.2(a) or ISAF may, within fifteen days of receipt, request a copy of the full case file pertaining to the decision.

#### 21.14.3 Public Disclosure

- (a) The identity of any *Athlete* or other *Person* who is asserted by the *Relevant MNA* to have committed an anti-doping rule violation may be *Publicly Disclosed* by the *Relevant MNA* only after notice has been provided to the *Athlete* or other *Person* in accordance with Regulation 21.7.3, 21.7.4, 21.7.5, 21.7.6 or 21.7.7 and simultaneously to *WADA*, ISAF, and the *National Anti-Doping Organization of the Athlete* or other *Person* in accordance with Regulation 21.14.1(b).
- (b) No later than twenty days after it has been determined in a final appellate decision under Regulation 21.13.2(a) or 21.13.2(b), or such appeal has been

waived, or a hearing in accordance with Regulation 21.8 has been waived, the *Relevant MNA* the assertion of an anti-doping rule violation has not been timely challenged, ISAF must *Publicly Report* the disposition of the matter, including the sport, the anti-doping rule violated, the name of the *Athlete* or other *Person* committing the violation, the *Prohibited Substance* or *Prohibited Method* involved (if any), and the *Consequences* imposed. The *Relevant MNA* must also *Publicly Report* within twenty days the results of final appeal decisions concerning anti-doping rule violations, including the information described above.

- (c) In any case where it is determined, after a hearing or appeal, that the *Athlete* or other *Person* did not commit an anti-doping rule violation, the decision may be *Publicly Disclosed* only with the consent of the *Athlete* or other *Person* who is the subject of the decision. The *Relevant MNA* shall use reasonable efforts to obtain such consent. If consent is obtained, the *Relevant MNA* shall *Publicly Disclose* the decision in its entirety or in such redacted form as the *Athlete* or other *Person* may approve.
- (d) Publication shall be accomplished at a minimum by placing the required information on the *Relevant MNA* website or publishing it through other means and leaving the information up for the longer of one month or the duration of any period of *Ineligibility*.
- (e) Neither ISAF, nor its *MNAs*, nor any official of either body, shall publicly comment on the specific facts of any pending case (as opposed to general description of process and science) except in response to public comments attributed to the *Athlete* or other *Person* against whom an anti-doping rule violation is asserted, or their representatives.
- (f) The mandatory *Public Reporting* required in Regulation 21.14.3(b) shall not be required where the *Athlete* or other *Person* who has been found to have committed an anti-doping rule violation is a *Minor*. Any optional *Public Reporting* in a case involving a *Minor* shall be proportionate to the facts and circumstances of the case.

#### 21.14.4 Statistical Reporting

ISAF shall publish at least annually a general statistical report of its *Doping Control* activities, with a copy provided to *WADA*. ISAF may also publish reports showing the name of each *Athlete* tested and the date of each *Testing*.

#### 21.14.5 Doping Control Information Clearinghouse

To facilitate coordinated test distribution planning and to avoid unnecessary duplication in *Testing* by the various *Anti-Doping Organizations*, ISAF shall report all *In-Competition* and *Out-of-Competition* tests on such *Athletes* to the *WADA* clearinghouse, using *ADAMS*, as soon as possible after such tests have been conducted. This information will be made accessible, where appropriate and in accordance with the applicable rules, to the *Athlete*, the *Athlete's National Anti-Doping Organization* and any other *Anti-Doping Organizations* with *Testing* authority over the *Athlete*.

### 21.14.6 Data Privacy

- (a) ISAF and MNAs may collect, store, process or disclose personal information relating to *Athletes* and other *Persons* where necessary and appropriate to conduct their anti-doping activities under the *Code*, the *International Standards* (including specifically the International Standard for the Protection of Privacy and Personal Information) and these Anti-Doping Rules.
- (b) Any *Participant* who submits information including personal data to any *Person* in accordance with these Anti-Doping Rules shall be deemed to have agreed, pursuant to applicable data protection laws and otherwise, that such information may be collected, processed, disclosed and used by such *Person* for the purposes of the implementation of these Anti-Doping Rules, in accordance with the International Standard for the Protection of Privacy and Personal Information and otherwise as required to implement these Anti-Doping Rules.

### 21.15 Application and Recognition of Decisions

21.15.1 Subject to the right to appeal provided in Regulation 21.13, *Testing*, hearing results or other final adjudications of any *Signatory* which are consistent with the *Code* and are within that *Signatory's* authority shall be applicable worldwide and shall be recognized and respected by ISAF and all its *MNAs*.

21.15.2 ISAF and its *MNAs* shall recognize the measures taken by other bodies which have not accepted the *Code* if the rules of those bodies are otherwise consistent with the *Code*.

21.15.3 Subject to the right to appeal provided in Regulation 21.13, any decision of ISAF regarding a violation of these Anti-Doping Rules shall be recognized by all *MNAs*, which shall take all necessary action to render such decision effective.

### 21.16 Incorporation of ISAF Anti-Doping Rules and Obligations of *MNAs*

21.16.1 All *MNAs* and their members shall comply with these Anti-Doping Rules. All *MNAs* and other members shall include in their regulations the provisions necessary to ensure that ISAF may enforce these Anti-Doping Rules directly as against *Athletes* under their anti-doping jurisdiction (including *National-Level Athletes*). These Anti-Doping Rules shall also be incorporated either directly or by reference into each *MNA's* rules so that the *MNA* may enforce them itself directly as against *Athletes* under its anti-doping jurisdiction (including *National-Level Athletes*).

21.16.2 All *MNAs* shall establish rules requiring all *Athletes* and each *Athlete Support Personnel* who participates as coach, trainer, manager, team staff, official, medical or paramedical personnel in a *Competition* or activity authorized or organized by a *MNA* or one of its member organizations to agree to be bound by these Anti-Doping Rules and to submit to the results management authority of the *Anti-Doping Organization* responsible under the *Code* as a condition of such participation.

21.16.3 All *MNAs* shall report any information suggesting or relating to an anti-doping rule violation to ISAF and to their *National Anti-Doping Organizations*, and shall cooperate with

investigations conducted by any *Anti-Doping Organization* with authority to conduct the investigation.

21.16.4 All *MNAs* shall have disciplinary rules in place to prevent *Athlete Support Personnel* who are *Using Prohibited Substances* or *Prohibited Methods* without valid justification from providing support to *Athletes* under the jurisdiction of ISAF or the *MNA*.

21.16.5 All *MNAs* shall be required to conduct anti-doping education in coordination with their *National Anti-Doping Organizations*.

## 21.17 Stature of Limitations

No anti-doping rule violation proceeding may be commenced against an *Athlete* or other *Person* unless he or she has been notified of the anti-doping rule violation as provided in Regulation 21.7, or notification has been reasonably attempted, within ten years from the date the violation is asserted to have occurred.

## 21.18 ISAF Compliance Reports to WADA

ISAF will report to WADA on ISAF's compliance with the *Code* in accordance with Article 23.5.2 of the *Code*.

## 21.19 Education

ISAF shall plan, implement, evaluate and monitor information, education and prevention programs for doping-free sport on at least the issues listed at Regulation 21.18.2 of the *Code*, and shall support active participation by *Athletes* and *Athlete Support Personnel* in such programs.

## 21.20 Amendment and Interpretation of Anti-Doping Rules

### 21.20.1 These Anti-Doping Rules may be amended from time to time by ISAF.

21.20.2 These Anti-Doping Rules shall be interpreted as an independent and autonomous text and not by reference to existing law or statutes.

21.20.3 The headings used for the various Parts and Regulations of these Anti-Doping Rules are for convenience only and shall not be deemed part of the substance of these Anti-Doping Rules or to affect in any way the language of the provisions to which they refer.

21.20.4 The *Code* and the *International Standards* shall be considered integral parts of these Anti-Doping Rules and shall prevail in case of conflict.

21.20.5 These Anti-Doping Rules have been adopted pursuant to the applicable provisions of the *Code* and shall be interpreted in a manner that is consistent with applicable provisions of the *Code*. The Introduction shall be considered an integral part of these Anti-Doping Rules.

21.20.6 The comments annotating various provisions of the *Code* and these Anti-Doping Rules shall be used to interpret these Anti-Doping Rules.

21.20.7 These Anti-Doping Rules have come into full force and effect on 1 January 2015 (the “Effective Date”). They shall not apply retroactively to matters pending before the Effective Date; provided, however, that:

- (a) Anti-doping rule violations taking place prior to the Effective Date count as “first violations” or “second violations” for purposes of determining sanctions under Regulation 21.10 for violations taking place after the Effective Date.
- (b) The retrospective periods in which prior violations can be considered for purposes of multiple violations under Regulation 21.10.7(e) and the statute of limitations set forth in Regulation 21.17 are procedural rules and should be applied retroactively; provided, however, that Regulation 21.17 shall only be applied retroactively if the statute of limitations period has not already expired by the Effective Date. Otherwise, with respect to any anti-doping rule violation case which is pending as of the Effective Date and any anti-doping rule violation case brought after the Effective Date based on an anti-doping rule violation which occurred prior to the Effective Date, the case shall be governed by the substantive anti-doping rules in effect at the time the alleged anti-doping rule violation occurred unless the panel hearing the case determines the principle of “lex mitior” appropriately applies under the circumstances of the case.
- (c) Any Regulation 21.2.4 whereabouts failure (whether a Filing Failure or a Missed Test, as those terms are defined in the International Standard for Testing and Investigations) prior to the Effective Date shall be carried forward and may be relied upon, prior to expiry, in accordance with the International Standard for Testing and Investigation, but it shall be deemed to have expired 12 months after it occurred.
- (d) With respect to cases where a final decision finding an anti-doping rule violation has been rendered prior to the Effective Date, but the *Athlete* or other *Person* is still serving the period of *Ineligibility* as of the Effective Date, the *Athlete* or other *Person* may apply to the *Anti-Doping Organization* which had results management responsibility for the anti-doping rule violation to consider a reduction in the period of *Ineligibility* in light of these Anti-Doping Rules. Such application must be made before the period of *Ineligibility* has expired. The decision rendered may be appealed pursuant to Regulation 21.13.2. These Anti-Doping Rules shall have no application to any case where a final decision finding an anti-doping rule violation has been rendered and the period of *Ineligibility* has expired.
- (e) For purposes of assessing the period of *Ineligibility* for a second violation under Regulation 21.10.7(a), where the sanction for the first violation was determined based on rules in force prior to the Effective Date, the period of *Ineligibility* which would have been assessed for that first violation had these Anti-Doping Rules been applicable, shall be applied.

## 21.21 Interpretation of the Code

21.21.1 The official text of the *Code* shall be maintained by WADA and shall be published in English and French. In the event of any conflict between the English and French versions, the English version shall prevail.

21.21.2 The comments annotating various provisions of the *Code* shall be used to interpret the *Code*.

21.21.3 The *Code* shall be interpreted as an independent and autonomous text and not by reference to the existing law or statutes of the *Signatories* or governments.

21.21.4 The headings used for the various Parts and Regulations of the *Code* are for convenience only and shall not be deemed part of the substance of the *Code* or to affect in any way the language of the provisions to which they refer.

21.21.5 The *Code* shall not apply retroactively to matters pending before the date the *Code* is accepted by a *Signatory* and implemented in its rules. However, pre-*Code* anti-doping rule violations would continue to count as "first violations" or "second violations" for purposes of determining sanctions under Regulation 21.10 for subsequent post-*Code* violations.

21.21.6 The Purpose, Scope and Organization of the World Anti-Doping Program and the *Code* and Definitions, and Appendix 1, Examples of the Application of Regulation 21.10, shall be considered integral parts of the *Code*.

