

## Sailor Classification Code

### Change of Terminology

A submission from the Chairman of the Para World Sailing Committee

#### Purpose or Objective

To clarify use of term “Classification” by World Sailing. Currently, the term “Classification” is governed by two separate and unrelated Codes, causing inevitable confusion for sailors, MNAs and OAs.

To address the current conflict in the use of the term “classification” within World Sailing by only using the term Classification to designate the process of evaluating disabled athletes by National or International Classifiers and allocating their “Class” and “Status” for competition, as required by the International Paralympic Committee (IPC) for all Paralympic/disabled sports.

To provide a new and practical version of the Regulations Appendix 4, “ISAF Classification Code” that determines the professional designation of a sailor as Group 1 (Amateur) or Group 3 (Professional).

#### Proposal

To change the current version of Regulation 22 Appendix 4 ISAF SAILOR CLASSIFICATION CODE to:

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#### APPENDIX 4 – ~~ISAF WORLD SAILING~~ SAILOR CLASSIFICATION CODE GROUP DESIGNATION SYSTEM

#### ~~22. ISAF SAILOR CLASSIFICATION CODE~~ WORLD SAILING GROUP DESIGNATION SYSTEM

##### General

The ~~ISAF Sailor Classification Code~~ Worlds Sailing Group Designation System exists as a service to provide Events and Classes

with an international system of classification Group Designation for sailors to determine Group 1 or Group 3 status.

Events and Classes are not under any obligation to use a ~~classification~~ Group Designation system but

should they wish to do so the ~~ISAF Code~~ World Sailing Group Designation System is the only system that shall be used. When

using the ~~Code~~ the World Sailing Group Designation, they are under an obligation to properly administer and implement the Code system.

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

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~~classification~~ **group status**.

When the ISAF Sailor Classification Code **World Sailing Group Designation System** is selected for an event it shall be stated in

the Notice of Race unless already stated in the Class Rules.

The display of advertising on a boat or equipment does not influence the competitor's

~~classification in this Code~~ **group status in this System**.

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~~ **group status** in this Code **System**.

## 22.1 Definitions of this Code **System**

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 **Group Designation** Authority:

is ISAF **World Sailing**.

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The ~~Classification~~ **Group Designation** Date is:

the date when a ~~classification~~ **group designation** or change of ~~classification~~ **group designation** is requested, or, if later, the

date when a ~~classification~~ **group designation** 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~~ **Group Designation** 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~~ **Group Designation** 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~~ **group designation** under regulation 22.5.1.

### Competitor Classifications

22.2 The ~~classifications~~ **group designation** 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

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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:

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(i) that is capable of enhancing the performance of a boat in a race; and

(ii) which can be utilized by the competitor whilst on board a boat when racing; or

(e) has been paid for work that includes the coaching of:

(i) any competitor, crew or team to prepare for or compete in any of the following:

- The Olympic and Paralympic Sailing Competitions and Qualifying Events
- Regional Games;
- America's Cup Match, Acts and Series;
- Grade WC or Grade I Match Racing Events;
- World and Continental Championships of ISAF Classes;
- ISAF Events;
- Global and Trans Oceanic races; or

(ii) a National, State or Provincial Team; or

(iii) a Collegiate or University team where the work is the principal paid activity of the competitor; or

(f) has been paid for allowing his or her name or likeness to be used in connection with his or her sailing performance, sail racing results or sailing reputation, for the advertising or promotion of any product or service; or

(g) has publicly identified himself or herself as a Group 3 competitor or as a professional racing sailor.

### 22.2.3 Group 3

If a Group 3 competitor has raced in an Olympic Sailing Competition, a Volvo Ocean Race or any racing which forms part of the events connected with the America's Cup (as determined by the Commission (which shall issue prior written notice of such determinations)), whether or not the competitor was Group 3 at that time, then:

(a) the competitor shall be a Group 3 competitor for a period of at least five years from that event notwithstanding that he may otherwise be entitled to a Group 1 ~~classification~~ **designation** 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~~ **group designation**; 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~~ **Group Designation** 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~~ **World Sailing Group Designation**.

22.3.2 A competitor applying for, or holding, a ~~classification~~ **group designation** shall comply with the following

requirements: He/she shall

(a) not hold, nor apply for, more than one ~~classification~~ **group designation**;

(b) not take any action or act in a manner which is contrary to the spirit or purposes of the ~~Code~~ **System** or which is a subterfuge for circumventing the ~~Code~~ **System**;

(c) at all times fully and freely disclose all relevant information to the ~~Classification~~ **Group Designation** Authority (whether or not specifically asked for);

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(d) not provide the ~~Classification~~ **Group Designation** Authority with information that is false, misleading

or potentially misleading;

(e) immediately notify the ~~Classification~~ **Group Designation** Authority of any change in his circumstances

which affects, or may affect, his ~~classification~~ **group designation** 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~~

**Group Designation** Authority of a potential change of ~~classification~~ **group designation status**.

22.3.3 If the ~~Classification~~ **Group Designation** Authority has good reason to believe that a competitor has

breached any provision of the ~~Classification Code~~ **World Sailing Group Designation System**, it may immediately change,

suspend or cancel his/her ~~classification~~ **group designation** (or in the case of an application for ~~classification~~ **group designation**, may decline to issue a ~~classification~~ **group designation**).

