

GENERAL ASSEMBLY

A meeting of the General Assembly of the International Sailing Federation was held from 1430 – 1700 hours on Saturday 13 November at the Marriott Hotel, Copenhagen, Denmark



MINUTES

Present:

Paul Henderson – Chairman
HM King Harald V of Norway – ISAF President of Honour
HM King Constantine – ISAF President of Honour
George Andreadis – ISAF Officer
Fernando Bolin – ISAF Officer
Nucci Novi Ceppellini – ISAF Officer
David Kellett – ISAF Officer
Göran Petersson – ISAF Officer
Ken Ryan – ISAF Officer
James Schoonmaker – ISAF Officer
Brian Southcott – Honorary Treasurer (Non voting)
Arve Sundheim – Secretary General (Non voting)

Cor Van Aanholt (AHO)	Joan Martinez Benazet (AND)
Geoffrey Pidduck (ANT)	Maximo Rivero Kelly (ARG)
David Tillett (AUS)	Helmut Jakobowitz (AUT)
Jean Proot (BEL)	Timothy Patton (BER)
Sergey Horetski (BLR)	Harry Adler (BRA)
Kamen Fillyov (BUL)	David Sprague (CAN)
Jane Moon (CAY)	Cristian de la Maza (CHI)
Quanhai Li (CHN)	Francisco Castillo (COL)
Goranko Fizulic (CRO)	Isaac Zabicki (CUB)
Totos Theodossiou (CYP)	Karel Bauer (CZE)
Peer Bent Nielsen (DEN)	Hector Duval (DOM)
Octavio Jarrin (ECU)	Said Zada (EGY)
Fernando Pombo (ESP)	Toomas Toniste (EST)
Kurt Lonnqvist (FIN)	Jean-Pierre Champion (FRA)
Chris Atkins (GBR)	Dierk Thomsen (GER)
Antonis Dimitrakopoulos (GRE)	Keith Mowser (HKG)
George Wossala (HUN)	Ajay Balram (IND)
John Crebbin (IRL)	Birgir Ari Hilmarsson (ISL)
Dorith Stieler (ISR)	Nicholas Castruccio (ISV)
Sergio Gaibisso (ITA)	Judy Petz (IVB)
Chako Tobar (JPN)	William Sohn (KOR)
Maris Gailis (LAT)	Linas Tamkvaitis (LTU)
Jean-Jacques Gelhausen (LUX)	Ralph Nelles (MEX)
Anton Valentino (MLT)	Bernard d'Alessandri (MON)
Henri van der Aat (NED)	Stig Hvide Smith (NOR)

Joe Butterfield (NZL)
 Carlos Ribeiro Ferreira (POR)
 Abdulla Al Sulaiti (QAT)
 Ross Robson (RSA)
 Alain Alcindor (SEY)
 David Antoncic (SLO)
 Bjorn Unger (SWE)
 Michael Rostant (TRI)
 Nazli Imre (TUR)
 Sergiy Chornyy (UKR)
 Janet Baxter (USA)

Tomasz Holc (POL)
 Eric Tulla (PUR)
 Gheorge Constantin (ROM)
 Alexander Kotenkov (RUS)
 Teo Ping Low (SIN)
 Francisco Stockburger (SUI)
 Apiwat Srivardhana (THA)
 Addelkarim Derouiche (TUN)
 Barrie Harmsworth (UAE)
 Scott Perry (URU)
 Teresa Lara (VEN)

Delegates appointed but not present

Ait Ali Abdesslem (ALG)
 Hakim Elwaer (LBA)
 A R Arshad (PAK)

Robert Dunkley (BAH)
 Alexandr Denisiuc (MDA)

Prior to commencing the meeting, the Chair advised that in accordance with Article 43 a quorum was present, with 80 persons eligible to vote.

The President thanked the Danish Sailing Association, Dan Ibsen and Peer Bent Nielsen for all their support and help in organizing the Conference.

1. MINUTES OF THE PREVIOUS MEETING

The minutes of the General Assembly of 11 November 2000, having been circulated, were taken as read.

Decision

On a proposal by Totos Theodossiou, seconded by George Wossala, the General Assembly confirmed the minutes which were signed by the Chairman.

2. REPORTS

(a) President's Report

The President made a verbal report on the activities of the Federation since the previous General Assembly (see Appendix 1).

(b) Finance

(i) Decision

On a proposal by Maximo Rivero Kelly, seconded by Bjorn Unger the audited balance sheet and income and expenditure account of the International Sailing Federation (IOM) Limited for the period 1 January – 31 December 2003 were unanimously adopted.

(ii) A financial report from the Treasurer was received, and there being no questions was formally noted.

- (iii) Re-appointment of Auditors

Decision

On a proposal by Joe Butterfield, seconded by Teo Ping Low, haysmacintyre of Southampton House, 317 High Holborn, London WC1V 7NL, United Kingdom were unanimously re-elected as auditors to the company to hold office until the conclusion of the next Annual General Meeting.

