

1. Constitution Committee Recommendations to Council

This “yellow paper” is a summary of the recommendations made by the Constitution Committee to Council for its meetings of 14 and 15 May 2018.

Deferred Submissions

- 015-17 Olympic Sailing Competition - Selection of Equipment - Antimonopoly & Antitrust Compliance Policy - New Regulation 23.1.10**
Reporting Committee: Board
Other Committee: Constitution, Equipment
Opinion: Reject
Term “Antitrust Compliance Programme” is not defined. Does not appear to be in line with the Olympic Equipment Review Policy passed by Council in November 2017.
- 016-17 Olympic Sailing Competition - Selection of Equipment - Selection of a Registered Trade Mark - New Regulation 23.1.11**
Reporting Committee: Board
Other Committee: Constitution, Equipment
Opinion: Reject
The term “registered trade mark shall not be selected” is imprecise. Trade marks are not selected as equipment. The term “licensed free” is imprecise – trade mark licences often contain obligations back from the licensee which can be onerous (but necessary). This may not constitute being “free” under a strict interpretation.

Does not appear to be in line with the Olympic Equipment Review Policy passed by Council in November 2017.
- 019-17 2024 Olympic Sailing Competition - Timeframe to Decide Events & Equipment - Regulation 23.1**
Reporting Committee: Board
Other Committee: Constitution, Events, Equipment
Opinion: Reject
These changes have already been made by Council
- 031-17 World Sailing Constitution - Voting - New Article 102**
Reporting Committee: Constitution
Other Committee: Board
Recommendation to Council: Approve
The Committee has reconsidered this submission following its deferral by Council in November 2017. The concern raised at that time was that employees administering the secret ballot under new Article 102(g) could be overridden by the Board and required to disclose how votes were cast.

The Committee has considered this point, but considers that other measures (such as whistleblowing protection and ethics complaints) adequately protect staff from this remote possibility. Therefore the Committee considers that no amendments are needed and recommends the submission for approval.
- 034-17 Olympic Sailing Competition - AGM to Decide Olympic Events & Equipment - Regulations 6.6.3 & 23**
Reporting Committee: Constitution
Other Committee: Board, Events, Equipment
Recommendation to Council: Reject
The Committee does not comment on the overall political question of where Olympic level decisions should be taken within World Sailing.

However, the present submission should not be approved as it would change part of the Regulations without considering all the Regulations as whole on the relationship between the AGM, Council and the Committees. In addition, the Regulations concerning the AGM have not been amended by this submission and would need revision.

059-17 Olympic Sailing Competition - Selection of New Olympic Equipment – Regulations 23.1.3(e) & 23.1.5

Reporting Committee: Equipment

Other Committee: Board, Classes, Constitution

Opinion: Approve

Subject to policy.

083-17 Olympic Sailing Competition - Olympic Events and Equipment - Regulation 23.1.2

Reporting Committee: Events

Other Committee: Board, Constitution

Opinion: Approve with the following amendment

(e) ~~optimum size and weight of sailors for allocate~~ equipment ~~should be allocated~~ widely according to optimum size and weight of sailors to make sure all young athletes of different size and weight will be competitive

Subject to policy.

2018 Urgent Submissions

M01-18 World Sailing Regulations – Mandatory Reporting of Safety Incidents – New Regulation 38

Reporting Committee: Board

Other Committee: Constitution, Equipment, Oceanic & Offshore

Opinion: Approve with the following amendment

38.1 Member National Authorities, World Sailing Classes and Rating Systems shall report within 30 days to World Sailing any incident of which they ~~are become~~ aware and which:

(a) occurs at an event using the RRS;

(b) which falls within their jurisdiction; and

(c) falls within the scope of ~~the an incident R~~reporting ~~S~~system established by the Board from time to time.

M02-18 World and Continental Championships – Entry Quota for Olympic Classes

Reporting Committee: Board

Other Committee: Constitution, Events, Olympic Classes

Opinion: Approve with the following amendment

Swap the order of (iv) and (v)

2018 Regulation 23 Submissions

In all submissions under Regulation 23, the Committee refers to its Interpretation 002-18. Council should note that Interpretation and its implications for the selection of Equipment.