## **21.22 Additional Roles and Responsibilities of *Athletes* and Other *Persons***

### **21.22.1 Roles and Responsibilities of *Athletes***

It is the responsibility of *Athletes*:

- (a) to be knowledgeable of and comply with these Anti-Doping Rules;
- (b) to be available for *Sample* collection at all times;
- (c) take responsibility, in the context of anti-doping, for what they ingest and *Use*;
- (d) to inform medical personnel of their obligation not to *Use Prohibited Substances* and *Prohibited Methods* and to take responsibility to make sure that any medical treatment received does not violate these Anti-Doping Rules;
- (e) to disclose to their *National Anti-Doping Organization* and to ISAF any decision by a non-*Signatory* finding that the *Athlete* committed an anti-doping rule violation within the previous ten years; and
- (f) to cooperate with *Anti-Doping Organizations* investigating anti-doping rule violations.
- (g) Failure by any *Athlete* to cooperate in full with ISAF, a MNA or *Anti-Doping Organizations* investigating anti-doping rule violations may result in a report being made under Racing Rule of Sailing 69 and the failure may be regarded as gross misconduct under that rule.

### **21.22.2 Roles and Responsibilities of *Athlete Support Personnel***

It is the responsibility of *Athletes Support Personnel*:

- (a) to be knowledgeable of and comply with these Anti-Doping Rules;
- (b) to cooperate with the *Athlete Testing* program;
- (c) to use his or her influence on *Athlete* values and behavior to foster anti-doping attitudes;
- (d) to disclose to his or her *National Anti-Doping Organization* and to ISAF any decision by a non-*Signatory* finding that he or she committed an anti-doping rule violation within the previous ten years;
- (e) to cooperate with *Anti-Doping Organizations* investigating anti-doping rule violations; and
- (f) not to *Use or Possess* any *Prohibited Substance* or *Prohibited Method* without valid justification.

Failure by *Athlete Support Personnel* to cooperate in full with *Anti-Doping Organizations* investigating anti-doping rule violations, or *Use or Possession* of a *Prohibited Substance* or *Prohibited Method* by an *Athlete Support Personnel* without valid justification, may result in a report being made under Racing Rule of Sailing 69 and the conduct in question may be regarded as gross misconduct.

## ANNEXE 1 EXAMPLES OF THE APPLICATION OF REGULATION 21.10

## EXAMPLE 1.

Facts: An *Adverse Analytical Finding* results from the presence of an anabolic steroid in an *In-Competition* test (Regulation 21.2.1); the *Athlete* promptly admits the anti-doping rule violation; the *Athlete* establishes *No Significant Fault or Negligence*; and the *Athlete* provides *Substantial Assistance*.

Application of Consequences:

1. The starting point would be Regulation 21.10.2. Because the *Athlete* is deemed to have *No Significant Fault* that would be sufficient corroborating evidence (Regulations 21.10.2(a)(i) and 21.10(b)(iii)) that the anti-doping rule violation was not intentional, the period of *Ineligibility* would thus be two years, not four years (Regulation 21.10.2(b)).
2. In a second step, the panel would analyze whether the *Fault*-related reductions (Regulations 21.10.4 and 21.10.5) apply. Based on *No Significant Fault or Negligence* (Regulation 21.10.5(a)) since the anabolic steroid is not a *Specified Substance*, the applicable range of sanctions would be reduced to a range of two years to one year (minimum one-half of the two year sanction). The panel would then determine the applicable period of *Ineligibility* within this range based on the *Athlete's* degree of *Fault*. (Assume for purposes of illustration in this example that the panel would otherwise impose a period of *Ineligibility* of 16 months.)
3. In a third step, the panel would assess the possibility for suspension or reduction under Regulation 21.10.6 (reductions not related to *Fault*). In this case, only Regulation 21.10.6(a) (*Substantial Assistance*) applies. (Regulation 21.10.6(c), Prompt Admission, is not applicable because the period of *Ineligibility* is already below the two-year minimum set forth in Regulation 21.10.6(c).) Based on *Substantial Assistance*, the period of *Ineligibility* could be suspended by three-quarters of 16 months.\* The minimum period of *Ineligibility* would thus be four months. (Assume for purposes of illustration in this example that the panel suspends ten months and the period of *Ineligibility* would thus be six months.)
4. Under Regulation 21.10.11, the period of *Ineligibility*, in principle, starts on the date of the final hearing decision. However, because the *Athlete* promptly admitted the anti-doping rule violation, the period of *Ineligibility* could start as early as the date of *Sample* collection, but in any event the *Athlete* would have to serve at least one-half of the *Ineligibility* period (i.e., three months) after the date of the hearing decision (Regulation 21.10.11(b)).
5. Since the *Adverse Analytical Finding* was committed in a *Competition*, the panel would have to automatically *Disqualify* the result obtained in that *Competition* (Regulation 21.9).
6. According to Regulation 21.10.8, all results obtained by the *Athlete* subsequent to the date of the *Sample* collection until the start of the period of *Ineligibility* would also be *Disqualified* unless fairness requires otherwise.
7. The information referred to in Regulation 21.14.3(b) must be *Publicly Disclosed*, unless the *Athlete* is a *Minor*, since this is a mandatory part of each sanction (Regulation 21.10.13).

8. The *Athlete* is not allowed to participate in any capacity in a *Competition* or other sport-related activity under the authority of any *Signatory* or its affiliates during the *Athlete's* period of *Ineligibility* (Regulation 21.10.12(a)). However, the *Athlete* may return to train with a team or to use the facilities of a club or other member organization of a *Signatory* or its affiliates during the shorter of: (a) the last two months of the *Athlete's* period of *Ineligibility*, or (b) the last one-quarter of the period of *Ineligibility* imposed (Regulation 21.10.12(b)). Thus, the *Athlete* would be allowed to return to training one and one-half months before the end of the period of *Ineligibility*.

#### EXAMPLE 2.

Facts: An *Adverse Analytical Finding* results from the presence of a stimulant which is a *Specified Substance* in an *In-Competition* test (Regulation 21.2.1); the *Anti-Doping Organization* is able to establish that the *Athlete* committed the anti-doping rule violation intentionally; the *Athlete* is not able to establish that the *Prohibited Substance* was *Used Out-of-Competition* in a context unrelated to sport performance; the *Athlete* does not promptly admit the anti-doping rule violation as alleged; the *Athlete* does provide *Substantial Assistance*.

#### Application of Consequences:

1. The starting point would be Regulation 21.10.2. Because the *Anti-Doping Organization* can establish that the anti-doping rule violation was committed intentionally and the *Athlete* is unable to establish that the substance was permitted *Out-of-Competition* and the *Use* was unrelated to the *Athlete's* sport performance (Regulation 21.10.2(c)), the period of *Ineligibility* would be four years (Regulation 21.10.2.(a)(ii)).
2. Because the violation was intentional, there is no room for a reduction based on *Fault* (no application of Regulations 21.10.4 and 21.10.5). Based on *Substantial Assistance*, the sanction could be suspended by up to three-quarters of the four years.\* The minimum period of *Ineligibility* would thus be one year.
3. Under Regulation 21.10.11, the period of *Ineligibility* would start on the date of the final hearing decision.
4. Since the *Adverse Analytical Finding* was committed in a *Competition*, the panel would automatically *Disqualify* the result obtained in the *Competition*.
5. According to Regulation 21.10.8, all results obtained by the *Athlete* subsequent to the date of *Sample* collection until the start of the period of *Ineligibility* would also be *Disqualified* unless fairness requires otherwise.
6. The information referred to in Regulation 21.14.3(b) must be *Publicly Disclosed*, unless the *Athlete* is a *Minor*, since this is a mandatory part of each sanction (Regulation 21.10.13).
7. The *Athlete* is not allowed to participate in any capacity in a *Competition* or other sport-related activity under the authority of any *Signatory* or its affiliates during the *Athlete's* period of *Ineligibility* (Regulation 21.10.12(a)). However, the *Athlete* may return to train with a team or to use the facilities of a club or other member organization of a *Signatory* or its affiliates during the shorter of: (a) the last two months of the *Athlete's* period of *Ineligibility*, or (b) the last one-quarter of the period of *Ineligibility* imposed (Regulation 21.10.12(b)). Thus, the *Athlete* would be allowed to return to training two months before the end of the period of *Ineligibility*.

## EXAMPLE 3.

Facts: An *Adverse Analytical Finding* results from the presence of an anabolic steroid in an *Out-of-Competition* test (Regulation 21.2.1); the *Athlete* establishes *No Significant Fault or Negligence*; the *Athlete* also establishes that the *Adverse Analytical Finding* was caused by a *Contaminated Product*.

Application of Consequences:

1. The starting point would be Regulation 21.10.2. Because the *Athlete* can establish through corroborating evidence that he did not commit the anti-doping rule violation intentionally, i.e., he had *No Significant Fault* in *Using a Contaminated Product* (Regulations 21.10.2(a)(i) and 21.10.2(c)), the period of *Ineligibility* would be two years (Regulations 21.10.2(b)).
2. In a second step, the panel would analyze the *Fault*-related possibilities for reductions (Regulations 21.10.4 and 21.10.5). Since the *Athlete* can establish that the anti-doping rule violation was caused by a *Contaminated Product* and that he acted with *No Significant Fault or Negligence* based on Regulation 21.10.5(a)(ii), the applicable range for the period of *Ineligibility* would be reduced to a range of two years to a reprimand. The panel would determine the period of *Ineligibility* within this range, based on the *Athlete's* degree of *Fault*. (Assume for purposes of illustration in this example that the panel would otherwise impose a period of *Ineligibility* of four months.)
3. According to Regulation 21.10.8, all results obtained by the *Athlete* subsequent to the date of *Sample* collection until the start of the period of *Ineligibility* would be *Disqualified* unless fairness requires otherwise.
4. The information referred to in Regulation 21.14.3(b) must be *Publicly Disclosed*, unless the *Athlete* is a *Minor*, since this is a mandatory part of each sanction (Regulation 21.10.13).
5. The *Athlete* is not allowed to participate in any capacity in a *Competition* or other sport-related activity under the authority of any *Signatory* or its affiliates during the *Athlete's* period of *Ineligibility* (Regulation 21.10.12(a)). However, the *Athlete* may return to train with a team or to use the facilities of a club or other member organization of a *Signatory* or its affiliates during the shorter of: (a) the last two months of the *Athlete's* period of *Ineligibility*, or (b) the last one-quarter of the period of *Ineligibility* imposed (Regulation 21.10.12(b)). Thus, the *Athlete* would be allowed to return to training one month before the end of the period of *Ineligibility*.

## EXAMPLE 4.

Facts: An *Athlete* who has never had an *Adverse Analytical Finding* or been confronted with an anti-doping rule violation spontaneously admits that she *Used* an anabolic steroid to enhance her performance. The *Athlete* also provides *Substantial Assistance*.

Application of Consequences:

1. Since the violation was intentional, Regulation 21.10.2(a) would be applicable and the basic period of *Ineligibility* imposed would be four years.
2. There is no room for *Fault*-related reductions of the period of *Ineligibility* (no application of Regulations 21.10.4 and 21.10.5).

