Constitution Committee Minutes

The Constitution Committee met between 09:30 – 16:00 hrs on Tuesday 30 October 2018 and 09:30 – 13:30 hrs on Thursday 1 November 2018 at the Hyatt Regency Sarasota, Florida, United States of America.

Please refer to the World Sailing website www.sailing.org for the details of the submissions on the agenda and referred to in these minutes.

1. Opening of the Meeting
The Chairman welcomed everyone to the meeting, including observers, and noted the apologies. The Chairman asked for any conflicts of interest to be declared. No general conflicts were declared.

2. Minutes of the Previous Meeting
(a) Minutes
The minutes of the meetings of 7 and 9 November 2017 (circulated and approved after the meeting) were noted and approved.

(b) Matters Arising
There were no matters arising not covered elsewhere on the agenda.

3. Submissions
(a) The Committee considered, and gave a recommendation on, the following submissions for which the Committee is the Reporting Committee:
   i) Submission 027-18 – Cancellation of RUS Membership

   Recommendation to Council: No recommendation
Constitution Committee Minutes (cont'd)

ii) Submission 028-18 – Revert to 2011 Constitution

Recommendation to Council: Reject

Unworkable. Would lose substantial beneficial changes which have been made over the years. No assessment in the submission of the effect of World Sailing’s compliance with external areas such as WADA and anti-doping code.

The Governance Commission is examining these issues.

iii) Submission 029-18 – Revert to 2012 Constitution & Regulations

Recommendation to Council: Reject

See comments on Submission 028-18.

iv) Submission 030-18 – Olympic Equipment - Regulation 23.1.6

Recommendation to Council: Reject

The Committee is concerned about the issue of percentage that would be required to change this Regulation. This may result in a different method of changing decisions other than by the well-established and important 75% procedure.

The Committee notes that in November 2017 it made a recommendation to Council, which was approved, that the selection of Olympic Events and Equipment decisions should not be made by electronic vote.

v) Submission 032-18 – Conduct of WS Members - Regulation 35.2

Recommendation to Council: Approve with the following amendment

(a) any competitor, boat owner, and support person; and

(b) any World Sailing Council, committee or commission member, working party member, (including any alternates appointed), World Sailing Member (including any representatives sent by a Member to attend World Sailing Events, meetings, or other official functions), World Sailing Officer, World Sailing Race Official, or World Sailing Representative or any person, official or body subject to the World Sailing Constitution or World Sailing Regulations.

... (d) treat others with respect (without discrimination);

vi) Submission 033-18 – Regulation 35

Recommendation to Council: Approve with the following amendment

35.9.3 The time limit for lodging an appeal shall be fourteen days from receipt of the written decision of the Independent Panel appealed against. The arbitration shall be conducted in accordance with the Code of Sport-Related Arbitration. The Court of Arbitration for Sport panel will consist of one arbitrator and the language of the arbitration will be English.

It will be important for decisions under new Regulation 35.4.1(b) to be communicated out to stakeholders in a transparent way.

(b) The Committee considered, and gave an opinion on, the following submissions for which the Board is the Reporting Committee:

i) Submission 001-18 – World Sailing Finances – Financial Statement and Budget

Opinion: Approve with the following amendment
To propose a white paper policy that World Sailing send to the MNAs, other Members, Council members and committee chairs the draft management financial statements for latest available month end for the calendar year and budget for the next 12 months, at least 14 days before the first day of the Council meetings at the Annual Conference.

The Committee notes this would be a policy only, not a Regulation.

ii) Submission 002-18 – World Sailing Annual Conference – Publication of Submissions
   Opinion: Approve
   This would be a policy only, not a Regulation. The Committee notes that moving the Annual Conference forward one week has reduced the time to process submissions.

iii) Submission 003-18 – Making World Sailing More Relevant to Sailors – New Working Party
    Opinion: Reject
    Duplicates the work of the Governance Commission and suggest waiting until the Commission reports. Council cannot compel access to all World Sailing documents and records or allocation of resources of World Sailing staff – this is a matter for the Board.

iv) Submission 004-18 – World Sailing Constitution – Powers of Board and Council – Article 41
   Opinion: Reject
   This overlaps with the work of the Governance Commission.
   There are substantial drafting issues with the original proposal. Only minor amendments can be accepted where a Committee does not recommend them (see Regulation 3.3.7).
   The Committee has reviewed proposed amendments from the submitters in response to the Committee’s draft recommendations, and does not regard them as minor.