Notwithstanding the Interpretation, the Committee has considered all submissions and makes the following opinions. As per usual convention, the Committee expresses only its opinion on the technical wording of any submission and its compliance with the Regulations (i.e. “*Opinion: Approve*” does not mean the Committee is expressing an opinion on the merits of the Events or Equipment being proposed – only that the submission is compliant).

- M10-18 2024 Sailing Competition – Olympic Events & Equipment**
Reporting Committee: Events
Other Committee: Constitution, Equipment
Opinion: Approve
Subject to policy
- M11-18 2024 Sailing Competition – Olympic Events & Equipment**
Reporting Committee: Events
Other Committee: Constitution, Equipment
Opinion: Approve
Subject to policy
- M12-18 2024 Sailing Competition – Olympic Events & Equipment**
Reporting Committee: Events
Other Committee: Constitution, Equipment
Opinion: Approve
Subject to policy
- M13-18 2024 Sailing Competition – Olympic Events & Equipment**
Reporting Committee: Events
Other Committee: Constitution, Equipment
Opinion: Approve
Subject to policy
- M14-18 2024 Sailing Competition – Olympic Events & Equipment**
Reporting Committee: Events
Other Committee: Constitution, Equipment
Opinion: Reject
The proposal of “Mixed Two Person Dinghy – Retain” is not compliant with Regulation 23.1.3(c)(iv). The selection of a new Event must be followed by “New Equipment”.

The Committee would regard an amendment to change “Retain” to “New Equipment” as permissible and would make the submission compliant.
- M15-18 2024 Sailing Competition – Olympic Events & Equipment**
Reporting Committee: Events
Other Committee: Constitution, Equipment
Opinion: Reject
The proposal of “Mixed Two Person Dinghy – Retain” is not compliant with Regulation 23.1.3(c)(iv). The selection of a new Event must be followed by “New Equipment”.

The Committee would regard an amendment to change “Retain” to “New Equipment” as permissible and would make the submission compliant.

- M16-18 2024 Sailing Competition – Olympic Events & Equipment**
Reporting Committee: Events
Other Committee: Constitution, Equipment
Opinion: Approve
Subject to policy.
- M17-18 2024 Sailing Competition – Olympic Events & Equipment**
Reporting Committee: Events
Other Committee: Constitution, Equipment
Opinion: Reject
The proposal of “New Event - Mixed Two Person Dinghy – Retain” is not compliant with Regulation 23.1.3(c)(iv). The selection of a new Event must be followed by “New Equipment”.
- The Committee would regard an amendment to change “Retain” to “New Equipment” as permissible and would make the submission compliant.
- M18-18 2024 Sailing Competition – Olympic Events & Equipment**
Reporting Committee: Events
Other Committee: Constitution, Equipment
Opinion: Reject
The proposal of “New Event - Mixed Two Person Dinghy – Retain” is not compliant with Regulation 23.1.3(c)(iv). The selection of a new Event must be followed by “New Equipment”.
- The Committee would regard an amendment to change “Retain” to “New Equipment” as permissible and would make the submission compliant.
- M19-18 2024 Sailing Competition – Olympic Events & Equipment**
Reporting Committee: Events
Other Committee: Constitution, Equipment
Opinion: Reject
The proposal of “Mixed Two Person Dinghy - 470 – Retain 470” is not compliant with Regulation 23.1.3(c)(iv). The selection of a new Event must be followed by “New Equipment”.
- The Committee would regard an amendment to change “Retain 470” to “New Equipment”, and to delete the reference to 470 in the Event, as permissible and would make the submission compliant.
- M20-18 2024 Sailing Competition – Olympic Events & Equipment**
Reporting Committee: Events
Other Committee: Constitution, Equipment
Opinion: Approve
Subject to policy.
- M21-18 2024 Sailing Competition – Olympic Events & Equipment**
Reporting Committee: Events
Other Committee: Constitution, Equipment
Opinion: Reject
The proposals of “New Event – Mixed One Person Dinghy – Men Equipment – Retain” and “New Event - Mixed Two Person Dinghy – Retain” are not compliant with Regulation 23.1.3(c)(iv). The selection of a new Event must be followed by “New Equipment”.