3. Based on the *Athlete's* spontaneous admission (Regulation 21.10.6(b)) alone, the period of *Ineligibility* could be reduced by up to one-half of the four years. Based on the *Athlete's Substantial Assistance* (Regulation 21.10.6(a)) alone, the period of *Ineligibility* could be suspended up to three-quarters of the four years.\* Under Regulation 21.10.6(d), in considering the spontaneous admission and *Substantial Assistance* together, the most the sanction could be reduced or suspended would be up to three-quarters of the four years. The minimum period of *Ineligibility* would be one year.
4. The period of *Ineligibility*, in principle, starts on the day of the final hearing decision (Regulation 21.10.11). If the spontaneous admission is factored into the reduction of the period of *Ineligibility*, an early start of the period of *Ineligibility* under Regulation 21.10.11(b) would not be permitted. The provision seeks to prevent an *Athlete* from benefitting twice from the same set of circumstances. However, if the period of *Ineligibility* was suspended solely on the basis of *Substantial Assistance*, Regulation 21.10.11(b) may still be applied, and the period of *Ineligibility* started as early as the *Athlete's* last *Use* of the anabolic steroid.
5. According to Regulation 21.10.8, all results obtained by the *Athlete* subsequent to the date of the anti-doping rule violation until the start of the period of *Ineligibility* would be *Disqualified* unless fairness requires otherwise.
6. The information referred to in Regulation 21.14.3(b) must be *Publicly Disclosed*, unless the *Athlete* is a *Minor*, since this is a mandatory part of each sanction (Regulation 21.10.13).
7. The *Athlete* is not allowed to participate in any capacity in a *Competition* or other sport-related activity under the authority of any *Signatory* or its affiliates during the *Athlete's* period of *Ineligibility* (Regulation 21.10.12(a)). However, the *Athlete* may return to train with a team or to use the facilities of a club or other member organization of a *Signatory* or its affiliates during the shorter of: (a) the last two months of the *Athlete's* period of *Ineligibility*, or (b) the last one-quarter of the period of *Ineligibility* imposed (Regulation 21.10.12(b)). Thus, the *Athlete* would be allowed to return to training two months before the end of the period of *Ineligibility*.

#### EXAMPLE 5.

##### Facts:

An *Athlete Support Person* helps to circumvent a period of *Ineligibility* imposed on an *Athlete* by entering him into a *Competition* under a false name. The *Athlete Support Person* comes forward with this anti-doping rule violation (Regulation 21.2.9) spontaneously before being notified of an anti-doping rule violation by an *Anti-Doping Organization*.

##### Application of Consequences:

1. According to Regulation 21.10.3(d), the period of *Ineligibility* would be from two up to four years, depending on the seriousness of the violation. (Assume for purposes of illustration in this example that the panel would otherwise impose a period of *Ineligibility* of three years.)
2. There is no room for *Fault*-related reductions since intent is an element of the anti-doping rule violation in Regulation 21.2.9 (see comment to Regulation 21.10.5(b)).

3. According to Regulation 21.10.6(b), provided that the admission is the only reliable evidence, the period of *Ineligibility* may be reduced down to one-half. (Assume for purposes of illustration in this example that the panel would impose a period of *Ineligibility* of 18 months.)
4. The information referred to in Regulation 21.14.3(b) must be *Publicly Disclosed* unless the *Athlete Support Person* is a *Minor*, since this is a mandatory part of each sanction (Regulation 21.10.13).

## EXAMPLE 6.

Facts: An *Athlete* was sanctioned for a first anti-doping rule violation with a period of *Ineligibility* of 14 months, of which four months were suspended because of *Substantial Assistance*. Now, the *Athlete* commits a second anti-doping rule violation resulting from the presence of a stimulant which is not a *Specified Substance* in an *In-Competition* test (Regulation 21.2.1); the *Athlete* establishes *No Significant Fault or Negligence*; and the *Athlete* provided *Substantial Assistance*. If this were a first violation, the panel would sanction the *Athlete* with a period of *Ineligibility* of 16 months and suspend six months for *Substantial Assistance*.

Application of Consequences:

1. Regulation 21.10.7 is applicable to the second anti-doping rule violation because Regulation 21.10.7(d)(i) and Regulation 21.10.7(e) apply.
2. Under Regulation 21.10.7(a), the period of *Ineligibility* would be the greater of:
  - (a) six months;
  - (b) one-half of the period of *Ineligibility* imposed for the first anti-doping rule violation without taking into account any reduction under Regulation 21.10.6 (in this example, that would equal one-half of 14 months, which is seven months); or
  - (c) twice the period of *Ineligibility* otherwise applicable to the second anti-doping rule violation treated as if it were a first violation, without taking into account any reduction under Regulation 21.10.6 (in this example, that would equal two times 16 months, which is 32 months).

Thus, the period of *Ineligibility* for the second violation would be the greater of (a), (b) and (c), which is a period of *Ineligibility* of 32 months.

3. In a next step, the panel would assess the possibility for suspension or reduction under Regulation 21.10.6 (non-*Fault*-related reductions). In the case of the second violation, only Regulation 21.10.6(a) (*Substantial Assistance*) applies. Based on *Substantial Assistance*, the period of *Ineligibility* could be suspended by three-quarters of 32 months.\* The minimum period of *Ineligibility* would thus be eight months. (Assume for purposes of illustration in this example that the panel suspends eight months of the period of *Ineligibility* for *Substantial Assistance*, thus reducing the period of *Ineligibility* imposed to two years.)
4. Since the *Adverse Analytical Finding* was committed in a *Competition*, the panel would automatically *Disqualify* the result obtained in the *Competition*.
5. According to Regulation 21.10.8, all results obtained by the *Athlete* subsequent to the date of *Sample* collection until the start of the period of *Ineligibility* would also be *Disqualified* unless fairness requires otherwise.

6. The information referred to in Regulation 21.14.3(b) must be *Publicly Disclosed*, unless the *Athlete* is a *Minor*, since this is a mandatory part of each sanction (Regulation 21.10.13).
7. The *Athlete* is not allowed to participate in any capacity in a *Competition* or other sport-related activity under the authority of any *Signatory* or its affiliates during the *Athlete's* period of *Ineligibility* (Regulation 21.10.12(a)). However, the *Athlete* may return to train with a team or to use the facilities of a club or other member organization of a *Signatory* or its affiliates during the shorter of: (a) the last two months of the *Athlete's* period of *Ineligibility*, or (b) the last one-quarter of the period of *Ineligibility* imposed (Regulation 21.10.12(b)). Thus, the *Athlete* would be allowed to return to training two months before the end of the period of *Ineligibility*

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\* Upon the approval of *WADA* in exceptional circumstances, the maximum suspension of the period of *Ineligibility* for *Substantial Assistance* may be greater than three-quarters, and reporting and publication may be delayed.

**ANNEXE 2    Consent Form**

As a member of [MNA] and/or a participant in an event authorized or recognized by [MNA or International Federation], I hereby declare as follows:

I acknowledge that I am bound by, and confirm that I shall comply with, all of the provisions of ISAF Anti-Doping Rules (as contained in ISAF Regulation 21, as amended from time to time) and the *International Standards* issued by the World Anti-Doping Agency and published on its website.

I acknowledge the authority of ISAF [and its member MNAs and/or National Anti-Doping Organizations] under the ISAF Anti-Doping Rules to enforce, to manage results under, and to impose sanctions in accordance with, the ISAF Anti-Doping Rules.

**I acknowledge and agree that any dispute arising out of a decision made pursuant to the ISAF Anti-Doping Rules, after exhaustion of the process expressly provided for in the ISAF Anti-Doping Rules, may be appealed exclusively as provided in Regulation 21.13 of the ISAF Anti-Doping Rules to an appellate body for final and binding arbitration, which in the case of International-Level Athletes is the Court of Arbitration for Sport (CAS).**

I acknowledge and agree that the decisions of the arbitral appellate body referenced above shall be final and enforceable, and that I will not bring any claim, arbitration, lawsuit or litigation in any other court or tribunal.

I have read and understand the present declaration.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name (Last Name, First Name)

\_\_\_\_\_  
Date of Birth  
(Day/Month/Year)

\_\_\_\_\_  
Signature (or, if a minor, signature of  
legal guardian)

## ANNEXE 3 Testing

### 1. Validation of the Identity of Athletes

The *Sample* Collection Authority appointed by ISAF will validate the identity of an *Athlete* selected to provide a sample by their Event accreditation which includes a photograph, or by their passport.

### 2. Delayed Reporting

The DCO / Chaperone may at his / her discretion consider any reasonable third party request or any request by the *Athlete* for permission to delay reporting to the *Doping Control* Station following acknowledgement and acceptance of notification, and / or to leave the *Doping Control* Station temporarily after arrival, and may grant such permission if the *Athlete* can be continuously chaperoned and kept under direct observation during the delay. For example, delayed reporting to / temporary departure from the *Doping Control* Station may be permitted for the following activities:

- a. For *In-Competition Testing*:
  - i. The washing down of equipment and making safe;
  - ii. Participation in a presentation ceremony;
  - iii. Fulfilment of media commitments;
  - iv. Obtaining necessary medical treatment;
  - v. Locating a representative and / or interpreter;
  - vi. Obtaining photo identification; or
  - vii. Any other reasonable circumstances, as determined by the DCO, taking into account any instructions of the *Testing* Authority.
- b. For *Out-of-Competition Testing*:
  - i. Locating a representative;
  - ii. Completing a training session;
  - iii. Receiving necessary medical treatment;
  - iv. Obtaining photo identification; or
  - v. Any other reasonable circumstances, as determined by the DCO, taking into account any instructions of the *Testing* Authority

### 3. Who May be Present During the Sample Collection Session

In addition to the *Sample* Collection Personnel the following people may be present during the *Sample* Collection Session.

- a. A representative and / or interpreter; except when the *Athlete* is passing a urine sample;
- b. A *Minor* may choose to be accompanied by a representative throughout the entire *Sample* Collection Session. The representative shall not witness the passing of a urine *Sample* unless requested to do so by the *Minor*. Even if the *Minor* declines a representative, the *Sample* Collection Authority, DCO or Chaperone shall consider whether another third party ought to be present during notification and / or collection of the *Sample* from the *Athlete*.
- c. An *Athlete* with an intellectual, physical or sensorial impairment may be assisted by the *Athlete's* representative or *Sample* collection personnel during the *Sample* Collection process where authorized by the *Athlete* and agreed to by the DCO.

- d. A WADA observer where applicable under the *Independent Observer Program*. The WADA observer shall not directly observe the passing of a urine *Sample*.

#### 4. Storage of *Sample* Collected

To ensure the integrity, identity and security of each *Sample* collected prior to transport from the Doping Control Station:

- a. *Samples* must not be left unattended, unless they are locked away in a refrigerator or cupboard, for example. Access shall be restricted to authorized personnel.
- b. Where possible, *Samples* should be stored in a cool environment. Warm conditions should be avoided.
- c. The DCO shall accurately complete appropriate documentation for each transport bag / container to ensure that the laboratory can verify the contents of the bag / container.
- d. The DCO shall follow the ADO's system to ensure that, where required, instructions for the type of analysis to be conducted are provided to the laboratory.
- e. The DCO shall complete the Chain of Custody form. The laboratory copy of this form(s) and the laboratory copy of the Doping Control form should be placed in the transport bag with the *Samples*. Documentation identifying the *Athlete* shall not be included with the *Samples*.
- f. The DCO shall keep the *Samples* secured and under his or her control until they are passed to the courier.

## APPENDIX 3 – ELIGIBILITY CODE

**19. ELIGIBILITY CODE****19.1 Competition Eligibility**

- 19.1 An individual shall have Competition Eligibility unless that eligibility has been suspended or revoked. 'Competition Eligibility' means the individual has a general entitlement to take part in competition in the sport of sailing.
- 19.2 An individual who does not have Competition Eligibility, or who is in breach of any condition imposed on his Competition Eligibility, shall not compete in any competition in the sport of sailing to which the RRS or these Regulations apply in whole or in part.
- 19.3 A boat that races with, as part of her crew, a competitor who is in breach of this Code shall be disqualified from all such races.