v) Submission 005-18 – World Sailing Annual Conference – Bid Process
   Opinion: Approve
   Subject to policy.

vi) Submission 006-18 – World Sailing Annual Conference – Bid Process
    Opinion: Approve
    Subject to policy.

vii) Submission 007-18 – Olympic Events & Equipment – Prohibition on Electronic Voting
     Opinion: Reject
     Article 59 provides for electronic voting and does not limit the matters that may be voted on electronically.
     The Committee notes that in November 2017 it made a recommendation to Council, which was approved, that the selection of Olympic Events and Equipment decisions should not be made by electronic vote.

viii) Submission 008-18 – World Sailing Regulations – Olympic Equipment - Regulation 23.1.8
     Opinion: Reject
     See comments to Submission 007-18.

ix) Submission 009-18 – Sailor Classification Code – Change of Terminology
    Opinion: Invalid
This is not an up-to-date version of the Code. “Group” is a definition and in the Articles as a separately defined term for a different matter.

The Submission Working Party can assist the Commission and the Para World Sailing Committee with reviewing a draft of any new proposals.

x) Submission 010-18 – World Sailing Special Events – Obligations and Consequences for Non-Compliance

**Opinion:** Reject

Too vague – this is a matter for the Board to deal with. The proposal would need to be subject to any confidentiality provisions that may exist.

xi) Submission 013-18 – Equipment for Olympics, WS Events and Regional Games – Antitrust Compliance

**Opinion:** Reject

This is a matter for the Board. Council has already approved an Anti-Trust Policy for World Sailing for Olympic Equipment.

xii) Submission 014-18 – Olympic Equipment – New Regulation 23.1.10

**Opinion:** Reject

Events should not be included within this Regulations as the matters referred to dealing with competition law. Events are not the subject of those matters – it is equipment that is affected. It is confusing to include both. 50% vote gets around the 75% requirement to change once equipment has been selected.

A more transparent approach would be to deal with specific equipment should the issue arise.

xiii) Submission 015-18 – World Sailing Anti-Trust Policy – Placing 49er and 49erFX Under Review

**Opinion:** Reject

There is a Policy in place and a responsibility for such review is with the Board under the Regulations and the Policy.

xiv) Submission 016-18 – World Sailing Anti-Trust Policy – Placing 49er, 49erFX and Nacra 17 Under Review

**Opinion:** Reject

There is a Policy in place and a responsibility for such review is with the Board under the Regulations and the Policy.

xv) Submission 017-18 – World Sailing Regulations – Classification Code - Regulation 22.2.1 and 22.2.2

**Opinion:** Approve

Subject to policy.

(c) The Committee considered and gave an opinion on the following submissions for which the Events Committee is the Reporting Committee:

i) Submission 048-18 – World Sailing Regulations – Nationality Requirements for Match Racing Events – Regulation 19.8

**Opinion:** Approve

Subject to policy.

ii) Submission 049-18 – Olympic Sailing Competition – Event Names - New Regulation 23.1.10

**Opinion:** Reje
Opinion: Approve with the following amendment

23.1.10 The Board may decide from time to time the descriptive names of the Olympic Events having received the recommendation of the Events Committee. The Board shall consult the relevant Olympic class association(s) before making any decision. In deciding on the names, the Board shall have regard to:

Subject to policy

(d) The Committee considered and gave an opinion on the following submissions for which the Equipment Committee is the Reporting Committee:

i) Submission 059-18 – 2024 Olympic Sailing Competition – Olympic Equipment
   Opinion: Invalid
   This submission proposes changes to the 2024 Events. This requires the specific changes to the Events to be set out as required by Regulations 15.5.2(b), (c) and 23.1.6(b).

ii) Submission 060-18 – 2024 Olympic Sailing Competition – Olympic Equipment
    Opinion: No opinion
    This proposal repeats Regulation 23.1.2(d) in part and does not appear to propose the criteria necessary to proceed with evaluations.

iii) Submission 061-18 – 2024 Olympic Sailing Competition – Olympic Equipment
     Opinion: Reject
     This submission is redundant. The Laser and Laser Radial are already the selected equipment subject to the re-evaluation process underway. That process will continue regardless of this submission.