The Committee would regard an amendment to change “Retain” to “New Equipment” as permissible and would make the submission compliant.

M22-18 2024 Sailing Competition – Olympic Events & Equipment

Reporting Committee: Events

Other Committee: Constitution, Equipment

Opinion: Reject

The proposals of “New Event – Mixed One Person Dinghy – Men Equipment – Retain” and “New Event - Mixed Two Person Dinghy – Retain” are not compliant with Regulation 23.1.3(c)(iv). The selection of a new Event must be followed by “New Equipment”.

The Committee would regard an amendment to change “Retain” to “New Equipment” as permissible and would make the submission compliant.

M23-18 2024 Sailing Competition – Olympic Events & Equipment

Reporting Committee: Events

Other Committee: Constitution, Equipment

Opinion: Reject

The proposals of “Men/Women’s Windsurfing Triathlon – RS:X Evolve” are not compliant with Regulation 23.1.3(c)(iv). The selection of a new Event must be followed by “New Equipment”.

The Committee would regard an amendment to change “RS:X Evolve” to “New Equipment” as permissible and would make the submission compliant.

M24-18 2024 Sailing Competition – Olympic Events & Equipment

Reporting Committee: Events

Other Committee: Constitution, Equipment

Opinion: Approve

Subject to policy.

M25-18 2024 Sailing Competition – Olympic Events & Equipment

Reporting Committee: Events

Other Committee: Constitution, Equipment

Opinion: Approve

Subject to policy.

M26-18 2024 Sailing Competition – Olympic Events & Equipment

Reporting Committee: Events

Other Committee: Constitution, Equipment

Opinion: Approve

Subject to policy.

M27-18 2024 Sailing Competition – Olympic Events & Equipment

Reporting Committee: Events

Other Committee: Constitution, Equipment

Opinion: Approve

Subject to policy.

M28-18 2024 Sailing Competition – Olympic Events & Equipment

Reporting Committee: Events

Other Committee: Constitution, Equipment

Opinion: Approve

Subject to policy.

- M29-18 2024 Sailing Competition – Olympic Events & Equipment**
Reporting Committee: Events
Other Committee: Constitution, Equipment
Opinion: Approve
Subject to policy.
- M30-18 2024 Sailing Competition – Olympic Events & Equipment**
Reporting Committee: Events
Other Committee: Constitution, Equipment
Opinion: Reject
The proposal of “Mixed Two Person Dinghy - 470 – Retain 470” is not compliant with Regulation 23.1.3(c)(iv). The selection of a new Event must be followed by “New Equipment”.
- The Committee would regard an amendment to change “Retain 470” to “New Equipment”, and to delete the reference to 470 in the Event, as permissible and would make the submission compliant.
- M31-18 2024 Sailing Competition – Olympic Events & Equipment**
Reporting Committee: Events
Other Committee: Constitution, Equipment
Opinion: Approve
Subject to policy.
- M32-18 2024 Sailing Competition – Olympic Events & Equipment**
Reporting Committee: Events
Other Committee: Constitution, Equipment
Opinion: Reject
The proposal of “Mixed Two Person Dinghy - 470 – Retain 470” is not compliant with Regulation 23.1.3(c)(iv). The selection of a new Event must be followed by “New Equipment”.
- The Committee would regard an amendment to change “Retain 470” to “New Equipment”, and to delete the reference to 470 in the Event, as permissible and would make the submission compliant.
- M33-18 2024 Sailing Competition – Olympic Events & Equipment**
Reporting Committee: Events
Other Committee: Constitution, Equipment
Opinion: Reject
The proposal of “Mixed Two Person Dinghy - 470 – Retain” is not compliant with Regulation 23.1.3(c)(iv). The selection of a new Event must be followed by “New Equipment”.
- The Committee would regard an amendment to change “Retain” to “New Equipment”, and to delete the reference to 470 in the Event, as permissible and would make the submission compliant.
- M34-18 2024 Sailing Competition – Olympic Events & Equipment**
Reporting Committee: Events
Other Committee: Constitution, Equipment
Opinion: Approve
Subject to policy.