- (iv) Renumeration of the Auditors

Decision

On a proposal by Joe Butterfield, seconded by Kamen Fillyov the Executive Committee were unanimously authorised to fix the remuneration of the auditors.

3. REVIEW

- (a) Subscription Categories

The current subscription categories and rates for Member National Authorities, International and Recognised Classes and Affiliate members and the policy that there be no increase until January 2006 was noted.

Member National Authorities

Category 6	£11,797
Category 5	£ 9,437
Category 4	£ 4,719
Category 3	£ 1,036
Category 2	£ 546
Category 1	£ 50
Associate	£ 25

Decision

On a proposal by Ross Robson, seconded by Tomasz Holc, the Member National Authority Subscription Fees were unanimously approved.

International and Recognized Classes

Subscription	£ 150
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Decision

On a proposal by Hector Duval, seconded by Maximo Rivero Kelly, the ISAF Classes Subscription Fees were unanimously approved.

Affiliate Members

Subscription	£ 157.50
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Decision

On a proposal by George Wossala, seconded by Ajay Balram the Affiliate Members Subscription Fees were unanimously approved.

(b) Membership Applications

The following applications were noted:

Full Membership

Azerbaijan

Former Yugoslav Republic of Macedonia

Kazakhstan (approved during the Council Meeting 12-13 November 2004)

Kenya (back from Associate Member in June 2004)

Lebanon (back from Associate Member in June 2004)

Samoa

Solomon Islands

Associate Members

Federated States of Micronesia

Lebanon

Yugoslavia

Affiliate Members

International Foundation for Disabled Sailing

European Sailing Association (approved during the Council Meeting 12-13 November 2004)

Decision

On a proposal by Carlos Ribeiro Ferreira, seconded by Barrie Harmsworth, the applications were unanimously approved.

(c) ISAF Championships

The General Assembly received a paper by the Secretary General and noted the proposed programme of ISAF World Championships:

DATE	EVENT	VENUE	STATUS
2005			
TBA	ISAF Youth Sailing World Championship	Pusan, Korea	Approved
TBA	ISAF Women's Match Racing World Championship	TBA	Still open (bids invited)
TBA	ISAF Match Racing World Championship	TBA	Bid Received from Spain
TBA	ISAF Team Racing World Championship	Rhode Island, USA	Approved
2006			
TBA	ISAF World Sailing Games	Austria	Approved
TBA	ISAF Youth Sailing World Championship	Weymouth, Great Britain	Approved
TBA	ISAF Women's Match Racing World Championship	TBA	Still open (bids invited)
TBA	ISAF Match Racing World Championship	TBA	Bid Received from Switzerland

TBA	ISAF Offshore Team Racing World Championship	TBA	Still open (bids invited)
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2007

TBA	ISAF Sailing World Championships	Cascais, Portugal	Approved
TBA	ISAF Youth Sailing World Championship	TBA	Bid received from San Diego, USA
TBA	ISAF Women's Match Racing World Championship	TBA	Still open (bids invited)
TBA	ISAF Match Racing World Championship	TBA	Still open (bids invited)
TBA	ISAF Team Racing World Championship	TBA	Bids received from India and Great Britain

2008

TBA	ISAF Youth Sailing World Championship	TBA	Still open (bids invited)
TBA	ISAF Women's Match Racing World Championship	TBA	Still open (bids invited)
TBA	ISAF Match Racing World Championship	TBA	Still open (bids invited)
TBA	ISAF Offshore Team Racing World Championship	TBA	Still open (bids invited)

TBA – To be advised

(d) ISAF Regulations

The General Assembly received a report of Regulations approved by Council since the last Ordinary Meeting of the General Assembly.

Decision

On a proposal by Tomasz Holc, seconded by Nazli Imre, the amended ISAF Regulations were unanimously approved. (See Appendix 2)

4. ISAF ARTICLES

(a) Submission 006-04

The General Assembly considered the Submission and noted that the Council approved submission 006-04 with the amendment to “chairman” not “chair” in 46.1 (iv).

Decision

On a proposal duly seconded, Submission 006-04 with the above amendment was unanimously approved.

(b) Submission 008-04

The General Assembly considered the Submission and noted that the Council approved submission 008-04 with the inclusion of the following additional clause to be numbered 52 (iii).

- (ii) Decisions on equipment under Regulation 16.1.1 (d) require 75% of the votes cast.

Decision

On a proposal by John Crebbin, seconded by Fernando Pombo, Submission 008-04 with the above amendment was unanimously approved.

(c) Submission 009-04

The General Assembly received Submission 009-04 and noted that it had previously been approved by Council.

Decision

On a proposal by Eric Tulla, seconded by Kamen Fillyov, Submission 009-04 was unanimously approved.

(d) Submission 011-04

The General Assembly considered the Submission and noted that the Council approved submission 011-04 with the inclusion of the following amendment to clause 81(c) and an additional clause to be numbered 81(d).