**ISAF Eligibility**

- 19.4 In addition to Competition Eligibility, a competitor has 'ISAF Eligibility' if he meets the following conditions:
- (a) he is a member of his/her Member National Authority or one of its affiliated organizations. Such membership to be established by the competitor either:
    - (i) by being entered by a national authority of the country of which the competitor is a national or ordinarily a resident; or
    - (ii) by presenting a valid membership card or certificate, or other satisfactory evidence of identity and membership;
  - (b) he is registered as an 'ISAF Sailor' on the ISAF Website for those events listed under Regulations 19.6(a) to (c), Olympic Qualification Events and ISAF Graded Match Racing Events;
  - (c) he has agreed to be governed and bound by the Regulations and any other requirements issued by ISAF; and
  - (d) he has not had either his Competition Eligibility or ISAF Eligibility suspended or revoked under Regulation 19.
- 19.5 In exceptional circumstances the Executive Committee may waive the requirements contained in Regulations 19.4.(a) and (b) for a sailor who, for good reason, is unable to comply with those requirements.

**Events Requiring ISAF Eligibility**

- 19.6 ISAF Eligibility is required for the following events:
- (a) the Olympic Sailing Competition;
  - (b) the sailing events of Regional Games recognized by the International Olympic Committee;
  - (c) events including "ISAF" in their titles;
  - (d) world and continental championships of ISAF classes and world championships of the IMS, Major Events and other events approved by ISAF as a World Championship;
  - (e) any event at which the Organizing Authority, Member National Authority or ISAF has appointed an International Jury, International Umpires, International Race Officers, International Measurers or ISAF Technical Delegates to act in that capacity;
  - (f) any event approved by a Member National Authority of ISAF as an Olympic qualifying event;

- (g) any event designated by a Member National Authority within its jurisdiction as requiring competitors to satisfy the requirements of Regulation 19.7; and
  - (h) any event designated by ISAF.
- 19.7 Additionally, with the prior approval of the relevant Member National Authority, an Organizing Authority may also impose the same requirements as in 19.6 above for an event and that fact shall then be stated in the notice of race and the sailing instructions.

### **Nationality Criteria**

- 19.8 When participating in an ISAF Event, a competitor must be a national of the Member National Authority that enters him or that he represents as determined under the guidelines set out in 19.12 below. However, the Notice of Race may specify that Regulation 19.8 does not apply to crew substitutes.
- 19.9 The following wording shall be included in the notice of race and sailing instructions:  
*“Any competitor in the championship must be a national of the country of the Member National Authority which is entering him/her or which he represents.”*
- 19.10 All applications or disputes relating to the determination of the country that a competitor may represent in the championship shall be determined by the Executive Committee.
- 19.11 The requirements of Regulation 19.8 shall not apply to competitors participating in the ISAF Open Match World Racing Championship, ISAF Women’s Match Racing World Championship or the ISAF Offshore Team World Championship.
- 19.12 On application, the Executive Committee may grant exemptions to Regulation 19.8 in case of a competitor being a permanent resident of the country he wishes to represent. The following conditions will apply:
- (a) a competitor must have been an ordinary resident of the country for more than three (3) consecutive years and must be able to establish his residency for this period;
  - (b) a competitor must have been member of the relevant Member National Authority, or a club or other organization affiliated to the relevant national authority for at least three (3) consecutive years;
  - (c) a competitor who has represented one country in the Olympic Games, in continental or regional games or in world or regional championships recognized by the Federation (ISAF), and who wants to represent another country, may represent this country provided that at least three (3) consecutive years have passed since the competitor last represented a different country in the events referred to above or the Executive Committee has reduced this period.

### **Nationality Criteria Guidelines**

- 19.13 Based on the criteria used by the IOC for the Olympic Games and ISAF policy, the following guidelines shall be used by the Executive Committee in assessing an application or dispute:
- (a) A competitor who is a national of two or more countries at the same time may represent either one of them, as he/she may elect. However, after having represented one country in the Olympic Games, in ISAF events, in continental or regional games or in world or regional championships recognized by the ISAF, he may not represent another country unless he/she meets the conditions set forth in Regulation 19.12 that apply to persons who have changed their nationality or acquired a new nationality.
  - (b) A competitor who has represented one country in the Olympic Games, in ISAF events, in continental or regional games or in world or regional championships recognized by the ISAF, and who has changed his nationality or acquired a new

nationality, shall not participate in any of the events referred to above in this paragraph to represent his new country until three years after such change or acquisition. The Executive Committee may after taking into account the circumstances of each case, and with the agreement of the Member National Authorities concerned, reduce or cancel this period.

- (c) If a part of an existing country such as an associated state, province or overseas department, a country or colony acquires independence and becomes a new country or is incorporated into or is associated with another country recognized by the IOC, Regulations 19.12(a) and (b) shall not apply and a competitor may:
  - (i) continue to represent the former country if he remains a national of that country; or
  - (ii) represent the new country of the country into which the newly independent territory has been incorporated provided that country has a Member National Authority and the competitor becomes or applies to become a national of that country; and
  - (iii) the choice provided for in this paragraph may only be made once in respect of such change in national status.
- (d) In all cases not expressly addressed in these Regulations, in particular those cases in which a competitor would be in a position to represent a country other than that of which he/she is a national, or to have a choice as to the country which he/she intends to represent, the Executive Committee may take all decisions of a general or individual nature, and in particular issue specific requirements relating to nationality, citizenship, domicile or residence of the competitors, including the duration of any waiting period.
- (e) In the instance of applications that need to be decided in haste, possibly shortly before the start of a championship, the Executive Committee shall nominate two individuals to determine applications/disputes on its behalf for the specific championships only.

#### ***Suspension or revocation of Competitor Eligibility or ISAF Eligibility***

19.14 Competition Eligibility or ISAF Eligibility (or both) may be suspended or revoked:

- (a) by a National Authority (for events within its own jurisdiction) or by ISAF:
  - (i) for a breach of RRS 69.1(a); or
  - (ii) for competing, within the preceding two years, in an event that the competitor knew or should reasonably have known was a Prohibited Event; or
- (b) for a breach of RRS 5.

ISAF's powers in this Regulation are in addition to the provisions of RRS 69.

19.15 A 'Prohibited Event' means an event:

- (b) permitting or requiring advertising beyond that permitted by the ISAF Advertising Code;
- (c) with prizes or other benefits referred to in Regulation 25.12.2 that is a national event not approved by the National Authority of the venue or an international event not approved by ISAF;
- (d) that is described as a world championship or uses the word "world", either in the title of the event or otherwise, and that is not approved by ISAF;
- (e) that does not conform to the requirements of RRS 89.1 and is not otherwise approved by ISAF; or

- (f) for which the Organizing Authority that has not paid the ISAF Event Fees, and
- (g) has been listed on the ISAF website on a list maintained for this purpose

**Review by ISAF**

- 19.16 A National Authority must report any decision it makes under RRS 69.3 or Regulation 19.14 to ISAF, including where it suspends or revokes Competition Eligibility and/or ISAF Eligibility. The decision of the National Authority (together with its reasons) shall be sent promptly in writing to the Chief Executive Officer.
- 19.17 On receipt of such a report, ISAF may confirm, revise or annul the decision (or remit it to the National Authority for reconsideration in accordance with the ISAF's directions).
- 19.18 After a decision to suspend or revoke, or to impose conditions on, Competition Eligibility and/or ISAF Eligibility has become final, the Chief Executive Officer shall report the decision to all National Authorities, ISAF Class Associations and other ISAF affiliated organizations, which may also suspend eligibility for events held within their own jurisdiction. The Chief Executive Officer may do this by publishing an appropriate notice on the ISAF website.

**Appeals**

- 19.19 A competitor may appeal a decision to suspend, revoke, or impose conditions on his Competition or ISAF Eligibility to the Review Board. The competitor shall be advised of the right to appeal and be provided with a copy of the Review Board Rules of Procedure.
- 19.20 A National Authority or ISAF may ask for a review of its decision by the Review Board. The Review Board Rules of Procedure shall govern all appeals and requests for review.
- 19.21 Upon an appeal or request for review, the Review Board may confirm, revise or annul the decision, or require a hearing or rehearing.
- 19.22 Decisions of the Review Board may be appealed only in accordance with Article 82.
- 19.23 The Chief Executive Officer shall promptly notify all National Authorities, ISAF Class Associations and other ISAF affiliated organizations of all Review Board decisions made pursuant to this Regulation. The Chief Executive Officer may do this by publishing an appropriate notice on the ISAF website.

**Reinstatement of Competition and/or ISAF Eligibility**

- 19.24 A competitor may apply to ISAF for his Competition Eligibility and/or ISAF Eligibility to be reinstated, or have any conditions imposed upon it removed or amended, if
  - (a) he establishes substantial, changed circumstances justifying the change; and
  - (b) a minimum of three years has passed since the original decision.
- 19.25 A competitor may appeal a refusal to grant such an application to the Review Board, in which case the procedures set out in Regulations 19.19 to 19.23 shall apply.

**Class Eligibility**

- 19.26 Any competitor whose eligibility has been suspended, denied, or revoked by an ISAF Class may appeal that decision to the Review Board in accordance with Articles 79, 81 and 82 and the procedures set out in the Review Board Rules of Procedure

## APPENDIX 4 – ISAF SAILOR CLASSIFICATION CODE

## 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. When using the Code, they are under an obligation to properly administer and implement the Code.

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 does not influence the competitor's classification in this Code.

The display of Advertising by the competitor in accordance with Regulation 20.3 even if *payment* is received for it, does not influence the sailor's classification in this Code.

## 22.1 Definitions of this Code

In this Regulation defined words that have a specific meaning are shown in italics and their specific meanings can be found below.

*Work includes:*

employment, self-employment, and any ad-hoc activity whether full time, part time or occasional and whether in person or through a partnership, limited company or any other organization and including any services for which there is payment or financial benefit directly or indirectly.

*Pay and its derivatives means:*

the receipt by a sailor of; or the acceptance by a sailor of an offer to him to give money, money's worth, remuneration, fees, grants, gratuities, any financial benefit whether arising directly or indirectly or compensation in any form whether received by him or an associate, but not including *Personal Expenses*.

*Personal Expenses means*

a grant towards; or  
provision of; or  
reimbursement of money not exceeding the amount of reasonable expense incurred for entry fees, travel, accommodation and meals in connection with and necessary for a specific event.

*Entrant means:*

as the context requires, the boat, the person or organization that enters the boat (RRS 75) the person in charge (RRS 46) and the boat owner.

*Racing means:*

Taking part in races organized in accordance with RRS 89.1.

*The Classification Authority:*

is ISAF.

*The Classification Date is:*

the date when a classification or change of classification is requested, or, if later, the date when a classification is validly challenged by a protest or appeal.

The Qualification Period to become a Group 1 competitor or to change from a Group 3 competitor to a Group 1 competitor is:

the continuous period of 24 months before the *Classification Date*, during which the competitor has not been engaged in Group 3 activities

The Crew Deadline is:

the date stated in the Notice of Race or Class Rules by which time a complete crew list for each *entrant* shall be submitted.

The Classification Protest Limit Time is:

the time and date stated in the Class Rules, Notice of Race or Sailing Instructions after which a boat shall not protest a classification under regulation 22.5.1.

## Competitor Classifications

22.2 The classifications of competitors are to be determined as follows:

22.2.1 Group 1

- (a) A competitor who takes part in *racing* only as a pastime is a Group 1 competitor, unless within the *qualification period* he/she has undertaken one of the activities listed in Regulation 22.2.2 and is a Group 3 competitor.
- (b) However:
  - (i) a competitor who is under 18 years of age is a Group 1 competitor; and
  - (ii) a competitor who is over 18 years of age, but under 24 years of age, is a Group 1 competitor provided that he/she has not engaged in any of the activities listed in Regulation 22.2.2 for more than 100 days (for the avoidance of doubt this is calculated on the total period of *paid* work) in the *qualification period* (excluding any activities undertaken before his/her 18<sup>th</sup> birthday).