- M35-18 2024 Sailing Competition – Olympic Events & Equipment**
Reporting Committee: Events
Other Committee: Constitution, Equipment
Opinion: Approve
Subject to policy.
- M36-18 2024 Sailing Competition – Olympic Events & Equipment**
Reporting Committee: Events
Other Committee: Constitution, Equipment
Opinion: Approve
Subject to policy.
- M37-18 2024 Sailing Competition – Olympic Events & Equipment**
Reporting Committee: Events
Other Committee: Constitution, Equipment
Opinion: Reject
The proposal of “New Event - Mixed Two Person Dinghy – Retain” is not compliant with Regulation 23.1.3(c)(iv). The selection of a new Event must be followed by “New Equipment”.
- The proposal of “High performance Men's One Person Dinghy” is a new Event and therefore the selection of “Retain” is not compliant with Regulation 23.1.3(c)(iv). The selection of a new Event must be followed by “New Equipment”.
- The Committee would regard amendments to change “Retain” to “New Equipment” as permissible and would make the submission compliant.
- M38-18 2024 Sailing Competition – Olympic Events & Equipment**
Reporting Committee: Events
Other Committee: Constitution, Equipment
Opinion: Approve
Subject to policy.
- M39-18 2024 Sailing Competition – Olympic Events & Equipment**
Reporting Committee: Events
Other Committee: Constitution, Equipment
Opinion: Reject
The proposal of “Men One Person Power Dinghy” is a new Event and therefore the selection of “Retain” is not compliant with Regulation 23.1.3(c)(iv). The selection of a new Event must be followed by “New Equipment”.
- The Committee would regard amendments to change “Retain” to “New Equipment” as permissible and would make the submission compliant.
- M40-18 2024 Sailing Competition – Olympic Events & Equipment**
Reporting Committee: Events
Other Committee: Constitution, Equipment
Opinion: Approve
Subject to policy.
- M41-18 2024 Sailing Competition – Olympic Events & Equipment**
Reporting Committee: Events
Other Committee: Constitution, Equipment
Opinion: Approve
Subject to policy.

- M42-18 2024 Sailing Competition – Olympic Events & Equipment**
Reporting Committee: Events
Other Committee: Constitution, Equipment
Opinion: Approve
Subject to policy.
- M43-18 2024 Sailing Competition – Olympic Events & Equipment**
Reporting Committee: Events
Other Committee: Constitution, Equipment
Opinion: Reject
The proposal of “Men One Person Power Dinghy - Retain” is a new Event and therefore the selection of “Retain” is not compliant with Regulation 23.1.3(c)(iv). The selection of a new Event must be followed by “New Equipment”.
- The Committee would regard amendments to change “Retain” to “New Equipment” as permissible and would make the submission compliant.
- M44-18 2024 Sailing Competition – Olympic Events & Equipment**
Reporting Committee: Events
Other Committee: Constitution, Equipment
Opinion: Approve
Subject to policy.
- M45-18 2024 Sailing Competition – Olympic Events & Equipment**
Reporting Committee: Events
Other Committee: Constitution, Equipment
Opinion: Approve
Subject to policy.
- M46-18 2024 Sailing Competition – Olympic Events & Equipment**
Reporting Committee: Events
Other Committee: Constitution, Equipment
Opinion: Approve
Subject to policy.
- M47-18 2024 Sailing Competition – Olympic Events & Equipment**
Reporting Committee: Events
Other Committee: Constitution, Equipment
Opinion: Reject
The proposal of “Mixed Two Person Dinghy – 470 - Retain” is not compliant with Regulation 23.1.3(c)(iv). The selection of a new Event must be followed by “New Equipment”.
- The proposal of “Retain (with the Event name changed to ‘Men’s One Person Offshore Power Dinghy’) - Retain” is a new Event and therefore the selection of “Retain” is not compliant with Regulation 23.1.3(c)(iv). The selection of a new Event must be followed by “New Equipment”.
- The Committee would regard an amendment to change “Retain” to “New Equipment”, and to delete the reference to 470 in the Event, as permissible and would make the submission compliant.
- M48-18 2024 Sailing Competition – Olympic Events & Equipment**
Reporting Committee: Events
Other Committee: Constitution, Equipment
Opinion: Approve
Subject to policy.