iv) Submission 062-18 – 2024 Olympic Sailing Competition – Olympic Equipment
    Opinion: Approve
    Subject to policy. This submission proposes changing the equipment for the Men’s One Person Dinghy Event from Laser to Finn.
    This submission would require a 75% vote under Regulation 23.1.6(b). If there is a 75% majority in favour of considering the submission, there would then be a simply majority vote on whether or not to accept the submission.

v) Submission 063-18 – 2024 Olympic Sailing Competition – Olympic Equipment
    Opinion: Approve
    Subject to policy.
    This submission proposes equipment for events which are not under review. This requires two 75% votes under Regulation 23.1.6(b) for the first two lines of the proposal (the Men’s One Person Dinghy and Women’s One Person Dinghy). If either of these votes do not obtain a 75% majority, the submission cannot be considered further.
    If the 75% majorities are obtained, then the submission requires amendment in order to be considered. The Equipment proposals for the Mixed One Person Dinghy, Mixed Two Person Dinghy and Mixed Kite must be amended to read “Select New Equipment”.

vi) Submission 064-18 – 2024 Olympic Sailing Competition – Olympic Equipment
    Opinion: Invalid
    Does not propose for all events as required by 23.1.8(c). However, could be amended to be valid by adding:
    “Equipment criteria for other events: to be approved by Council through other submissions”
vii) Submission 065-18 – 2024 Olympic Sailing Competition – Olympic Equipment

**Opinion: Invalid**

This submission seeks to select the equipment for new events at this meeting. This is not possible under Regulation 23.1.3(d) and (e) which requires the criteria to be decided before trials or evaluations are conducted.

viii) Submission 066-18 – 2024 Olympic Sailing Competition – Olympic Equipment

**Opinion: Invalid**

This criteria for evaluation are not set out in the proposal.

The Committee notes that Submissions 076-18 and 077-18 address this issue of the specified criteria in the correct format.

ix) Submission 067-18 – 2024 Olympic Sailing Competition – Olympic Equipment

**Opinion: Invalid**

Does not propose for all events as required by 23.1.8(c). However, could be amended to be valid by adding:

“Equipment criteria for other events: to be approved by Council through other submissions”

x) Submission 068-18 – 2024 Olympic Sailing Competition – Olympic Equipment

**Opinion: Invalid**

This criteria for evaluation are not set out in the proposal.

The Committee notes that Submission 083-18 addresses this issue of the specified criteria in the correct format.

xi) Submission 069-18 – 2024 Olympic Sailing Competition – Olympic Equipment

**Opinion: Invalid**

See comments on Submission 066-18.

The Committee notes that Submissions 076-18 and 077-18 address this issue of the specified criteria in the correct format.

xii) Submission 070-18 – 2024 Olympic Sailing Competition – Olympic Equipment

**Opinion: Invalid**

See comments on Submission 068-18.

The Committee notes that Submission 083-18 addresses this issue of the specified criteria in the correct format.

xiii) Submission 071-18 – 2024 Olympic Sailing Competition – Olympic Equipment

**Opinion: Approve**

Subject to policy.

xiv) Submission 072-18 – 2024 Olympic Sailing Competition – Olympic Equipment

**Opinion: Approve**

Subject to policy.

xv) Submission 073-18 – 2024 Olympic Sailing Competition – Olympic Equipment

**Opinion: Invalid**
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It is not permissible under Regulation 23.1.3(d) and (e) to select specific equipment now at this meeting. These Regulations require the criteria to be decided before trials or evaluations are conducted and then a final decision made.

xvi) Submission 074-18 – 2024 Olympic Sailing Competition – Olympic Equipment
   Opinion: Invalid
   See comments to Submission 073-18.

xvii) Submission 075-18 – 2024 Olympic Sailing Competition – Olympic Equipment
    Opinion: Approve
    Subject to policy.

xviii) Submission 076-18 – 2024 Olympic Sailing Competition – Olympic Equipment
      Opinion: Approve
      Subject to policy.

xix) Submission 077-18 – 2024 Olympic Sailing Competition – Olympic Equipment
     Opinion: Approve
     Subject to policy. The Committee notes the difference between 076-18 and 077-18 is that 077-18 states that equipment trials are not required.

