

BEFORE THE INDEPENDENT PANEL

IN THE MATTER OF:

SHLOMO GOLDSTEIN

Appellant

V

RACE OFFICIALS COMMITTEE

Respondent



DECISION

Facts

1. The closing date for receipt of an application by World Sailing for appointment as a World Sailing Race Official is 1 September (regulation 31.7(b)).
2. The Appellant admits he started the application process close to the closing date.
3. The Appellant was applying for first appointment as a World Sailing Race Official. Of the three elements to such an application, his application form was received at World Sailing on 30 August 2018, the required references were received on 31 August 2018, but the required Member National Authority (MNA) endorsement was not received by the 1 September closing date.
4. The Appellant's MNA tried to send the endorsement between 27 August and 30 August 2018 and knew it had not been successful. The MNA contacted World Sailing for help on 3 September 2018, following which the endorsement was submitted.
5. The Race Officials Committee did not consider the Appellant's application at its meeting in October 2018 on the basis that the MNA endorsement element was not received by the closing date in regulation 31.7(b). This approach was in conformity with the decision it made on supporting documentation at its meeting on 10 November 2015.

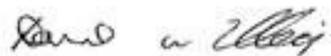
6. In its meeting on 30 October 2018, the Constitution Committee, in answer to a question from the MNA of Argentina, confirmed that the Race Officials Committee has no ability to consider applications for first appointment received after the required date.

Conclusion

7. The full application, including supporting documentation, was not received by World Sailing by the required date of 1 September 2018. The MNA endorsement is part of the application and was required by 1 September 2018.
8. The Race Officials Committee acted correctly and consistently in not considering the application.

Decision

9. The Appeal is dismissed.



David Tillett (Chairman)



Josje Hofland



Chris Atkins

Independent Panel

27 February 2019