- M49-18 2024 Sailing Competition – Olympic Events & Equipment**
Reporting Committee: Events
Other Committee: Constitution, Equipment
Opinion: Approve
Subject to policy.
- M50-18 2024 Sailing Competition – Olympic Events & Equipment**
Reporting Committee: Events
Other Committee: Constitution, Equipment
Opinion: Reject
The proposal of “Mixed Two Person Dinghy – 470 – New Equipment* (*470)” is not compliant with Regulation 23.1.3(c)(iv). The selection of a new Event must be followed by “New Equipment”.
- The Committee would regard an amendment to change “Retain” to “New Equipment”, and to delete the reference to 470 in the Event, as permissible and would make the submission compliant.
- M51-18 2024 Sailing Competition – Olympic Events & Equipment**
Reporting Committee: Events
Other Committee: Constitution, Equipment
Opinion: Reject
The proposal of “Mixed Two Person Dinghy - 470 – Retain 470” is not compliant with Regulation 23.1.3(c)(iv). The selection of a new Event must be followed by “New Equipment”.
- The Committee would regard an amendment to change “Retain” to “New Equipment”, and to delete the reference to 470 in the Event, as permissible and would make the submission compliant.
- M52-18 2024 Sailing Competition – Olympic Events & Equipment**
Reporting Committee: Events
Other Committee: Constitution, Equipment
Opinion: Reject
The proposal of “Mixed Two Person Dinghy - 470 – Retain” is not compliant with Regulation 23.1.3(c)(iv). The selection of a new Event must be followed by “New Equipment”.
- The proposal of “Lightweight Women's One Person Dinghy – Zoom8” is not compliant with Regulation 23.1.3(c)(iv). The selection of a new Event must be followed by “New Equipment”.
- The Committee would regard an amendment to change “Retain” to “New Equipment”, and to delete the reference to 470 and Zoom8 in the Events, as permissible and would make the submission compliant.
- M53-18 2024 Sailing Competition – Olympic Events & Equipment**
Reporting Committee: Events
Other Committee: Constitution, Equipment
Opinion: Reject
The proposal of “Power Sailing Men - Retain” is a new Event and therefore the selection of “Retain” is not compliant with Regulation 23.1.3(c)(iv). The selection of a new Event must be followed by “New Equipment”.
- The Committee would regard an amendment to change “Retain” to “New Equipment” as permissible and would make the submission compliant.

- M54-18 2024 Sailing Competition – Olympic Events & Equipment**
Reporting Committee: Events
Other Committee: Constitution, Equipment
Opinion: Reject
The proposals of “New Event – Mixed One Person Dinghy – Men Equipment – Retain” is not compliant with Regulation 23.1.3(c)(iv). The selection of a new Event must be followed by “New Equipment”.
- The Committee would regard an amendment to change “Retain” to “New Equipment” as permissible and would make the submission compliant.
- M55-18 2024 Sailing Competition – Olympic Events & Equipment**
Reporting Committee: Events
Other Committee: Constitution, Equipment
Opinion: Reject
The proposals of “New Event – Mixed One Person Dinghy – Men Equipment – Retain” is not compliant with Regulation 23.1.3(c)(iv). The selection of a new Event must be followed by “New Equipment”.
- The Committee would regard an amendment to change “Retain” to “New Equipment” as permissible and would make the submission compliant.
- M56-18 2024 Sailing Competition – Olympic Events & Equipment**
Reporting Committee: Events
Other Committee: Constitution, Equipment
Opinion: Approve
Subject to policy.
- M57-18 2024 Sailing Competition – Olympic Events & Equipment**
Reporting Committee: Events
Other Committee: Constitution, Equipment
Opinion: Approve
Subject to policy.
- M58-18 2024 Sailing Competition – Olympic Events & Equipment**
Reporting Committee: Events
Other Committee: Constitution, Equipment
Opinion: Approve
Subject to policy.
- M59-18 2024 Sailing Competition – Olympic Events & Equipment**
Reporting Committee: Events
Other Committee: Constitution, Equipment
Opinion: Approve
Subject to policy.
- M60-18 2024 Sailing Competition – Olympic Events & Equipment**
Reporting Committee: Events
Other Committee: Constitution, Equipment
Opinion: Approve
Subject to policy.
- M61-18 2024 Sailing Competition – Olympic Events & Equipment**
Reporting Committee: Events
Other Committee: Constitution, Equipment
Opinion: Approve
Subject to policy.