- (c) **Concerning the competitor's ISAF or other eligibility under the interpretation of the Constitution, By-laws, Regulations, Rules, governing document of any kind made, adopted or acknowledged by any governing body or authority in respect of**
- (i) **any Special Event as defined in the definition section of the ISAF Regulations, and**
 - (ii) **without limiting the generality of sub-section 2 above, Events of Classes as defined in the definition section of the ISAF Regulations**
- (d) **any appeal which an ISAF Race Official or ISAF Representative is entitled to make under Regulation 51.**

Decision

On a proposal by David Tillett, Seconded by Tim Patton, Submission 011-04 with the additional amendments was unanimously approved.

(e) Approved Changes

The General Assembly considered the changes to the Articles as previously approved by Council.

Decision

The changes to the Articles, as previously approved by Council, were unanimously approved. (See Appendix 3).

5. ELECTION

Before proceeding the President advised delegates of the procedure to be followed in the elections. The President turned the chair of the meeting over to the Chairman of the Election Committee for the elections. Electronic voting, scrutinised by the Election Committee was undertaken to elect the President and the 7 Vice-Presidents.

(a) The President

The President candidates eligible for election were noted as:

Fernando Bolin (ESP)
Sadi Claey's (BEL)
Göran Petersson (SWE)

After the first ballot as no candidate had achieved more than 50% of the vote, the Chairman of the Election Committee advised that the run off ballot would be between Sadi Claey's and Göran Petersson.

Decision

After the run off ballot, His Majesty King Constantine announced the elected President for the 2004-2008 term:

Göran Petersson (SWE) 57%

(b) The Vice-Presidents

The Vice-President candidates eligible for election were noted as:

George Andreadis (GRE)
Fiona Barron (GBR)
Nucci Novi Ceppellini (ITA)
David Kellett (AUS)
Fiona Kidd (CAN)
David Irish (USA)
Teresa Lara (VEN)
Teo Ping Low (SIN)
Maximo Rivero Kelly (ARG)
Bernhard Stegmeier (SUI)

Ballots 1-6 were held with one candidate in each ballot receiving more than 50% of the vote. During ballot 7 no candidate received more than 50% of the vote and there was a 3 way tie for 2nd place. The chairman of the Election Committee confirmed the run off ballot would be held between all remaining candidates. A subsequent run off ballot was held between 3 of the remaining candidates.

Decision

After the run off ballot, His Majesty King Constantine announced the elected Vice-Presidents for the 2004-2008 term:

Vote 1	George Andreadis	82.5%
Vote 2	Fiona Barron	73.8%
Vote 3	David Irish	59.7%
Vote 4	David Kellett	77.5%
Vote 5	Teresa Lara	62.3%
Vote 6	Teo Ping Low	74.0%
Vote 7	Nucci Novi Ceppellini	54.4%

6. NOMINATED MEMBERS OF THE NEW COUNCIL

The General Assembly noted the appointed members of the new Council:

Group A	United Kingdom and Ireland (2 seats) Chris Atkins (GBR) John Crebbin (IRL)
Group B	Central Europe (2 seats) Helmut Jakobowitz (AUT) Dierk Thomsen (GER)
Group C	East Europe (2 seats) Kamen Fillyov (BUL) Tomasz Holc (POL)
Group D	South Europe (3 seats) Jean-Pierre Champion (FRA) Sergio Gaibisso (ITA) Nazli Imre (TUR)
Group E	Iberian Peninsula (1 seat) Gerardo Pombo (ESP)
Group F	Low Countries (1 seat) Henri van der Aat (NED)
Group G	Scandinavia (2 seats) Kim Andersen (DEN) Carin Hildebrand (SWE)
Group H	Euro Asia (1 seat) Alexander Kotenkov (RUS)
Group I	Africa and Middle East (1 seat) Saeed Hareb (UAE)
Group J	East Asia (2 seats) Quanhai Li (CHN) Takao Otani (JPN)
Group K	South and Central Asia (1 seat) Ajay Balram (IND)
Group L	South West Pacific (2 seats) Joe Butterfield (NZL) David Tillett (AUS)
Group M	South and West South America (1 seat)

Group N	Maximo Rivero Kelly (ARG) Central and East South America (1 seat) Harry Adler (BRA)
Group O	North South America, Central America, Caribbean (2 seats) Jane Moon (CAY) Eric Tulla (PUR)
Group P	North America (3 seats) Charley Cook (USA) Cory Sertl (USA) David Sprague (CAN)
Group Q	Africa – South of the Sahara (1 seat) Ross Robson (RSA)
International Classes Representative Women's Representative Offshore Representative	Jeff Martin (GBR) To be appointed Philip Tolhurst (GBR)

7. DATE OF THE NEXT MEETING

Decision

It was agreed that the next ordinary meeting of the General Assembly will take place on the last Saturday of the Conference in November 2008.