22.2.2 Group 3

A Group 3 competitor is a competitor who, within the *Qualification Period*

- (a) has been *paid* for work that includes competing in a race; and/or
- (b) has been *paid* for work that includes managing, training, practising, tuning, testing, maintaining or otherwise preparing a boat, its crew, sails or performance enhancing equipment for *racing*, and then competed on that boat, or in a team competition, in a boat of the same team; or
- (c) has been *paid*:
  - (i) to provide a boat or its sails for racing; or
  - (ii) services in connection with providing a boat or its sails; for racing and
  - (iii) then raced competed on that boat, or in a team competition, in a boat of the same team.

However a Group 1 competitor who, as an owner of a boat, is occasionally *paid* a charter fee to provide that boat for a *racing* competition shall remain a Group 1 competitor if he/she does not steer that boat in the competition. If the competition is a team event this dispensation shall only apply if he does not steer any boat in the same team as the boat chartered; or

- (d) has been *paid* for *work* (except coaching), in a marine business or organization which require knowledge or skill:
  - (i) that is capable of enhancing the performance of a boat in a *race*; and
  - (ii) which can be utilized by the competitor whilst on board a boat when *racing*; or

- (e) has been *paid* for *work* that includes the coaching of:
  - (i) any competitor, crew or team to prepare for or compete in any of the following:
    - The Olympic and Paralympic Sailing Competitions and Qualifying Events
    - Regional Games;
    - America's Cup Match, Acts and Series;
    - Grade WC or Grade I Match Racing Events;
    - World and Continental Championships of ISAF Classes;
    - ISAF Events;
    - Global and Trans Oceanic races; or
  - (ii) a National, State or Provincial Team; or
  - (iii) a Collegiate or University team where the work is the principal *paid* activity of the competitor; or
- (f) has been *paid* for allowing his or her name or likeness to be used in connection with his or her sailing performance, sail racing results or sailing reputation, for the advertising or promotion of any product or service; or
- (g) has publicly identified himself or herself as a Group 3 competitor or as a professional racing sailor.

#### 22.2.3 Group 3

If a Group 3 competitor has *raced* in an Olympic Sailing Competition, a Volvo Ocean Race or any *racing* which forms part of the events connected with the America's Cup (as determined by the Commission (which shall issue prior written notice of such determinations)), whether or not the competitor was Group 3 at that time, then:

- (a) the competitor shall be a Group 3 competitor for a period of at least five years from that event notwithstanding that he may otherwise be entitled to a Group 1 classification during that time;
- (b) at the end of the five year period, the normal *Qualification Period* shall be applied when assessing the competitor's classification; and
- (c) this Regulation shall not apply to any *racing* in the listed events by a competitor prior to 1st December 2011 and the Commission may on a transitional basis exempt certain *racing* from the effect of this Regulation.

### 22.3 Classification Procedures and Requirements

22.3.1 A competitor may be required to be a member of his/her MNA to hold a valid ISAF Sailor Classification.

22.3.2 A competitor applying for, or holding, a classification shall comply with the following requirements: He/she shall

- (a) not hold, nor apply for, more than one classification;
- (b) not take any action or act in a manner which is contrary to the spirit or purposes of the Code or which is a subterfuge for circumventing the Code;
- (c) at all times fully and freely disclose all relevant information to the *Classification Authority* (whether or not specifically asked for);
- (d) not provide the *Classification Authority* with information that is false, misleading or potentially misleading;
- (e) immediately notify the *Classification Authority* of any change in his circumstances which affects, or may affect, his classification status; and

- (f) if a Group 1 competitor, he shall not engage in any activities which are incompatible with Group 1 status unless he has notified the *Classification Authority* of a potential change of classification.

22.3.3 If the *Classification Authority* has good reason to believe that a competitor has breached any provision of the Classification Code, it may immediately change, suspend or cancel his/her classification (or in the case of an application for classification, may decline to issue a classification).

22.3.4 A competitor, having read this Code, shall declare his or her correct classification by personally completing a form approved by ISAF and submitting it to the *Classification Authority*.

22.3.5 There is no fee. The *Classification Authority* shall review each form and confirm or correct the competitor's classification within 28 days of receiving all necessary information. It may ask the competitor to supply further information, or may itself seek further information from any source.

22.3.6 A classification, once issued, shall remain in force for two years, unless the classification is previously changed, suspended or cancelled by the *Classification Authority*

- (a) because the competitor has submitted a form indicating that his or her classification has changed; or
- (b) because the *Classification Authority* believes it has good reason to do so; or
- (c) as a result of an appeal requested by the competitor under regulation 22.3.67.

However when a competitor would have been classified as Group 3 but for Regulation 22.2.1(b) the *Classification Authority* may issue a classification that shall only remain in force up to his 24th birthday.

22.3.7 When a competitor does not agree with a decision made by the *Classification Authority* which affects his classification (except the making of a report under rule 69), the competitor may appeal to the Classification Authority within 60 days of the decision-using the process on the ISAF website or by such other method as shall be notified in the ISAF Yearbook. An appeal shall state the grounds on which the competitor believes the decision was incorrect.

- (a) Appeals shall be considered by three members of the *Classification Authority* (the Appeal Panel) who were not party to the decision No more than two shall be from the same country.
- (b) The Appeal Panel will consider the Appeal and review the information in the Appeal, the decision and any previous application and where necessary ask for more information from the competitor, from the original reviewers, or from any other source. It may uphold, change or reverse the decision, dismiss the appeal or declare it invalid.
- (c) The Appeal Panel having made its decision after receiving all necessary information will inform the competitor of its decision in writing. A fee may be payable.
- (d) The decision of the *Classification Authority* shall be binding on the competitor until the decision of the Appeal Panel is published.
- (e) Subject to the provisions of Regulation 35, the decision of the Appeal Panel shall be final.

22.3.8 The Classification Authority may decline to issue a classification or may suspend a current classification when the competitor has been penalized under RRS 69 for a classification matter. Such refusal or suspension shall not be longer than the period during which the competitor's eligibility is suspended under Rule 69.

22.3.9 ISAF will maintain and publish on a website a list of the classifications of competitors. The list will state the status or expiry date of the classification.

22.3.10 Information provided by the competitor or from any other source shall be kept confidential within the *Classification Authority* and the ISAF Secretariat and not disclosed to any other person except to an International Jury or Member National Authority which has been sent a report by the *Classification Authority* concerning the competitor's classification or sent a report under RRS 69 and then only after notifying the competitor through the classification process.

However when the Classification Authority makes a decision under Regulation 22.3.6 shortly before or during an event it may provide the Class Association and/or the Organizing Authority with a summary of the reasons for its decision.

## 22.4 Event Procedures

22.4.1 The *entrant* shall give to the Organizing Authority, no later than the *Crew Deadline* in the Notice of Race, a Crew List stating the ISAF User ID and classification of each competitor. The Crew List may comprise more competitors than will take part in any one race, in which case the *entrant* shall also give the Organizing Authority, no later than the *Crew Deadline* in the Notice of Race, a Crew List for each race.

22.4.2 An *entrant* wishing to use a competitor not included in the initial Crew List shall submit to the Organizing Authority a revised Crew List no later than the *Crew Deadline* when no change to the crew is permitted after that time, otherwise as soon as possible.

22.4.3 The Organizing Authority will display the latest Crew Lists on the Official Notice Board as soon as possible after the *Crew Deadline*.

22.4.4 The Notice of Race, Sailing Instructions or Class Rules may alter these arrangements.

## **Protest Grounds and Procedures**

22.5.1 After the *Crew Deadline* a boat may be protested on the grounds that:

- (a) when classification for a competitor was applied for, information that should have led to a higher classification was not disclosed; or
- (b) a competitor has, since being classified, engaged in activities incompatible with the classification

and that the boat would break the Crew Limitations in the Notice of Race, Sailing Instructions or Class Rules were the classification to be corrected. The time limit for a boat to protest is the *Classification Protest Time Limit*, or, if later, 24 hours after the posting of a changed Crew List. The Sailing Instructions may state a different time limit.

22.5.2 When a protest is upheld, and:

- (a) the boat has not yet raced in the event, the boat will not be penalize; but if
- (b) the decision to uphold the protest is made after the boat has raced in the event, the boat shall be disqualified from all races already completed except when the protest arises from a report as set out in 22.5.6 in which case 22.5.6 shall apply.

The boat shall not race with that competitor as crew, unless the Sailing Instructions permit a change of crew after the Crew Deadline and then only when the Protest Committee is satisfied that the boat meets the Crew Limitations.

22.5.3 The protestee is entitled, on request, to present evidence of a personal or private nature in the absence of the protestor, and the Protest Committee shall not record that evidence in the protest decision. When the Protest Committee, on hearing the evidence, is not satisfied that it is of a personal or private nature, it shall disregard the evidence unless it is offered again in the presence of the protestor. This changes RRS 63.3(a).

- 22.5.4 When the Protest Committee is in doubt as to the classification of a competitor, it may refer its facts found to the *Classification Authority* and shall be governed by the decision by the *Classification Authority* on those facts.
- 22.5.5 The Protest Committee shall report within 14 days its decision to the *Classification Authority*. If a competitor has given evidence under Regulation 22.5.3 the Protest Committee shall also report within 14 days a summary of that evidence to the *Classification Authority*.
- 22.5.6 When the classification of a competitor has been changed, suspended or cancelled during an event in accordance with Regulation 22.3.6(b) the new classification may be backdated by the *Classification Authority* to the commencement of the event.

When as a result a boat may have broken a crew limitation rule, the *Classification Authority* shall report its decision in writing to the race committee which shall protest the boat. Any penalty shall be at the discretion of the protest committee.

***The ISAF Classification Code application form can be completed online at:***

***[www.sailing.org/classification](http://www.sailing.org/classification)***

***Any question can be sent to ISAF by email to [classification@isaf.com](mailto:classification@isaf.com)***

## ~~APPENDIX 5 – BETTING AND ANTI-CORRUPTION~~

### ~~1. INTRODUCTION~~

- ~~1.1 The integrity of sport depends on the outcome of sporting events and competitions being based entirely on the competing merits of the Participants involved. Any form of corruption that might undermine public confidence in the integrity of a sporting contest is fundamentally contrary to the spirit of sport and must be eradicated at all costs.~~
- ~~1.2 The International Sailing Federation has adopted these rules ("Rules") as a means of safeguarding the integrity of the sport of Sailing by (i) prohibiting any conduct that may impact improperly on the outcome of its events and competitions and (ii) establishing a mechanism of enforcement and sanction for those who, through their corrupt conduct, place the integrity of the sport at risk.~~
- ~~1.3 The International Sailing Federation is committed to taking all practical steps within its power to prevent corrupt practices undermining the integrity of the sport of sailing. This commitment shall include:~~
- ~~(a) raising awareness of these Rules at all levels, including using existing and/or suitably adapted educational programmes and tools to provide information and educational materials to the widest possible target audience;~~
  - ~~(b) establishing the best means of monitoring sports betting at International Competitions, including monitoring any irregular betting patterns that may occur;~~
  - ~~(c) establishing the best means for the receipt of third party information on a confidential basis, for example, by establishing an information 'hot-line';~~
  - ~~(d) establishing and, where appropriate, making use of effective channels for the exchange of intelligence and information related to the investigation and/or prosecution of Violations under these Rules;~~
  - ~~(e) co-operating with competent national and international authorities where information in its possession may also amount to or evidence infringements of other applicable laws or regulations; and~~
  - ~~(f) exchanging information with partners in the Olympic Movement (through ASOIF or otherwise) on acknowledged areas of best practice in relation to combatting corruption in sport.~~