xx) Submission 078-18 – 2024 Olympic Sailing Competition – Olympic Equipment
   Opinion: Invalid
   Does not propose for all events as required by 23.1.8(c). However, could be amended to be valid by adding:
   “Equipment criteria for other events: to be approved by Council through other submissions”

xxi) Submission 079-18 – 2024 Olympic Sailing Competition – Olympic Equipment
     Opinion: Approve
     Subject to policy

xxii) Submission 080-18 – 2024 Olympic Sailing Competition – Olympic Equipment
     Opinion: Invalid
     It is not permissible under Regulation 23.1.3(d) and (e) to select specific equipment now at this meeting. These Regulations require the criteria to be decided before trials or evaluations are conducted and then a final decision made.

xxiii) Submission 081-18 – 2024 Olympic Sailing Competition – Olympic Equipment
      Opinion: Invalid
      It is not permissible under Regulation 23.1.3(d) and (e) to select specific equipment now at this meeting. These Regulations require the criteria to be decided before trials or evaluations are conducted and then a final decision made.

xxiv) Submission 082-18 – 2024 Olympic Sailing Competition – Olympic Equipment
     Opinion: Approve
     Subject to policy.

xxv) Submission 083-18 – 2024 Olympic Sailing Competition – Olympic Equipment
     Opinion: Invalid
Does not propose for all events as required by 23.1.8(c). However, could be amended to be valid by adding:

“Equipment criteria for women’s equipment as set out in Submission 084-18”

xxvi) Submission 084-18 – 2024 Olympic Sailing Competition – Olympic Equipment

Opinion: Invalid

Does not propose for all events as required by 23.1.8(c). However, could be amended to be valid by adding:

“Equipment criteria for men’s equipment as set out in Submission 083-18”

and deleting the references to other Council approved criteria in relation to sail size and athlete weight.

xxvii) Submission 085-18 – 2024 Olympic Sailing Competition – Olympic Equipment

Opinion: Invalid

It is not permissible under Regulation 23.1.3(d) and (e) to select specific equipment now at this meeting. These Regulations require the criteria to be decided before trials or evaluations are conducted and then a final decision made.

xxviii) Submission 086-18 – 2024 Olympic Sailing Competition – Olympic Equipment

Opinion: Invalid

Proposes retention of equipment for new Event, which does not comply with 23.1.3(c)(iv). Capable of amendment by changing equipment selection for Mixed Two Person Dinghy to “New Equipment” and then adding:

“Equipment criteria for Mixed Two Person Dinghy: to be approved by Council through other submissions”

Delete the lines commencing “Boat for heavyweight men…” and “Boat for lightweight women…..”.

xxix) Submission 087-18 – 2024 Olympic Sailing Competition – Olympic Equipment

Opinion: Approve

Subject to policy.

xxx) Submission 088-18 – 2024 Olympic Sailing Competition – Olympic Equipment

Opinion: Approve

Subject to policy.

xxxi) Submission 089-18 – 2024 Olympic Sailing Competition – Olympic Equipment

Opinion: Approve

Subject to policy.

xxxii) Submission 090-18 – 2024 Olympic Sailing Competition – Olympic Equipment

Opinion: Approve

Subject to policy.

xxxiii) Submission 091-18 – 2024 Olympic Sailing Competition – Olympic Equipment

Opinion: Approve

Subject to policy.
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xxxiv) Submission 092-18 – 2024 Olympic Sailing Competition – Olympic Equipment
   
   **Opinion:** Approve
   
   Subject to policy

xxxv) Submission 093-18 – 2024 Olympic Sailing Competition – Olympic Equipment
   
   **Opinion:** Approve
   
   Subject to policy

xxxvi) Submission 094-18 – 2024 Olympic Sailing Competition – Olympic Equipment
   
   **Opinion:** Invalid
   Does not propose an option for the Men and Women’s Windsurfer as required by Regulation 23.1.8(c).
   
   However the same proposal for Mixed Kite is available in Submissions 095-18 and 096-18.

xxxvii) Submission 095-18 – 2024 Olympic Sailing Competition – Olympic Equipment
   
   **Opinion:** Approve
   
   Subject to policy.

xxxviii) Submission 096-18 – 2024 Olympic Sailing Competition – Olympic Equipment
   
   **Opinion:** Approve
   
   Subject to policy.

xxxix) Submission 097-18 – 2024 Olympic Sailing Competition – Olympic Equipment
   
   **Opinion:** Approve
   
   Subject to policy.

x) Submission 098-18 – 2024 Olympic Sailing Competition – Olympic Equipment
   
   **Opinion:** Approve
   
   Subject to policy.