8. ANY OTHER BUSINESS

(a) Presentation to retiring Executive Committee

The President made a presentation to Fernando Bolin, Ken Ryan and Ding Schoonmaker as retiring members of the Executive Committee.

(b) ISAF Gold Medal

Fernando Bolin and Sadi Claeys were each presented with an ISAF Gold Medal in recognition of their outstanding voluntary contribution to the sport of sailing.

(c) Danish Sailing Association

The ISAF President presented the Danish Sailing Association with a gift of thanks and appreciation in hosting the 2004 ISAF November Conference.

(d) Thanks

The new President expressed words of thanks to Paul Henderson as the retiring President and congratulated the new Executive Committee. He also thanked the Election Committee.

There being no further business, the meeting of the General Assembly was closed.

APPENDIX 1 – President's Report

Every four years it is the responsibility of the President at the General Assembly to report on the major issues that have been addressed over the previous term, 2000-2004. This will be the last time that I will have that responsibility. I trust that history will record our chapter in ISAF history in a very positive way. Sometimes it has been uncomfortable, as the more conservative amongst us resist entering into a new environment and unwilling to respond for the good of the whole world of sailing. Of course we have not always made the right decision but I can't remember which ones were wrong.

I feel that together we have tackled the structure of the sport and ISAF has endeavoured to continue to put in place a total service to the sport. The Advertising Code and the Eligibility Code have been revised. ISAF Sailor and the ISAF Sailor Classification Code have been introduced. Commerce has realised that the mainsail of the yacht is a very positive marketing tool and this has increased the number of professional sailors and in particular the amount of oceanic racing. It has also helped to give the sailors greater public exposure. ISAF has revised its programme of major events, encouraged and encouraged ISAF graded events and has even more sailors on the ISAF world ranking lists than before. We have introduced the ISAF Sailing World Championships which is the pinnacle event for Olympic classes and will continue to grow and improve an importance in global recognition. Race management, judging and umpires have even higher standards. Qualifications are continually reviewed and an ever expanding educational programme is in place around the world.

Olympic Games - During my term I have had the challenge to be involved in the 1996, 2000 and 2004 Olympic Regattas. Every four years, twenty eight Olympic International Federations are challenged across all technical aspects of their sport to ensure that the games are a success. Athens was a very difficult situation for most sports especially with the lateness of the delivery of venues. They were also worried about the transportation and I can tell you anybody who was in Athens, why did they worry, it was great. The climate was outstanding and other issues are well documented. The fact that Athens 2004 is considered an overwhelming success by the athletes and TV audiences is really all we should think about. Sailing was fortunate that our marina was excellent, and it was finished well before the Games. The ISAF demands that sailing have two test events put the heat on the organizers to focus on our sport and they did. I personally believe that sailing has provided the most profitable venue for Athens that will leave a great legacy to the citizens of Greece for a long time, the same that we left in Barcelona. The marina has totally revitalized the derelict land on the waterfront and has left a legacy that will be profitable for decades. I would like to congratulate all those who gave so selflessly of their time to show case sailing to the world. Congratulations to our Greek friends who were so willing and able to host the world and it was mostly rewarding to see our President of Honour, HM King Constantine, back in Greece. Sir it was great for all of us. Thank you.

Finances - Our finances are in very good shape, prudently managed and with a proper foundation we are in another world from that of ten years ago. However, that means we do not have money to burn and the same prudent cost benefit approach has to continue. Again I am pleased to announce that ISAF has operated in another four year cycle under the budgets that were approved in 2000 which is due to the diligence of the staff lead by Arve Sundheim.

I must tell you story. I wrote a very nice letter to His Majesty King Harold in 1994 and I said I think it would be prudent if Arve Sundheim applied to be Secretary General of ISAF. I got back the rudest letter ever written by any person of such royal statue. He says you must not steal that man, you will ruin Norwegian yachting, this is terrible, keep your hands off Arve Sundheim. So I wrote back, "Dear Sir, that is the greatest recommendation that I could ever possibly have". Thank you for endorsing Arve. And he wrote back and said "damn it, I know I shouldn't have done that". This was a great honour for Norway because Arve became the first Norwegian ever to be Secretary General of an Olympic International Federation. Arve, you lived up to everything we ever hoped. Thank you very much.

The ISAF share of television rights from Athens has not yet been finalized but we have received 45% of it. It has now been guaranteed that we will get \$6,480,000 from Athens, and I think it shows how important it is to us.

Communication - ISAF continues to expand and upgrade its communication capabilities which allows ISAF to directly inform and react to the needs of sailors. The internet is the perfect tool for ISAF. During the Olympics, the first day was so great that our server crashed.

Connect Sailing - This is a very exciting initiative for ISAF led by Luissa. With Luissa, Tim Coventry, Rob Carr and Malav Schroff, I am sure it will be a great success. Connect to Sailing has its overriding goal to revitalise grass roots participation in all categories outside of a lead activity and puts sailing firmly back into growth with a focus on youth.