### ~~2. APPLICATION AND SCOPE~~

- ~~2.1 These Rules shall apply to all Participants who participate or assist in an International Competition and each Participant shall be automatically bound by, and be required to comply with, these Rules by virtue of such participation or assistance.~~
- ~~2.2 It shall be the personal responsibility of every Participant to make himself aware of these Rules including, without limitation, what conduct constitutes a Violation of the Rules and to comply with these requirements. Participants should also be aware that conduct prohibited under these Rules may also constitute a criminal offence and/or a breach of other applicable laws and regulations. Participants must comply with all applicable laws and regulations at all times.~~

- ~~2.3 Each Participant submits to the exclusive jurisdiction of any Hearing Panel convened under these Rules to hear and determine charges brought by ISAF.~~
- ~~2.4 Each Participant shall be bound by these Rules until a date 6 months following his last participation or assistance in a Competition. Each Participant shall continue to be bound by these Rules in respect of his participation or assistance in Competitions taking place prior to that date.~~
- ~~2.5 It is recommended that National Federations put in place similar rules and regulations to safeguard the integrity of competitions held under their respective jurisdictions.~~
- ~~2.6 Notice under these Rules to a Participant who is under the jurisdiction of a National Federation may be accomplished by delivery of the notice to the National Federation concerned. The National Federation shall be responsible for making immediate contact with the Participant to whom the notice is applicable.~~

## ~~3. RULE VIOLATIONS~~

~~The following conduct shall constitute a Violation of these Rules (in each case whether effected directly or indirectly):~~

### ~~3.1 Betting~~

- ~~(a) Participation in, support for, or promotion of, any form of Betting related to an Event or Competition (whether one in which the Participant is directly participating or is otherwise taking place in the Participant's sport or is taking place in another sport at an International Competition hosted by a Major Event Organisation in which the Participant is participating), including Betting with another Person on the result, progress, outcome, conduct or any other aspect of such an Event or Competition.~~
- ~~(b) Inducing, instructing, facilitating or encouraging a Participant to commit a Violation set out in this Rule 3.1.~~

### ~~3.2 Manipulation of results~~

- ~~(a) Fixing or contriving in any way or otherwise improperly influencing, or being a party to fix or contrive in any way or otherwise improperly influence, the result, progress, outcome, conduct or any other aspect of an Event or Competition.~~
- ~~(b) Ensuring or seeking to ensure the occurrence of a particular incident in an Event or Competition which occurrence is to the Participant's knowledge the subject of a Bet and for which he or another Person expects to receive or has received a Benefit.~~
- ~~(c) Failing in return for a Benefit (or the legitimate expectation of a Benefit, irrespective of whether such Benefit is in fact given or received) to perform to the best of one's abilities in an Event or Competition.~~
- ~~(d) Inducing, instructing, facilitating or encouraging a Participant to commit a Violation set out in this Rule 3.2~~

### ~~3.3 Corrupt Conduct~~

- ~~(a) Accepting, offering, agreeing to accept or offer, a bribe or other Benefit (or the legitimate expectation of a Benefit, irrespective of whether such Benefit is in fact given or received) to fix or contrive in any way or otherwise to~~

~~influence improperly the result, progress, outcome, conduct or any other aspect of an Event or Competition.~~

- ~~(b) Providing, offering, giving, requesting or receiving any gift or Benefit (or the legitimate expectation of a Benefit, irrespective of whether such Benefit is in fact given or received) in circumstances that the Participant might reasonably have expected could bring him or the sport into disrepute.~~
- ~~(c) Inducing, instructing, facilitating or encouraging a Participant to commit a Violation as set out in this Rule 3.3~~

### ~~3.4 Inside Information~~

- ~~(a) Using Inside Information for Betting purposes or otherwise in relation to Betting.~~
- ~~(b) Disclosing Inside Information to any Person with or without Benefit where the Participant might reasonably be expected to know that its disclosure in such circumstances could be used in relation to Betting.~~
- ~~(c) Inducing, instructing, facilitating or encouraging a Participant to commit a Violation set out in this Rule 3.4~~

### ~~3.5 Other Violations~~

- ~~(a) Any attempt by a Participant, or any agreement by a Participant with any other person, to engage in conduct that would culminate in the commission of any Violation of this Rule 3 shall be treated as if a Violation had been committed, whether or not such attempt or agreement in fact resulted in such Violation. However, there shall be no Violation under this Rule 3 where the Participant renounces his attempt or agreement prior to it being discovered by a third party not involved in the attempt or agreement.~~
- ~~(b) Knowingly assisting, covering up or otherwise being complicit in any acts or omissions of the type described in Rule 3 committed by a Participant.~~
- ~~(c) Failing to disclose to the International Sailing Federation or other competent authority (without undue delay) full details of any approaches or invitations received by the Participant to engage in conduct or incidents that would amount to a Violation as set out in this Rule 3~~
- ~~(d) Failing to disclose to the International Sailing Federation or other competent authority (without undue delay) full details of any incident, fact or matter that comes to the attention of the Participant that may evidence a Violation under this Rule by a third party, including (without limitation) approaches or invitations that have been received by any other party to engage in conduct that would amount to a Violation of this Rule;~~
- ~~(e) Failing to cooperate with any reasonable investigation carried out by the International Sailing Federation or other competent authority in relation to a possible breach of these Rules, including failing to provide any information and/or documentation requested by the International Sailing Federation or competent competition authority that may be relevant to the investigation.~~

~~3.6 The following are not relevant to the determination of a Violation of these Rules:~~

- ~~(a) Whether or not the Participant was participating, or a Participant assisted by another Participant was participating, in the specific Event or Competition;~~
- ~~(b) The nature or outcome of any Bet in issue;~~
- ~~(c) The outcome of the Event or Competition on which the Bet was made;~~
- ~~(d) Whether or not the Participant's efforts or performance (if any) in any Event or Competition in issue were (or could be expected to be) affected by the acts or omissions in question;~~
- ~~(e) Whether or not the results in the Event or Competition in issue were (or could be expected to be) affected by the acts or omissions in question.~~

#### ~~4. BURDEN AND STANDARD OF PROOF~~

- ~~4.1 The International Sailing Federation or other prosecuting authority shall have the burden of proving that a Violation has occurred under these Rules. The standard of proof shall be whether the International Sailing Federation or other prosecuting authority has proved a Violation to the comfortable satisfaction of the Hearing Panel, a standard which is greater than the mere balance of probability but less than proof beyond a reasonable doubt.~~
- ~~4.2 Where these Rules place the burden of proof on the Participant alleged to have committed a Violation to prove facts or circumstances, the standard of proof shall be by a preponderance of the evidence.~~
- ~~4.3 The Hearing Panel shall not be bound by judicial rules governing the admissibility of evidence and facts may be established by any reliable means, including but not limited to, admissions, evidence of third parties, witness statements, expert reports, documentary evidence and other analytical information.~~
- ~~4.4 The Hearing Panel shall have discretion to accept any facts established by a decision of a court or professional disciplinary tribunal of any competent jurisdiction which is not subject to a pending appeal as irrefutable evidence against the Participant to whom the decision relates unless the Participant establishes that the decision violated the principles of natural justice.~~
- ~~4.5 The Hearing Panel shall be entitled to draw an inference adverse against any Participant who is accused of committing a Violation if that Participant fails to appear in front of the Hearing Panel if requested to do so a reasonable time in advance of the hearing, or fails to comply with any information request that has been submitted in accordance with these Rules.~~

#### ~~5. INVESTIGATING A BREACH~~

- ~~5.1 Any allegation or suspicion of a Violation of these Rules shall be reported to the International Sailing Federation for investigation and possible charge in accordance with this Rule 5~~
- ~~5.2 The International Sailing Federation may conduct an investigation into the activities of any Participant that it believes may have committed a Violation of these Rules and may appoint one or more Persons for this purpose. Such investigation may be conducted in conjunction with relevant competent national or international authorities (including criminal, administrative, professional and/or judicial authorities) and all Participants must co-operate fully with such investigations. The International Sailing Federation shall have discretion, where it deems it appropriate, to stay its own~~

~~investigation pending the outcome of investigations conducted by other competent authorities.~~

~~5.3 As part of any such investigation, if the International Sailing Federation reasonably suspects that a Participant has committed a Violation of these Rules, it may make a written demand to such Participant for information that is related to the alleged Violation and/or require the attendance of such Participant for interview, or a combination of the two. Any interview shall be at a time and place to be determined by the International Sailing Federation and the relevant Participant shall be given reasonable notice in writing of the requirement to attend. Interviews shall be recorded and the Participant shall be entitled to have legal counsel and an interpreter present.~~

~~5.4 By participation in a Competition, each Participant shall be deemed to have agreed for the purposes of applicable data protection laws and other laws, and for all other purposes, to have consented to the collection, processing, disclosure or any other use of information relating to his activities (including without limitation personal information) to the extent permitted under these Rules and shall confirm such agreement in writing upon demand.~~

## ~~6. ISSUING A NOTICE OF CHARGE~~

~~6.1 Where following an investigation the International Sailing Federation determines that there is a case for the Participant to answer under Rule 3, the International Sailing Federation shall issue the Participant with a written Notice of Charge setting out the following:~~

- ~~(a) The specific Violation(s) that the Participant is alleged to have committed;~~
- ~~(b) The facts upon which such allegation(s) are based;~~
- ~~(c) The range of sanctions applicable under the Rules for such Violations;~~
- ~~(d) Details relating to the Participant's response to the Notice of Charge within a specified deadline; and~~
- ~~(e) The Participant's right to have the matter determined by a hearing.~~

~~6.2 The Notice of Charge shall also specify that, if the Participant wishes to exercise his right to a hearing, he must submit a written request for a hearing so that it is received by the International Sailing Federation as soon as possible but in any event within 14 days of receipt of the Notice of Charge. The request must state how the Participant responds to the charge and must explain (in summary form) the basis for such response.~~

~~6.3 If the Participant fails to file a written request for a hearing by the specified deadline, he shall be deemed to have:~~

- ~~(a) waived his right to a hearing;~~
- ~~(b) admitted that he has committed the Violation(s) specified in the Notice of Charge; and~~
- ~~(c) acceded to the range of applicable sanctions specified in the Notice of Charge.~~

~~6.4 Where the Participant requests a hearing in accordance with Rule 6.2 the matter shall proceed to a hearing in accordance with Rule 7. Where the Participant is deemed to~~

~~have waived his right to a hearing and to have admitted the Violation(s) in accordance with Rule 6.3, any hearing held at the International Sailing Federation's discretion shall be limited to determining the applicable sanctions only.~~

~~6.5 In any case where the International Sailing Federation decides to charge a Participant with a violation under these Rules, he shall have discretion, in circumstances where he considers that the integrity of the sport could otherwise be seriously undermined, to provisionally suspend the Participant pending the relevant tribunal's determination of whether he has committed a Violation. A provisional suspension shall be effective from the date of notification to the Participant in accordance with these Rules. Alternatively, the Participant may accept a voluntary suspension from competition provided that it is confirmed in writing to the International Sailing Federation. A voluntary suspension shall be effective only from the date of receipt of the Participant's written confirmation of such to the International Sailing Federation.~~

~~6.6 A decision to impose a provisional suspension on a Participant shall not be subject to appeal.~~

~~6.7 If a Participant retires whilst a disciplinary procedure under these Rules is underway, the International Sailing Federation shall retain jurisdiction to complete the relevant procedure. If the Participant retires before any disciplinary procedure has begun, the International Sailing Federation shall nevertheless have jurisdiction to conduct the relevant procedure.~~

