ISAF Classification Code rewording

Regulation 22

A submission from the Disabled Sailing Committee

Purpose or Objective

To eliminate confusion between disabled athlete classifications’ and ISAF Sailor classifications

Proposal

APPENDIX 4 – ISAF SAILOR CLASSIFICATION GROUPING CODE

22. ISAF SAILOR CLASSIFICATION GROUPING CODE

General

The ISAF Sailor Classification Grouping Code exists as a service to provide Events and Classes with an international system of classification grouping for sailors.

Events and Classes are not under any obligation to use a classification grouping 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 grouping.

When the ISAF Sailor Classification Grouping 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 grouping 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 grouping 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 Grouping Authority:**
is ISAF.

**The Classification Grouping Date is:**
the date when a classification grouping or change of classification grouping is requested, or, if later, the date when a classification grouping 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 Grouping 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 Grouping 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 grouping under regulation 22.5.1.

**Competitor Classifications Grouping**

22.2 The classifications groupings 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 18th 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 ; 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:

(ii) 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 he 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 Grouping 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 Grouping Authority of any change in his
circumstances which affects, or may affect, his classification grouping 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 Grouping
Authority of a potential change of classification.

22.3.3 If the Classification Grouping Authority has good reason to believe that a competitor has
breached any provision of the Classification Grouping Code, it may immediately change,
suspend or cancel his/her classification grouping (or in the case of an application for
classification, grouping, may decline to issue a classification).

22.3.4 A competitor, having read this Code, shall declare his or her correct classification ion by
personally completing a form approved by ISAF and submitting it to the Classification
Grouping Authority.

22.3.5 There is no fee. The Classification Grouping Authority shall review each form and confirm
or correct the competitor’s classification grouping 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, grouping, once issued, shall remain in force for two years, unless the
classification grouping is previously changed, suspended or cancelled by the
Classification Grouping Authority.

(a) because the competitor has submitted a form indicating that his or her classification
grouping has changed; or

(b) because the Classification Grouping 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 Grouping Authority may issue a classification grouping 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 Grouping
Authority which affects his grouping (except the making of a report under rule 69), the
competitor may appeal to the Classification Grouping 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 Grouping 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 Grouping 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 Grouping Authority may decline to issue a classification grouping or may suspend a current classification grouping when the competitor has been penalized under RRS 69 for a classification grouping 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 groupings of competitors. The list will state the status or expiry date of the classification grouping.

22.3.10 Information provided by the competitor or from any other source shall be kept confidential within the Classification Grouping 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 Grouping Authority concerning the competitor’s classification grouping or sent a report under RRS 69 and then only after notifying the competitor through the classification grouping process. However when the Classification Grouping 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 grouping 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 grouping for a competitor was applied for, information that should have led to a higher classification grouping was not disclosed; or

(b) a competitor has, since being classified, engaged in activities incompatible with the classification grouping
and that the boat would break the Crew Limitations in the Notice of Race, Sailing Instructions or Class Rules were the classification grouping to be corrected. The time limit for a boat to protest is the Classification Grouping 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 grouping of a competitor, it may refer its facts found to the Classification Grouping Authority and shall be governed by the decision by the Classification Grouping Authority on those facts.

22.5.5 The Protest Committee shall report within 14 days its decision to the Classification Grouping 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 Grouping Authority.

22.5.6 When the classification grouping of a competitor has been changed, suspended or cancelled during an event in accordance with Regulation 22.3.6(b) the new classification grouping may be backdated by the Classification Grouping Authority to the commencement of the event.

When as a result a boat may have broken a crew limitation rule, the Classification Grouping 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 Grouping Code application form can be completed online at: www.sailing.org/classification_grouping
Any question can be sent to ISAF by email to classification@isaf.com grouping@isaf.com

Current Position
As Above
Reason

Following merger of disabled sailing within ISAF, the term “Classification” is governed by two separate and unrelated Codes, causing inevitable confusion for sailors, MNAs and OAs.

“Classification” is a term used by ISAF Classification Code to allocate a *Group* status to sailors according to the terms of the Code.

“Classification” is a term, required by the International Paralympic Committee (IPC) for all Paralympic/disabled sports, used to designate the process of evaluating disabled athletes by National or International Classifiers and allocating their “Class” and “Status” for competition.

As applied to disabled athletes, the term “classification” is imposed by the IPC Classification Code and cannot be substituted with any other expression or term.