xi) Submission 099-18 – 2024 Olympic Sailing Competition – Olympic Equipment
   
   **Opinion:** Approve
   
   Subject to policy.

xii) Submission 100-18 – 2024 Olympic Sailing Competition – Olympic Equipment
   
   **Opinion:** Approve
   
   Subject to policy.

xiii) Submission 101-18 – 2024 Olympic Sailing Competition – Olympic Equipment
   
   **Opinion:** Approve
   
   Subject to policy.

xiv) Submission 102-18 – 2024 Olympic Sailing Competition – Olympic Equipment
   
   **Opinion:** Approve
   
   Subject to policy.

xv) Submission 103-18 – 2024 Olympic Sailing Competition – Olympic Equipment
   
   **Opinion:** Approve
   
   Subject to policy.
xlvi) Submission 104-18 – 2024 Olympic Sailing Competition – Olympic Equipment

Opinion: Approve

Subject to policy.

xlvii) Submission 110-18 – World Championships – Participation Requirements for Large Keelboats – Regulation 10.4(b)

Opinion: Reject

There are inconsistencies in the proposed new text which the Committee does not consider can be rectified by non-substantial amendment.

(e) The Committee considered, and gave an opinion on, the following submissions for which the Race Officials Committee is the Reporting Committee:

i) Submission 129-18 – World Sailing Regulations – International Umpires Sub-committee – Regulation 6.10.9.3

Opinion: Approve

Subject to policy.

ii) Submission 130-18 – World Sailing Regulations – Race Officials Performance – Regulation 32

Opinion: Approve with the following amendment

32.8 The panel shall investigate the report and make a recommendation in accordance with Regulation 32.9. The panel may extend or vary the allegations based on information discovered during the investigation. The Race Official concerned shall be informed of the investigation at its inception and in case, the allegations are extended, and be supplied with the report and all relevant documents. He shall be entitled to answer the initial and any extended or varied allegations in writing within a reasonable time set by the panel. If sanctions are recommended they shall be specified. The Chairmen of the Race Officials Committee and all its Sub-committees shall review the recommendation and decide either to confirm it or that the sanction to be imposed shall be less than that recommended.

iii) Submission 131-18 – World Sailing Regulations – Race Officials Administration – Regulation 31.3

Opinion: Approve

Subject to policy.

(f) The Committee considered, and gave an opinion on, the following submissions for which the Racing Rules Committee is the Reporting Committee:


Opinion: Approve

Subject to policy.

ii) Submission 144-18 – Racing Rules of Sailing – Introduction

Opinion: Approve

Subject to policy.

iii) Submission 149-18 – Racing Rules of Sailing – New Rule 8 and 65.3

Opinion: Reject
The principle is sound however needs more work and to be enforceable in some jurisdictions may require this to be included on the entry form. There are issues in effectively defining this as the responsibility of individuals to be aware of such information i.e an opt-in/opt-out situation. Under new GDPR Regulations, issues of whether you can pass the obligation onto the participant to know the privacy rules and their usage. One has to expressly “opt in” consent to the collection, storage, use and sharing of certain personal information.

iv) Submission 175-18 – Racing Rules of Sailing – Rules 63.6 & M3.2
   
   **Opinion: Approve**
   
   **Subject to policy.**

v) Submission 177-18 – Racing Rules of Sailing – Rule 89.1
   
   **Opinion: Reject**
   
   **Unworkable. This is a matter for the Board.**

vi) Submission 204-18 – Racing Rules of Sailing – Case Book for Radio Sailing
   
   **Opinion: No opinion.**

4. Working Parties

The Committee received verbal updates from the following Working Parties:

(a) Equipment Re-evaluation Working Party

Ana Gamulin gave an update on the work of the Equipment Re-evaluation Working Party and noted that an open tender process was conducted, with eight bids being received. The Working Party reviewed the bids and evaluated them against the criteria in the Regulations. Four bids were taken through to the second round of evaluations. As part of the second round, members of the Working Party visited the manufacturer sites and conducted inspections. Feedback from those visits was incorporated into the evaluation process and fed into the recommendations given to the Board. The process is still ongoing, but the Working Party is working well together and the process is running smoothly.

The Committee agreed it was important that an open and transparent evaluation process is concluded in line with the Regulations and approved policy.

