INTERPRETATION 001-20
REQUEST FOR INTERPRETATION FROM THE CHAIRMAN OF THE RACE OFFICIALS COMMITTEE

Background

Regulation 19.20 provides:

‘A Prohibited Event’ means an event:

a. permitting or requiring advertising beyond that permitted by the World Sailing Advertising Code;

b. with prizes or other benefits referred to in Regulation 25.12.2 that is a national event not approved by the National Authority of the venue or an international event not approved by World Sailing;

c. that is described as a world championship or uses the word "world", either in the title of the event or otherwise, and that is not approved by World Sailing;

d. that does not conform to the requirements of RRS 89.1 and is not otherwise approved by World Sailing; or

e. for which the Organizing Authority that has not paid the World Sailing event fees, and

f. has been listed on the World Sailing website on a list maintained for this purpose.

(emphasis added)

Question

How is item (f) read with regards to the ‘or’ in item (d) and the ‘and’ in item (e)?

Is it:

A. A Prohibited Event is one where at least one of criteria in items (a) to (e) apply at the same time as the criteria in item (f).

OR

B. A Prohibited Event is an event that fulfils any one of the criteria listed in items 19.20 (a) to (f).

Answer

A is correct. An event is a 'Prohibited Event' where any one (or more) of the criteria in items (a) to (e) are met and it is listed on the World Sailing website in accordance with item (f).

The Regulations must be read as a whole and the preceding Regulation 19.19(a)(ii) provides that the eligibility of a competitor may be suspended or revoked if the competitor competes in an event that they ‘knew or should reasonably have known’ was a Prohibited Event.

While it may be possible in limited cases for a competitor to ‘know or reasonably have known’ that there were circumstances when an event could be considered as a prohibited event without there being a listing on the World Sailing website, there is no clear determination of that situation.
The intention of the Regulation is to provide a system that unambiguously identifies any such prohibited event, and the Regulation provides that method to be the World Sailing website list maintained for that purpose.

Constitution Committee
World Sailing

24 January 2020