However, ISAF cannot undertake this task by itself and recognises the way forward is for the sport and industry to connect together. Connect Sailing is the initiative by which it enables ISAF to partner with the stakeholders and the sport, member national authorities, marine industry, media, government and non government organisations. Sailing is a lifetime sport and it is part of ISAF's mandate to ensure as many people as possible have the opportunity to participate and benefit from our sport. ISAF will continue to expand this programme, Connect Sailing ambassadors have been appointed and will be working with the strategy group to develop the projects long term plan.

ISAF Sailors - The registration of sailors with all the benefits have now reached over 20,000. The work of the ISAF Sailor Classification Committee has been very well accepted and there have been less than 100 challenges out of the 20,000 all done on the internet. This is becoming very important to sailing as more and more events use it.

ISAF Staff - In today's world of constantly transient staff, it is encouraging to see that the ISAF senior staff have been so dedicated to serving sailing and have *reigned* for such an extended period of time. I must specifically point Simon Forbes, Jerome Pels, Luissa Smith and Arve Sundheim. They have served us well and I personally could not have got through the last ten years without them.

Finally I wish to remark on the willing help and support which has been given by you, the Member National Authorities many of which I have visited, especially the smaller nations I have enjoyed so much. The ISAF classes and other international organizations but my particular thanks go to all the committee members and chairman, unsung heroes all of them. Again my sincere thanks to the Council and colleagues on the Executive

Committee you have all combined to bring about the changes which I have briefly described, you can all be proud of what you have done.

It only remains to elect the next group. Thank you very much.

APPENDIX 2 - General Assembly Minute 3(d) – Regulations changed since last General Assembly

2001 Mid-Year Meeting of Council

Submission 166-00 – Regulation 51 (Old Regulation 18) – Misconduct of ISAF Race Officials and ISAF Representatives

2001 November Meeting of Council

Submission 002-01 – Regulation 6.8 – Appointment of Committee Members

Submission 004-01 – Regulation 43.1.1 and 43.7 – International Regulations Commission

Submission 005-01 and 124-01 – Regulation 21.1.1, 21.1.4, 21.1.5, 21.1.6, 21.1.7 and 21.1.8 – Anti-Doping Code

Submission 012-01 – Regulation 18.2.1, 18.10 and 18.11 – ISAF and Other Events

Submission 051-01 – Regulation 18.12.2 – ISAF and Other Events

Submission 052-01 – Regulation 3.6 – International Umpires Administration

Submission 053-01 and 054-01 – Regulation 31.3 – Racing Rules Administration

Submission 104-01 – Regulation 31.2 – Racing Rules Administration

Submission 110-01 – Regulation 19.3 – Eligibility Code

Submission 116-01 – Regulation 20.6.1 – Advertising Code

Council Meeting Minute 6(r)(i) – New Regulation 41 – Commissions – Generally

Council Meeting Minute 6(r)(iii) – Regulation 1.5.1 and 1.5.2 – Notices and Submissions

2002 Mid-Year Meeting of Council

Submission M02-02 – Regulation 34.4.1 – International Umpires Administration

Council Meeting Minute 11 – Regulations 15.4, Empirical Handicap Committee, 15.9, International Regulations Sub-Committee, 15.16, Oceanic Sub Committee, 15.17, Offshore Committee, 15.18, Offshore One-Design Sub-Committee, 15.25 Special Regulations Sub-Committee

Council Meeting Minute 6 – Regulation 18 – ISAF and Other Events

2002 November Meeting of Council

Submission 001-02P – New Regulation 4 – Application of English Law

Submission 002-02P – Definitions – New Definitions Section

Submission 008-02P – Regulation 1.5.1, 1.14 and 1.15 – Notices and Submissions

Submission 009-02P – Regulation 1.6 – Notices and Submissions

Submission 010-02P – Regulation 2.31, 2.32 and 2.33 – ISAF Membership – ISAF Full Members and ISAF Associate Members

Submission 011-02P – Regulation 2.29 – ISAF Membership – ISAF Full Members and ISAF Associate Members

Submission 013-02P – Regulation 2.36 – ISAF Membership – ISAF Full Members and ISAF Associate Members

Submission 017-02P – Regulation 15.17.3 – Offshore Committee

Submission 018-02P – Regulation 15.26.6 – Team Racing Sub-Committee

Submission 020-02P – Regulation 17.3.4 – ISAF Events

Submission 021-02P – Regulation 18.12.2 – ISAF and Other Events

Submission 022-02P, 023-02P, 024-02P – Regulation 18.12.3 – ISAF and Other Events