## ~~7. RIGHT TO A FAIR HEARING~~

~~7.1 Where the International Federation alleges that a Participant has committed a Violation of these Rules and the Participant denies the allegation and/or disputes the sanctions to be imposed for such Violation, then the matter shall be referred to a hearing before the Hearing Panel.~~

~~7.2 The Hearing Panel shall be the Disciplinary Commission acting in accordance with its established procedures.~~

~~7.3 The hearing process shall respect the following principles: a timely hearing, a fair and impartial Hearing Panel, the right to be represented by counsel (at the Participant's expense), the right to respond to the asserted anti-corruption rule violation and range of resulting sanction; the right of each party to present evidence, including the right to call and question witnesses (subject to the Hearing Panel's discretion to accept evidence by telephone or written submission), the Participant's right to an interpreter at the hearing (with the Hearing Panel to determine the identity and responsibility for the cost of the interpreter) and a timely, written reasoned decision specifically including an explanation of the reason(s) for the sanction imposed.~~

~~7.4 Once the parties have made their submissions, the Hearing Panel shall determine whether a Violation has been committed. Where the Hearing Panel determines that a Violation has been committed and these Rules specify a range of possible sanctions for such Violation, the Hearing Panel shall also fix the appropriate sanction within that range after considering any submissions on the subject that the parties may wish to make.~~

~~7.5 The Hearing Panel shall issue a decision in writing, with reasons, as soon as possible after the conclusion of the hearing. The decision will set out and explain:~~

- ~~(a) the Hearing Panel's findings as to whether any Violation has been committed;~~
- ~~(b) the Hearing Panel's findings as to what sanctions, if any, are to be imposed;~~

~~(c) the date that any period of ineligibility shall commence; and~~

~~(d) the rights of appeal described in Rule 9.~~

## ~~8. SANCTIONS~~

~~8.1 If the Hearing Panel decides that a Participant has committed a Violation, the Hearing Panel shall be entitled to impose the following Sanctions in accordance with this Rule 8.~~

### ~~8.2 Ineligibility~~

~~(a) The respective period of ineligibility set out in:~~

~~(i) Rule 3.1, shall be a minimum of 1 and a maximum of 24 months;~~

~~(ii) Rule 3.2, shall be a minimum of 1 and a maximum of 24 months;~~

~~(iii) Rule 3.3, shall be a minimum of 1 and a maximum of 24 months;~~

~~(iv) Rule 3.4, shall be a minimum of 1 and a maximum of 24 months; and~~

~~(v) Rule 3.5, shall be a minimum of 1 and a maximum of 24 months.~~

~~(b) The Hearing Panel shall have discretion to impose a period of ineligibility in accordance with the bands set out in Rules 8.2(a)(i) – (v). In imposing any period of ineligibility in accordance with this Rule 8.2, the Hearing Panel shall be entitled to consider whether any aggravating and/or mitigating factors (as described in Rule 8.6) should be taken into account.~~

~~(c) The period of ineligibility shall commence on the date the decision of the Hearing Panel is published and shall end on date stated in the published decision. The Hearing Panel may at its sole discretion reduce the period of ineligibility imposed by any period of provisional suspension already served by the Participant prior to the decision being reached.~~

~~(d) No Participant shall participate in any capacity in any Event or Competition during his period of ineligibility as imposed by the Hearing Panel [save that, if directly invited by the International Federation, an ineligible Participant may attend an Event in an educational capacity as part of anti-corruption program organised by the International Federation].~~

~~(e) If a Participant violates any prohibition on participation imposed in accordance with this Rule 8.2, such Participant shall be disqualified immediately from the relevant Event or Competition and the period of ineligibility originally imposed in accordance with these Rules shall recommence from the date of such violation.~~

~~(f) These Rules shall continue to apply to any ineligible Participant and any Violation committed during a period of ineligibility shall be treated as a distinct Violation and separate proceedings shall be brought against the Participant in accordance with these Rules.~~

### ~~8.3 Financial Sanctions – Reserved for future use~~

### ~~8.4 Disqualification of Results~~

~~(a) A violation of these Rules by a Participant automatically leads to disqualification of the result obtained by a boat of which the Participant is a crewmember in that Competition with all resulting consequences, including~~

~~forfeiture of any medals, points and prizes.~~

~~(b) If a Participant who is a crewmember of a boat, having a crew of more than three crewmembers on board, is found to have committed a violation of these Rules during an Event, the boat may be subject to such disciplinary action by the Hearing Panel as it deems appropriate, provided that the boat shall not be subject to any disqualifications or any other form of competitive penalty in such Event, unless there have been breaches of these Rules by more than one crewmember during such Event and the Hearing Panel is satisfied there has been a resulting material advantage to such boat in breach of Rules, or such breaches have been organized or condoned by other Participants being crewmembers of the boat or those charged with managing the boat and/or its crewmembers.~~

### **8.5 Reinstatement**

~~The Ethics Commission may reinstate the ISAF eligibility of a Participant who:~~

- ~~(a) applies for reinstatement;~~
- ~~(b) establishes substantial, changed circumstances justifying reinstatement; and~~
- ~~(c) has completed a minimum of 6 months suspension.~~

### **8.6 Aggravating and Mitigating Factors**

~~(a) In imposing a Sanction in accordance with this Rule 8, the Hearing Panel shall be entitled to consider the existence of any aggravating and/or mitigating factors.~~

~~(b) Aggravating factors which may be considered by the Hearing Panel shall include (without limitation and where applicable):~~

- ~~(i) a failure to co-operate by the Participant with any investigation or requests for information;~~
- ~~(ii) any previous Violations by the Participant;~~
- ~~(iii) the Participant receiving or being due to receive a significant Benefit in connection with the Violation;~~
- ~~(iv) the Violation having or having the potential to affect the course or result of an Event or Competition;~~
- ~~(v) the Participant displaying a lack of remorse (including, for example, refusing to take part in anti-corruption educational programs organised by the International Sailing Federation); and~~
- ~~(vi) any other aggravating factor the Hearing Panel deems relevant.~~

~~(c) Mitigating factors which may be considered by the Hearing Panel shall include (without limitation and where applicable):~~

- ~~(i) co-operation by the Participant with any investigation or requests for information;~~
- ~~(ii) a timely admission of guilt by the Participant;~~
- ~~(iii) the Participant's clean disciplinary record;~~
- ~~(iv) the youth or inexperience of the Participant;~~
- ~~(v) the Violation not having affected or not having the potential to affect the course or result of an Event or Competition;~~

- ~~\_\_\_\_\_ (vi) \_\_\_\_\_ the Participant displaying remorse (including, for example, agreeing~~  
~~\_\_\_\_\_ to take part in anti-corruption educational programs organised by the~~  
~~\_\_\_\_\_ International Sailing Federation); and~~
- ~~\_\_\_\_\_ (vii) \_\_\_\_\_ any other mitigating factor the Hearing Panel deems relevant.~~

## ~~9. RIGHT OF APPEAL~~

~~9.1 The following decisions made under these Rules may be appealed either by the International Sailing Federation or the Participant who is the subject of the decision exclusively to the Review Board in accordance with this Rule 9~~

- ~~(a) a decision that a charge of breach of these Rules should be dismissed on procedural or jurisdictional grounds;~~
- ~~(b) a decision that a Violation has been committed;~~
- ~~(c) a decision that no Violation has been committed;~~
- ~~(d) a decision to impose a Sanction, including a Sanction that is not in accordance with these Rules;~~
- ~~(e) a decision not to impose a Sanction;~~
- ~~(f) any other decision that is considered to be erroneous or procedurally unsound.~~

~~9.2 The time for filing an appeal to Review Board shall be twenty-one days (21) from the date of receipt of the decision by the appealing party.~~

~~9.3 Any decision and any Sanctions imposed shall remain in effect while subject to the appeal process, unless Review Board directs otherwise.~~

## ~~10. RECOGNITION OF DECISIONS~~

~~10.1 It shall be a condition of membership of the International Sailing Federation that all National Federations shall comply with, recognise and take all necessary and reasonable steps within their powers to enforce and give effect to these Rules and to all decisions and Sanctions imposed hereunder.~~

~~10.2 Final decisions of a Major Event Organisation in relation to a Participant that are within the Major Event Organisation's jurisdiction and based on the same or similar betting and anti-corruption rules as these Rules shall be recognised and respected by the International Federation upon receipt of notice of the same. Any disciplinary process, so far as determining a Participant's Sanction beyond the sanction imposed by the Major Event Organisation is concerned, shall be determined by the International Sailing Federation in accordance with these Rules.~~

## ~~11. STATUTE OF LIMITATIONS~~

~~11.1 No action may be commenced under these Rules against a Participant for a Violation of these Rules unless such action is commenced within eight (8) years from the date on which the Violation occurred.~~

~~11.2 Subject to Rule 11.1 above, the International Sailing Federation may temporarily suspend any investigations under the Rules to avoid prejudice to and/or to give precedence to, investigations conducted by the relevant authorities into the same or related matters.~~

~~12. AMENDMENTS AND INTERPRETATION~~

~~12.1 These Rules may be amended from time to time by the International Sailing Federation.~~

~~12.2 Betting and anti-corruption rules are, by their nature, competition rules governing the conditions under which the sport of sailing is to be held. They are not intended to be subjected to or limited by the requirements and legal standards applicable to criminal proceedings or employment matters. The policies and standards set out in these Rules as a basis for the fight against corruption in the sport of sailing represent a broad consensus of those with an interest in fair sport and should be respected by all courts and adjudicating bodies.~~

~~12.3 These Rules shall be interpreted as an independent and autonomous text and not by reference to existing law or statutes.~~

~~12.4 The headings and sub-headings in these Rules are for convenience only and shall not be deemed to be part of the substance of these Rules or to affect in any way the language of the provisions to which they refer.~~

~~12.5 The Definitions in Appendix 1 shall be considered an integral part of these Rules.~~

~~12.6 All references to the masculine gender in these Rules shall also include references to the feminine.~~

~~12.7 If any Rule or provision of these Rules is held to be invalid, unenforceable or illegal for any reason, it shall be deemed to be deleted and the Rules shall otherwise remain in full force and effect.~~

~~12.8 These Rules have come into full force and effect on 15 July 2012~~

## APPENDIX 5 – BETTING AND ANTI-CORRUPTION RULES

### 1. INTRODUCTION

ISAF has adopted these rules ("Rules") as a means of safeguarding the integrity of the sport of sailing by (i) prohibiting any conduct that may impact improperly on the outcome of its events and competitions and (ii) establishing a mechanism of enforcement and sanction for those who, through their corrupt conduct, place the integrity of the sport at risk.

### 2. DEFINITIONS

In addition to the definitions in ISAF Regulation In these Rules, the following terms have the following meanings:

- 2.1 "Athlete" means any athlete who participates or is selected to participate in an Event or Competition;
- 2.2 "Athlete Support Personnel" means any coach, trainer, manager, athlete representative, agent, team staff member, official, medical or para-medical personnel, family member or any other person employed by or working with an Athlete or the Athlete's Member National Authority participating in a Competition.
- 2.3 "Benefit" means the direct or indirect receipt or provision (as relevant) of money or money's worth (other than prize money and/or contractual payments to be made under endorsement, sponsorship or other contracts);
- 2.4 "Bet" means a wager of money or any other form of financial speculation;
- 2.5 "Betting" means making, accepting, or laying a Bet and shall include, without limitation, activities commonly referred to as sports betting such as fixed and running odds, totalisator/toto games, live betting, betting exchange, spread betting and other games offered by sports betting operators;
- 2.6 "CAS" means the Court of Arbitration for Sport in Lausanne, Switzerland;
- 2.7 "Competition" means an Event or series of Events conducted over one or more days under one or more organizing authorities;
- 2.8 "Event" means a single race, match or contest in the sport of sailing.
- 2.9 "Inside Information" means any information relating to any Competition or Event that a Participant possesses by virtue of his position within the sport. Such information includes, but is not limited to, factual information regarding the competitors, the conditions, tactical considerations or any other aspect of the Competition or Event, but does not include such information that is already published or a matter of public record, readily acquired by an interested member of the public or disclosed according to the rules and regulations governing the relevant Competition or Event;
- 2.10 "International Competition" means a Major or Recognised Event as defined by the ISAF Regulations or any other event designated as such by a Member National Authority.
- 2.11 "Member National Authority" has the meaning set out in Article 1.1 of the ISAF Constitution.
- 2.12 "Major Event Organisation" means any international multi-sport organisation that acts as the overall ruling body for any continental, regional or other International Competition.
- 2.13 "Participant" means any Athlete, Athlete Support Personnel, race official, delegate, commissioner, event official, national team or delegation member and any other accredited person;
- 2.14 "Person" shall include natural persons, bodies corporate and unincorporated associations and partnerships (whether or not any of them have separate legal personality);
- 2.15 "Sanction" means any sanction that ISAF has the right to impose in accordance with ISAF Regulation 35; and

2.16 "Violation" means a violation of these Rules as set out in Rule 4.