22.3.4 A competitor, having read this Code ~~System~~, shall declare his or her correct ~~classification~~ **group designation** by

personally completing a form approved by ISAF ~~World Sailing~~ and submitting it to the ~~Classification~~ **Group Designation** Authority.

22.3.5 There is no fee. The ~~Classification~~ Group **Designation Authority** shall review each form and confirm or correct the competitor's ~~classification~~ **group designation** 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~~ **group designation**, once issued, shall remain in force for two years, unless the ~~classification~~

**Group designation** is previously changed, suspended or cancelled by the ~~Classification~~ **Group Designation** Authority.

(a) because the competitor has submitted a form indicating that his or her ~~classification~~ **group designation** has changed; or

(b) because the Classification Authority believes it has good reason to do so; or

(c) as a result of an appeal requested by the competitor under regulation 22.3.67.

However when a competitor would have been classified as Group 3 but for Regulation

22.2.1(b) the ~~Classification~~ **Group Designation** Authority may issue a ~~classification~~ **group designation** 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~~ **Group Designation** Authority

which affects his ~~classification~~ **group designation** (except the making of a report under rule 69), the

competitor may appeal to the ~~Classification~~ **Group Designation** Authority within 60 days of the decision

using the process on the ISAF ~~World Sailing~~ website or by such other method as shall be notified in

the ISAF ~~World Sailing~~ 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~~ **Group Designation** 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~~ **Group Designation** 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.

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22.3.8 The ~~Classification~~ **Group Designation** Authority may decline to issue a ~~classification~~ **group designation** or may suspend a

current ~~classification~~ **group designation** when the competitor has been penalized under RRS 69 for a

~~classification~~ **group designation** 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 **World Sailing** will maintain and publish on a website a list of the ~~classifications~~ **group designations** of competitors.

The list will state the status or expiry date of the ~~classification~~ **group designation**.

22.3 10 Information provided by the competitor or from any other source shall be kept

confidential within the ~~Classification~~ **Group Designation** Authority and the ISAF **World Sailing** 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~~ **Group Designation** Authority concerning the

competitor's ~~classification~~ **group designation** or sent a report under RRS 69 and then only after notifying

the competitor through the ~~classification~~ **group designation** process.

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However when the ~~Classification~~ **Group Designation** 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~~ **group designation** 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~~ **group designation** for a competitor was applied for, information that should have

led to a higher ~~classification~~ **group designation** was not disclosed; or

(b) a competitor has, since being classified **assigned a group designation**, engaged in activities incompatible with

the ~~classification~~ **group designation** and that the boat would break the Crew Limitations in the Notice of Race, Sailing

Instructions or Class Rules were the ~~classification~~ **group designation** to be corrected. The time limit for a

boat to protest is the ~~Classification~~ **Group Designation** 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 penalized; 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.

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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~~ **group designation** of a competitor, it may

refer its facts found to the ~~Classification~~ **Group Designation** Authority and shall be governed by the

decision by the ~~Classification~~ **Group Designation** Authority on those facts.

22.5.5 The Protest Committee shall report within 14 days its decision to the ~~Classification~~

**Group Designation** 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~~ **Group Designation** Authority.

22.5.6 When the ~~classification~~ **group designation** of a competitor has been changed, suspended or cancelled

during an event in accordance with Regulation 22.3.6(b) the new ~~classification~~ **group designation** may be

backdated by the ~~Classification~~ **Group Designation** Authority to the commencement of the event.

When as a result a boat may have broken a crew limitation rule, the ~~Classification~~

**Group Designation** Authority shall report its decision in writing to the race committee which shall protest the boat. Any penalty shall be at the discretion of the protest committee.

The ~~ISAF Classification Code~~ **World Sailing Group Designation System** application form can be completed online at:

[www.sailing.org/classification](http://www.sailing.org/classification)

Any question can be sent to ISAF **World Sailing** by email to [classification@isaf.com](mailto:classification@isaf.com)

## Current Position

As above

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Reasons

1. There is a direct conflict with use of the term "Classification" within World Sailing and IPC terminology and Classification Code. As an IF, World Sailing cannot change IPC language.  
  
"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.  
  
"Classification" is a term used by World Sailing in the ISAF Classification Code to allocate a Group status to sailors according to the terms of that Code.
  2. There is already an IPC Classification Code in existence that imposes obligations on International Federations/Organizations including World Sailing that are part of the IPC family.
  3. There is a need to update the current wording within Regulation 22 Appendix 4 to reflect:
    - a. World Sailing as the Authority for determining the Group designations of sailors who wish to compete in events that require World Sailing to examine the eligibility based on compensation and remuneration received by the sailor.
    - b. The accurate description in keeping with the application for and assignment of a group designation.
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