Submission 024-02P – Regulation 18.14 – ISAF and Other Events

Submission 026-02P – Regulation 19.2 – Eligibility Code

Submission 029-02P – Regulation 20.3 – Advertising Code

Submission 031-02P – Regulation 20.4.4 – Advertising Code

Submission 033-02P – Regulation 21.2.8 – Anti-Doping Code
Submission 034-02P – Regulation 21.3.4 – Anti-Doping Code
Submission 035-02P – New Regulation 24 – ISAF World Sailing Rankings
Submission 036-02P – New Regulation 18.13 – Appointment of Technical Delegates in International Events
Submission 038-02P – Regulation 41.5 – Commissions – Generally
Submission 052-02P – Regulation 16.1.1 – Olympic Regatta
Submission 073-02P – Regulation 26.2.1 – ISAF International and Recognized Classes
Submission 074-02P – Regulation 26.2.1 – ISAF International and Recognized Classes
Submission 077-02P – New Regulation 28 – ISAF International or Recognized Rating Systems
Submission 086-02P – Regulation 33.5 – International Judges Administration
Submission 087-02P – Regulation 34.4.2 – International Umpires Administration
Submission 089-02P – Regulation 34.5 – International Umpires Administration
Submission 091B-02P – Regulation 26.10 – ISAF International and Recognized Classes
Council Meeting Minute 9(a)(iv) – New Regulation 44 – Olympic Advisory Commission
Council Meeting Minute 9(d)(i) – Regulation 18.16 – ISAF and Other Events

2003 Mid-Year Meeting of Council

Submission 014-02P – Regulation 6.10.1 – Appointment of Committee Members
Submission 058-02P – New Regulation 17.2.1 – ISAF Youth Sailing World Championship
Submission 087-02P – Regulations 33.4.2, International Judges Administration, 35.4.2 International Measurers Administration and 36.5.2 International Race Officers Administration
Council Meeting Minute 10(a)(ii) – Regulation 15.18 – Offshore One-Design Committee
Council Meeting Minute 13(a)(ii) – Regulation 15.4 – Empirical Handicap Sub-Committee

2003 November Meeting of Council

Submission 006-03 – Definitions - Oceanic
Submission 007-03 – Regulation 1.1 and 1.4 – Notices and Submissions
Submission 0008A-03 – Regulation 1.6 – Notices and Submissions
Council Minute 2(a)(ii)d – Regulation 19.5.5 – Eligibility Code
Council Minute 2(a)(ii)e – Regulation 19.7 – Eligibility Code
Submission 011-03 – Regulation 6.15 – Appointment of Committee Members
Submission 018-03 – Regulation 15.25.6 – Special Regulations Sub-Committee
Submission 021-03 – Regulation 43.7 – International Regulations Commission
Council Minute 3(a)(xxi) – Regulation 6.2 – Appointment of Committee Members
Council Minute 3(a)(xxxiv) – New Regulation 2.33 – ISAF Membership – ISAF Full Members and ISAF Associate Members
Submission 048-03 – Regulation 16.4, 16.15 and 26.14 – Olympic Regatta
Submission 056-03 – Regulation 17.2.10 – ISAF Events
Submission 057-03 – Regulation 17.5.5 – ISAF Events
Submission 071-03 – Regulation 18.12.2 – ISAF and Other Events
Submission 072-03 – Regulation 18.13.8 – ISAF and Other Events
Submission 032-02 – Regulation 20.8 – Advertising Code
Submission 169-03 – Regulation 20.2.3 – Advertising Code
Submission 170-03 – Regulation 20.3.2 – Advertising Code
Submission 171-03 – Regulation 20.4.3 and 20.10 – Advertising Code
Submission 172-03 – Regulation 26.10.3 and 26.10.6 – ISAF International and Recognized Classes

Submission 187-03 – Regulation 26.2.1 – ISAF International and Recognized Classes

Submission 208-03 – Regulation 26.11.1 – ISAF International and Recognized Classes

2004 Mid-Year Meeting of Council

Submission 049-03 – Regulation 18.15.2 and 24.2.2 – ISAF and Other Events

Submission 004-03 – Definitions - Continents

Submission 010-03 0 Regulation 6 – Appointment of Committee Members

Submission 012-03 – Regulation 7.2 – Election of President and Vice-Presidents

Submission 014-03 – Regulation 8.2 – Representation on Council

Submission 009-03 – Definitions – Events, Graded

Submission 057-03 – Regulation 17.3.4 and 17.3.5 – ISAF Events

Submission 071-03 – Regulation 18.12.2 – ISAF and Other Events

Submission 027A-02 – New Regulation 5 – Exhaustion of Administrative Remedies

Submission 168-03 – Regulation 20.2 – Advertising Code

Submission 182-03 – Regulation 22.3 – ISAF Sailors' Classification Code

Submission 065-03 – Regulation 18.16 – ISAF and Other Events

Submission 003-03 – Regulation 4.4 – Application of English Law

Submission 003-03 – Regulation 31.3 – Racing Rules Administration

Submission 066A-03 – Regulation 18.12 – ISAF and Other Events

Submission 020-03 – New Regulation 45 – Olympic Classes Commission

Executive Committee Recommendation – America's Cup Skipper Points

Executive Committee Recommendations – Regulation 33 – International Judges

Administration, 34 – International Umpires Administration, 35 – International Measurers

Administration, 36 – International Race Officers Administration

APPENDIX 3 - General Assembly Minute 4(e) - Changes to ISAF Articles

2001 November Meeting of Council

Submission 107-01 - Articles 19-25

To delete Articles 19-25 from the ISAF Constitution.