## 3. APPLICATION AND SCOPE

- 3.1 These Rules shall apply to all Participants who participate or assist in an International Competition and each Participant shall be automatically bound by, and be required to comply with, these Rules by virtue of such participation or assistance.
- 3.2 It shall be the personal responsibility of every Participant to make himself aware of these Rules including, without limitation, what conduct constitutes a Violation of the Rules and to comply with those requirements. Participants should also be aware that conduct prohibited under these Rules may also constitute a criminal offence and/or a breach of other applicable laws and regulations. Participants must comply with all applicable laws and regulations at all times.
- 3.3 Each Participant submits to the exclusive jurisdiction of ISAF to hear and determine any charges brought and to the exclusive jurisdiction of CAS to determine any appeal from any final decision made by ISAF.
- 3.4 Each Participant shall be bound by these Rules until a date six months following his last participation or assistance in a Competition. Each Participant shall continue to be bound by these Rules in respect of his participation or assistance in Competitions taking place prior to that date.
- 3.5 Member National Authorities shall use their best endeavours to assist ISAF in making immediate contact with the Participants on whom ISAF may wish to serve a notice under these Rules.

## 4. RULE VIOLATIONS

The following conduct shall constitute a Violation of these Rules (in each case whether effected directly or indirectly):

- 4.1 Betting:
  - (a) Participation in, support for, or promotion of, any form of Betting related to:
    - (i) an Event or Competition in which the Participant is participating; or
    - (ii) an event or competition that is taking place in another sport at an International Competition hosted by a Major Event Organisation in which the Participant is participating;and this includes Betting with another Person on the result, progress, outcome, conduct or any other aspect of such an Event or Competition).
  - (b) Inducing, instructing, facilitating or encouraging a Participant to commit a Violation set out in this Rule 4.1.
- 4.2 Manipulation of results:
  - (a) Fixing or contriving in any way or otherwise improperly influencing, or being a party to fix or contrive in any way or otherwise improperly influence, the result, progress, outcome, conduct or any other aspect of an Event or Competition.
  - (b) Ensuring or seeking to ensure the occurrence of a particular incident in an Event or Competition which occurrence is to the Participant's knowledge the subject of a Bet and for which he or another Person expects to receive or has received a Benefit.
  - (c) Failing in return for a Benefit (or the legitimate expectation of a Benefit, irrespective of whether such Benefit is in fact given or received) to perform to the best of one's abilities in an Event or Competition.
  - (d) Inducing, instructing, facilitating or encouraging a Participant to commit a Violation set out in this Rule 4.2.

**4.3 Corrupt Conduct:**

- (a) Accepting, offering, agreeing to accept or offer, an undue Benefit (or the expectation of a Benefit, irrespective of whether such Benefit is in fact given or received) to fix or contrive in any way or otherwise to influence the result, progress, outcome, conduct or any other aspect of an Event or Competition.
- (b) Inducing, instructing, facilitating or encouraging a Participant to commit a Violation as set out in this Rule 4.3.

**4.4 Inside Information:**

- (a) Using Inside Information for Betting purposes or otherwise in relation to Betting.
- (b) Disclosing Inside Information to any Person with or without Benefit where the Participant might reasonably be expected to know that its disclosure in the circumstances could be used in relation to Betting.
- (c) Inducing, instructing, facilitating or encouraging a Participant to commit a Violation set out in this Rule 4.4

**4.5 Other Violations:**

- (a) Any attempt by a Participant, or any agreement by a Participant with any other person, to engage in conduct that would culminate in the commission of any Violation of this Rule 4 shall be treated as if a Violation had been committed, whether or not such attempt or agreement in fact resulted in such Violation. However, there shall be no Violation under this Rule 4 where the Participant renounces his attempt or agreement prior to it being discovered by a third party not involved in the attempt or agreement.
- (b) Knowingly assisting, covering up or otherwise being complicit in any acts or omissions of the type described in Rule 4 committed by a Participant.
- (c) Failing to disclose to ISAF or other competent authority (without undue delay) full details of any approaches or invitations received by the Participant to engage in conduct or incidents that would amount to a Violation as set out in this Rule 4.
- (d) Failing to disclose to ISAF or other competent authority (without undue delay) full details of any incident, fact or matter that comes to the attention of the Participant that may evidence a Violation under this Rule by a third party, including (without limitation) approaches or invitations that have been received by any other party to engage in conduct that would amount to a Violation of this Rule.
- (e) Failing to cooperate with any reasonable investigation carried out by ISAF or other competent authority in relation to a possible breach of these Rules, including failing to provide any information and/or documentation requested by ISAF or competent authority that may be relevant to the investigation.

**4.6 The following are not relevant to the determination of a Violation of these Rules:**

- (a) Whether or not the Participant was participating, or a Participant assisted by another Participant was participating, in the specific Event or Competition;
- (b) The nature or outcome of any Bet in issue;
- (c) The outcome of the Event or Competition on which the Bet was made;
- (d) Whether or not the Participant's efforts or performance (if any) in any Event or Competition in issue were (or could be expected to be) affected by the acts or omissions in question;
- (e) Whether or not the results in the Event or Competition in issue were (or could be expected to be) affected by the acts or omissions in question.

**5. REPORTS CONCERNING VIOLATIONS**

- 5.1 Any report concerning a Violation (or alleged Violation) shall be made to the Chief Executive Officer. ISAF Regulation 35 shall then apply to the report. The Disciplinary Commission may investigate the report, conduct any relevant hearing and impose sanctions on a Participant for any proven Violations in accordance with Regulation 35.
- 5.2 ISAF may conduct an investigation into the activities of any Participant that it believes may have committed a Violation of these Rules and may appoint one or more Persons for this purpose. Such investigation may be conducted in conjunction with relevant competent national or international authorities (including criminal, administrative, professional and/or judicial authorities) and all Participants must co-operate fully with such investigations. ISAF shall have discretion, where it deems it appropriate, to stay its own investigation pending the outcome of investigations conducted by other competent authorities.
- 5.3 As part of any such investigation, if ISAF reasonably suspects that a Participant has committed a Violation of these Rules, it may make a written demand to such Participant for information that is related to the alleged Violation and/or require the attendance of such Participant for interview, or a combination of the two. Any interview shall be at a time and place to be determined by ISAF and the relevant Participant shall be given reasonable notice in writing of the requirement to attend. Interviews shall be recorded and the Participant shall be entitled to have legal counsel and an interpreter present.
- 5.4 By participation in a Competition, each Participant shall be deemed to have agreed for the purposes of applicable data protection laws and other laws, and for all other purposes, to have consented to the collection, processing, disclosure or any other use of information relating to his activities (including without limitation personal information) to the extent permitted under these Rules and shall confirm such agreement in writing upon demand.

## 6. DISQUALIFICATION OF RESULTS

- 6.1 Subject to Rule 6.2, a Violation of these Rules by a Participant automatically leads to disqualification of the result obtained by a boat of which the Participant is a crewmember in that Competition with all resulting consequences, including forfeiture of any medals, points and prizes.
- 6.2 If a Participant is a crew member of a boat having a crew of more than three crewmembers and he is found to have committed a Violation of these Rules during an Event or Competition, Rule 6.1 does not apply. Instead the boat may be subject to such disciplinary action by ISAF as it deems appropriate if there have been Violations of these Rules by more than one Participant who is a crew member of (or is associated with) the boat and ISAF is satisfied there has been a resulting material advantage to such boat in breach of these Rules, or such breaches have been organized or condoned by other Participants being crewmembers of the boat or those charged with managing the boat and/or its crewmembers.

## 7. RECOGNITION OF DECISIONS

- 7.1 Member National Authorities shall comply with, recognise and take all necessary and reasonable steps within their powers to enforce and give effect to these Rules and to all decisions and Sanctions imposed hereunder.
- 7.2 Final decisions of a Major Event Organisation in relation to a Participant that are within the Major Event Organisation's jurisdiction and based on the same or similar betting and anti-corruption rules as these Rules shall be recognised and respected by ISAF upon receipt of notice of the same. Any disciplinary process, so far as determining a Participant's Sanction beyond the sanction imposed by the Major Event Organisation is concerned, shall be determined by ISAF in accordance with these Rules.

~~ANNEXE 1~~~~DEFINITIONS~~

~~"Athlete" means any athlete who participates or is selected to participate in an Event or Competition;~~

~~"Athlete Support Personnel" means any coach, trainer, manager, athlete representative, agent, team staff member, official, medical or para-medical personnel, family member or any other person employed by or working with an Athlete or the Athlete's National Federation participating in a Competition.~~

~~"Benefit" means the direct or indirect receipt or provision (as relevant) of money or money's worth (other than prize money and/or contractual payments to be made under endorsement, sponsorship or other contracts);~~

~~"Bet" means a wager of money or any other form of financial speculation;~~

~~"Betting" means making, accepting, or laying a Bet and shall include, without limitation, activities commonly referred to as sports betting such as fixed and running odds, totalisator/toto games, live betting, betting exchange, spread betting and other games offered by sports betting operators;~~

~~"CAS" means the Court of Arbitration for Sport in Lausanne, Switzerland;~~

~~"Competition" means an Event or series of Events conducted over one or more days under one ruling body (e.g., World Championships).~~

~~"Event" means a single, race, match or contest.~~

~~"Hearing Panel" means the panel appointed by the International Federation to perform the functions assigned to it in these Rules.~~

~~"Inside Information" means any information relating to any Competition or Event that a Participant possesses by virtue of his position within the sport. Such information includes, but is not limited to, factual information regarding the competitors, the conditions, tactical considerations or any other aspect of the Competition or Event, but **does not include** such information that is already published or a matter of public record, readily acquired by an interested member of the public or disclosed according to the rules and regulations governing the relevant Competition or Event;~~

~~"International Competition" means International Events as otherwise defined in the Regulations.~~

~~"National Federation" means the member of the International Sailing Federation to which a Participant under these Rules is affiliated directly or through a club or another body affiliated to the member.~~

~~"Major Event Organisation" means any international multi-sport organisation that acts as the ruling body for any continental, regional or other International Competition.~~

~~"Participant" means any Athlete, Athlete Support Personnel, judge, referee, delegate, commissioner, jury of appeal member, competition official, National Federation team or delegation member and any other accredited person;~~

~~"Person" shall include natural persons, bodies corporate and unincorporated associations and partnerships (whether or not any of them have separate legal personality);~~

~~"Sanction" means any sanction that the Hearing Panel has the right to impose in accordance with Rule 8 of these Rules; and~~

~~"Violation" means a violation of these Rules as set out in Rule 3.~~