ISAF Commissions – Terms of Reference

Regulation 8.6 to 8.15.8

A submission from the Chairman of the Constitution Committee

Purpose or Objective

To amend the terms of reference of the Commissions and housekeeping

Proposal

Amend Regulation 8 as follows:

Medical Commission

Constituting the Commission

8.6.1 The Medical Commission has been established and appointed by the Executive Committee in accordance with this Regulation 8 to provide medical advice on sailing matters.

8.6.2 Reserved for future use

8.6.3 Reserved for future use

8.6.4 Reserved for future use

8.6.5 Reserved for future use

Terms of Reference

8.6.2 The Medical Commission shall:

(a) inform and advise the ISAF 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 ISAF 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;

(f) consider and advise the Executive Committee on medical matters affecting all branches of sailing served by the International Sailing Federation ISAF;
(g) 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 and appointed by the Executive Committee in accordance with this Regulation 8 to provide advice on matters related to the regulation of recreational boats or craft by government actions or otherwise.

8.7.2 Reserved for future use
8.7.3 Reserved for future use
8.7.4 Reserved for future use
8.7.5 Reserved for future use

Terms of Reference
8.7.6 The Commission shall be responsible report to the Executive Committee Oceanic and Offshore Committee.
8.7.7 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 all 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.

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.

8.9.2 Reserved for future use
8.9.3 Reserved for future use
8.9.4 Reserved for future use
8.9.5 Reserved for future use

Terms of Reference
8.9.6 The Athletes' Commission shall be responsible to the Executive Committee.

8.9.7 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.

Sailor Classification Commission

8.10 The Sailor Classification Commission

Constituting the Commission

8.10.1 The Sailor Classification Commission has been established and appointed by the Executive Committee in accordance with Regulation 8 to provide technical advice on Regulation 22, the ISAF Sailor Classification Code.

8.10.2 Reserved for future use

8.10.3 Reserved for future use

8.10.4 Reserved for future use

8.10.5 Reserved for future use

Terms of Reference

8.10.6 The Sailor Classification Commission shall be responsible to the Executive Committee.

8.10.7 The Sailor Classification Commission shall:

(a) inform and advise the ISAF 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 ISAF 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 form competitors for classification and to assign such classifications to groups;

(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.

8.11.2 The Coaches Commission shall be responsible to the Executive Committee.

8.11.3 Reserved for future use

8.11.4 Reserved for future use

8.11.5 Reserved for future use

**Terms of Reference**

8.11.6 The Coaches Commission shall:

(a) maintain a close liaison with coaches in the sport;

(b) debate coaching issues and make recommendations there on to the ISAF Executive Committee.

(c) inform and advise the ISAF Executive Committee in respect of the implications and implementation of an ISAF Coaches’ Code of Conduct, and all its provisions;

(d) present and consider proposed changes to the ISAF Coaches’ Code of Conduct to the ISAF Executive Committee for approval;

(e) inform and advise the ISAF 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 this Regulation 8.

8.12.2 Reserved for future use

8.12.3 Reserved for future use

8.12.4 Reserved for future use

8.12.5 Reserved for future use
**Terms of Reference**

8.12.6 The Information Technology and Tracking Commission shall be responsible to the Executive Committee.

8.12.7 The Information Technology and Tracking Commission shall:

(a) inform and advise the ISAF 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 ISAF Executive Committee on Tracking Technology, for the purpose of the presentation of the Sailing Regattas;

(d) inform and advise the ISAF Executive Committee on Tracking Technology, for the improvement of Race Management (in cooperation with the Race Management Sub-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.

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 the Executive Committee in accordance with Regulation 8 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 its functions.

8.15.3 Notwithstanding Regulation 8.2, Council may remove a member of the Commission for good cause.

8.15.4 Reserved for future use

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.

Current Position
As above.

Reasons:
1. This follows on from the other submission on commissions. It also removes unnecessary wording, and corrects misuse of capital letters.
2. It also recognises that the International Regulation Commission already report to the Oceanic and Offshore Committee, and further that its Chairman, and that of the Classification Commission are ex officio members of that committee.