- M62-18 2024 Sailing Competition – Olympic Events & Equipment**
Reporting Committee: Events
Other Committee: Constitution, Equipment
Opinion: Reject
The proposal of “Retain – Men’s One Person Power - Retain” is a new Event and therefore the selection of “Retain” is not compliant with Regulation 23.1.3(c)(iv). The selection of a new Event must be followed by “New Equipment”.
- The proposal of “Mixed Two Person Dinghy – Retain” is not compliant with Regulation 23.1.3(c)(iv). The selection of a new Event must be followed by “New Equipment”.
- The Committee would regard an amendment to change “Retain” to “New Equipment” as permissible and would make the submission compliant.
- M63-18 2024 Sailing Competition – Olympic Events & Equipment**
Reporting Committee: Events
Other Committee: Constitution, Equipment
Opinion: Reject
The proposal of “Mixed Windsurfer - Retain” is a new Event and therefore the selection of “Retain” is not compliant with Regulation 23.1.3(c)(iv). The selection of a new Event must be followed by “New Equipment”.
- The proposal of “Retain (with the Event name changed to ‘Men’s One Person Offshore Power Dinghy’) - Retain” is a new Event and therefore the selection of “Retain” is not compliant with Regulation 23.1.3(c)(iv). The selection of a new Event must be followed by “New Equipment”.
- The Committee would regard an amendment to change “Retain” to “New Equipment” as permissible and would make the submission compliant.
- M64-18 2024 Sailing Competition – Olympic Events & Equipment**
Reporting Committee: Events
Other Committee: Constitution, Equipment
Opinion: Reject
The proposal of “Retain (with the Event name changed to ‘Men’s One Person Offshore Power Dinghy’) - Retain” is a new Event and therefore the selection of “Retain” is not compliant with Regulation 23.1.3(c)(iv). The selection of a new Event must be followed by “New Equipment”.
- The Committee would regard an amendment to change “Retain” to “New Equipment” as permissible and would make the submission compliant.
- M65-18 2024 Sailing Competition – Olympic Events & Equipment**
Reporting Committee: Events
Other Committee: Constitution, Equipment
Opinion: Invalid
The submission does not state what the new events would be. In addition, the selection of a new Event must be followed by “New Equipment” under Regulation 23.1.3(c)(iv).
- This is not capable of being fixed by way of amendment. The submission is therefore invalid.

- M66-18** **2024 Sailing Competition – Olympic Events & Equipment**
Reporting Committee: Events
Other Committee: Constitution, Equipment
Opinion: Approve
Subject to policy.
- M67-18** **2024 Sailing Competition – Olympic Events & Equipment**
Reporting Committee: Events
Other Committee: Constitution, Equipment
Opinion: Approve
Subject to policy.
- M68-18** **2024 Sailing Competition – Olympic Events & Equipment**
Reporting Committee: Events
Other Committee: Constitution, Equipment
Opinion: Approve
Subject to policy.

Authenticated by email

Graham McKenzie
Chairman, Constitution Committee

2 May 2018