That Articles 19-25 be left as reserved numbers

Submission 125-01 - Article 36

The validity, construction and performance of the ISAF Constitution Committee and Regulations and any other rules and regulations made in pursuance thereof shall be governed by English Law, excluding choice of law provisions.

It was noted that the above proposed wording would be a clarification of Article 36.

2002 November Meeting of Council

Submission 001-02 - to be included in the appropriate place in the Articles

Any Disputes relating to the validity or construction of the ISAF Constitution or Regulations or any other rules or regulations made there under (together, the 'ISAF Regulations'), and any disputes relating to the application of the ISAF Regulations or the exercise of powers there under, 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.

Submission 004-02 - Article 36

..... All official ISAF English texts should be edited to comply with what is known as “Plain English” in the United Kingdom.

Submission 005-02 - Article 52

..... Voting shall be by show of hands or electronic voting system as determined by the Chairman unless. The Chairman or three members present may shall request the holding of a secret ballot. In the event of a secret ballot by electronic voting, the Chairman of the Constitution Committee shall verify that individual votes are not recorded.

Submission 007-02 - Articles 5(vi) and 7

Amend Article 5(vi)(a) as follows:

ISAF Member – any individual who is a member of Council, an Officer or Officer of Honour, a member of any committee, **working party** or commission of ISAF, or any ISAF race official or representative.

Amend Article 7 as follows:

It shall be the obligation of a Full Member, Associate Member **and** ISAF Member to ensure ...

That a membership fee of \$1 be introduced, which would cancel out the payment of \$1 stipulated on the committee nomination form.

2003 Mid-Year Meeting of Council

Submission M02-03 - Schedule B (4)

At any General Meeting a resolution put to the vote of the meeting shall be decided on a show of **hands or by electronic voting system as determined by the chairman**, unless a poll is, before or upon the declaration of the result of the show of hands, demanded by the Chairman or by at least five Full Members present in person or by proxy, or by a Full Member or Members present in person or by proxy and representing one-tenth of the total voting rights of all the Full Members having the right to vote at the meeting, and unless a poll be so demanded a declaration by the Chairman of the meeting that a resolution has been carried, or carried unanimously or by a particular majority, or lost, or not carried by a particular majority, and an entry to that effect in the minutes ~~book~~ of the Federation shall be conclusive evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against that resolution. The demand for a poll may be withdrawn at any time up until the ballots are handed over to the scrutineers for counting.

2003 November Meeting of Council

Council Minute 2(ii) a-d

Recommend to the next General Assembly to change Article 81 (ii) and replace with:

Any appeal which a competitor or prospective competitor files with the Review Board, concerning his or her eligibility under the Articles, the Regulations, the Racing Rules of Sailing, or the Equipment Rules of Sailing; or the Constitution, Regulations or Rules adopted by International Classes and Recognised Classes designated as such in accordance with Regulation 26.2.

Recommend to the next General Assembly to delete Article 83 and replace with:

83. Decisions

Decisions of the Review Board:

(i) Shall be by simple majority,

(ii) May confirm, revise, modify or annul the decision which is the subject of the appeal, or order the body that made the decision to hear or rehear the case.

(iii) Except in a case which is the subject of an appeal in accordance with Article 84, its decision shall be final and binding upon all bodies that are subject to the Federation's Articles, Regulations, and Rules and upon any competitors or persons to whom they apply.

Recommend to the next General Assembly for a new Article 84 as follows, and renumber all the following Articles accordingly:

84. Appeal of a Review Board Decision

A competitor or prospective competitor may appeal a Review Board decision as to eligibility to the Court of Arbitration for Sport.

Submission 002-03

Council ask the General Assembly to consider changing Article 66 as follows:

The Council shall cause proper minutes to be made of all appointments made by the Council and of the proceedings of all meetings of the Federation and of the Council and of committees of the Council. ~~and All business transacted at such meetings, and any such minutes of any meeting, if purporting to be signed by the Chairman of such meeting, or by the Chairman of the next succeeding meeting, shall be sufficient evidence without any further proof of the facts therein stated~~ **approved by the members of such meeting as detailed in Article 67, including the chairman, shall be enough evidence without any further proof of the facts as written. Where Council or a committee later hold a different view to the minutes because of a change to policy or to a decision, this shall be recorded in the minutes of the meeting at which the change is considered; in this case, the original documents shall not be changed. Where minutes of meetings are proven incorrect (e.g. misspelling or incorrect reference), the formal documents of that meeting shall be changed.**

