Equipment Rules of Sailing

C.2.3 Open Class Rules

A submission from the 12 Metre Class Association

Purpose or Objective

The 12 Metre Class Association wishes to adopt ISAF In-house Certification for sails and has been advised that this will only be possible if its class rules are re-written in the ISAF preferred format. In pursuit of this the Class Association need clarification as to the meaning of some definitions within the ERS. Additionally, the 12 Metre Class Association is aware of a recent ISAF interpretation of the 2.4 Meter class rules and has concerns regarding this as such interpretation might be relevant to the 12 and other Metre class rules. Accordingly the Class Association wishes clarification by way of interpretation of the term “Open Class Rules” as defined in section C.2.3 of the ERS so as to determine whether to re-draft class rules in the “open” or the “closed” format.

Interpretations of the ERS may be requested by submission as related in ISAF Regulation 29.3.2.

There appears to be no previous application of this Regulation and so there are no guidelines as to how to approach such a submission. Accordingly the submission below has been drafted giving the Class Associations requests for interpretation.

Proposal

1. Does "specifically prohibited" mean that the item must be directly mentioned within the class rules as a prohibited item?

2. If an open class rule uses the ISAF Standard Class Rules format of listing mandatory and optional equipment, if an item of equipment is not listed in either of these lists, is that considered to be "specifically prohibited" by omission?

3. If the answer to Q2 is "Yes", would that not meet the definition of closed class rules? and if not what would be the reason?

Current Position

ERS C.2.2 defines Closed Class Rules as "Class rules where anything not specifically permitted by the class rules is prohibited."

ERS C.2.3 defines Open Class Rules as “Class rules where anything not specifically prohibited by the class rules is permitted.”

Reason

To gain a fuller understanding of how open class rules are considered and when an item of equipment is considered to be specifically defined and controlled.