2004 Mid-Year Meeting of Council

Council Minute 6(b)

Recommend to the next General Assembly to amend the following articles, and renumber all the following Articles accordingly:

REVIEW BOARD

79. Constitution of the Review Board

- (i) There shall be a Review Board appointed by the Council at its first meeting after each Ordinary Meeting of the General Assembly. Should a vacancy occur, **among the appointed members or there be a need for more members,** the Council may appoint a replacement or more members at the next meeting. The Review Board shall consist of a Chairman, **Vice-Chairman** and not less than five ~~ten~~ and not more than 15 ~~twenty five~~ members. ~~Five members appointed by the Chairman, or in his absence, the Vice Chairman will constitute a panel for a hearing. A panel shall include both lay and legal members. When a quorum does not include the Chairman, then the members present shall appoint a Chairman for that hearing.~~
- (ii) **The Review Board shall, for the purpose of deciding matters referred to the Board, operate by review panels of three or five**

members (no more than two of which shall be from the same country) appointed by the Chairman of the Review Board, or in his absence the Vice-Chairman.

NOTE THE COUNCIL OVERTURNED THIS AT THE MEETING OF 13 NOVEMBER – AND REVERTS BACK TO THREE TO FIVE.

80. Membership

In appointing members to the Review Board, the Council should note the following requirements:

- (i) Members shall be proficient in the English language.
- (ii) At least one-third of the members shall have a legal background.
- (iii) Members shall have a substantial yachting and sports background.
- (iv) Members shall be persons of the highest integrity from the world yachting community.

81. **Authority** Functions

The Review Board will decide on:

- (i) A request by a Member National Authority or the ISAF Executive Committee for review and confirmation, revision, modification or annulment of its own decision affecting a competitor's ISAF eligibility.
- (ii) ~~Any appeal which a competitor or prospective competitor is entitled to make to the Review Board, concerning the competitor's ISAF eligibility, under the Federation's Regulations or Racing Rules.~~
Any appeal which a competitor or prospective competitor files with the Review Board, concerning his or her eligibility under the Articles, the Regulations, the Racing Rules of Sailing, or the Equipment Rules of Sailing; or the Constitution, Regulations or Rules adopted by International Classes and Recognised Classes designated as such in accordance with Regulation 26.2.
Any appeal which a competitor is entitled to make to the Review Board

- (a) **Concerning the Competitor's ISAF Eligibility under the Federation:**
Regulations
Racing Rule of Sailing
Equipment Rules of Sailor, or
- (b) **Concerning the competitor's ISAF Class eligibility under the Classes' Constitution or Regulations (or equivalent thereof), or**
- (c) **any appeal which a competitor is entitled to make under Regulation 51. Notwithstanding the generality of the foregoing statement of the grounds of appeal, the scope of appeals under this Article is limited to the subject matter of eligibility to qualify for entry into events stated in Regulation 19.3 of the ISAF Regulations or directly similar subject matter in the ISAF Class Constitutions or Regulations**

- (d) any appeal which an ISAF Race Official or ISAF Representative is entitled to make under Regulation 51.

82. Procedure

The Review Board shall establish its own rules and procedure. The Board may require those applying or requesting a review or causing costs of the Board or one of its panels to exceed normal costs to pay such fee as it may determine.

A copy of the rules and procedure of the Review Board as adopted from time to time shall be furnished promptly to each National Authority.

83. ~~Decisions~~

~~Decisions of the Review Board shall:~~

- ~~(i) be by simple majority,~~
- ~~(ii) confirm, revise or annul the appealed or reviewed decision, or order a hearing or rehearing by the suspending authority.~~
- ~~(i) be final and binding upon all bodies that are subject to the ISAF rules and upon any competitors or persons to whom they apply.~~

Decisions of the Review Board:

- (i) Shall be by simple majority.**
- (ii) May confirm, revise, modify or annul the decision which is the subject of the appeal, or order the body that made the decision to hear or rehear the case.**
Except in a case which is the subject of an appeal in accordance with Article 84, its decision shall be final and binding upon all bodies that are subject to the Federation's Articles, Regulations, and Rules and upon any competitors or persons to whom they apply.

Insert new Article 84:

84 Appeal of a Review Board Decision

~~A competitor or prospective competitor may appeal a Review Board decision as to eligibility to the Court of Arbitration for Sport.~~

Notwithstanding Article 83(iii), there shall be an appeal by any of the parties from any decision of the Review Board

- (i) In any case involving accredited Olympic Competitors, in which the Court of Arbitration for Sport has properly established its jurisdiction under the Olympic Code for Sports,**

- (ii) In any other case in which a competitor consents to the jurisdiction of the Court of Arbitration for Sport in respect of the appeal.

Submission 014-03

- 46.1** (vii) The Council as determined by Articles (i) to (vii) above will have not less than twenty (20) per cent women members as may be established by agreement by those entitled to appoint member or by Regulation.