(b) Membership Working Party

The Vice-Chairman gave an update on the work of the Membership Working Party since the last meeting. The Working Party has continued to work with Cambodia over the last 18 months, and applications related to Kuwait, American Samoa and Papua New Guinea are on-going.

Regarding Papua New Guinea, the Director of Legal and Governance noted that the Office has been working with the Working Party in relation to their constitution as they had ‘swapped’ MNA. An application has been received from Haiti, but some of the relevant documents were not provided.

The Vice-Chairman noted that the Working Party also provided support to the on-going discussions between the Russian Yachting Federation and the Sailing Federation of the Ukraine.

(c) Rule 69 & Judicial Matters Working Party

The Chairman noted that the results of the Working Party can be seen in the Racing Rules Committee submissions. The Working Party is a legacy from the previous Committee, and it’s work is mainly in respect of evidential and Racing Rules-related issues.

(d) Submission Working Party

David Tillett noted the Working Party did not receive any requests for assistance this year.

(e) Plain English Working Party
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The Chairman noted that until the outcome of the Governance Commission review has determined how much change is likely to occur, the Working Party has not been asked to any further work.

5. Council Group Review

The Vice-Chairman gave an update on the work of the Council Group Review and noted that as a result of an initial desktop review of subscription data, there are five areas where further review and analysis might be merited:

(a) Group H: this group comprises six MNAs represented by one Council seat. However, the initial review showed only one of the MNAs actively participating in Council matters.

(b) Groups I, J and K: in all there are 29 MNAs with four Council seats. In light of recent development of the MNAs within Asia, further review may be appropriate of both the number of Council seats, and their distribution across Groups I, J and K.

(b) Group O: the 26 MNAs include 18 Caribbean islands and eight central American countries; this does not align to the two World Sailing-defined continents of ‘North America and the Caribbean’ and ‘Central and South America’. It was also noted that two MNAs within the Group were on the debtors list in 2018.

(c) Group Q: the Group was recently given a second Council seat in recognition of the development of sailing in Africa. Ten of 21 MNAs are on the debtors list in 2018.

Under the Articles, one more Council seat would be permitted. Whether, and if so where and how, to allocate this would be considered by the Review Group.

The Vice-Chairman noted that the Review Group has not yet met, and work had not progressed further pending the outcomes of the Governance Commission review.

The Chairman noted that the work of the Group may need to resume at pace if no governance changes will be proposed in May 2019.

6. Governance Commission

The Vice-Chairman advised the Committee that Maria Clarke has been appointed as the Independent Chair of the Governance Commission. During the 2018 Conference, Maria will be running a two hour Governance Workshop on Thursday 1 November, and also presenting to Council and members at the Annual General Meeting.

To date, the Governance Commission has conducted a ‘desktop review’ of World Sailing’s current governance structure, and conducted one-on-one interviews with each member of the Board, Council and selected staff members. A survey was sent to a large number of stakeholders, including all committee and commission members, affiliate members, MNAs and class associations. The Commission met to review the results and given the number of MNA responses were low, elected to re-open the survey for an additional week to MNAs.

The Commission will be meeting again in January 2019 to consider the feedback received at Conference, and further develop its ideas for reform. The Commission is aiming to have draft recommendations finalised by the 2019 mid-year meetings to allow enough time for any changes (eg. to the Constitution) to be drafted and voted on at the 2019 AGM.

The Vice-Chairman encouraged members of the Committee to attend the Governance Workshop to hear more about the feedback received from the surveys and the Commission’s proposed changes.

The Director of Legal and Governance noted that the input of the Committee to review the proposed amendments (eg. to the Constitution) to implement any changes next year will be required.

7. Constitution & Regulations
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The Committee discussed Interpretations 004-18 and 005-18.

The Committee discussed draft interpretation 006-18.

Decision

The Committee approved Interpretation 006-18.

8. Annual General Meeting

The Committee discussed this item in closed session.

9. Annual Report

The Committee received the Chairman’s report to Council covering the period 1 January 2018 to 31 December 2018.

10. Any Other Business

(a) The Committee considered the following additional submissions:

   i) Submission 011-18 – Approval Fees – Prize Money
      
      Opinion: Approve
      Subject to policy.

   ii) Submission 037-18 – World Sailing Regulations – Regulation 35
      
      Opinion: Approve
      Subject to policy.

   iii) Submission 058-18 – 2024 Olympic Sailing Competition – Olympic Events and Equipment
      
      Opinion: Approve
      Subject to policy and the approval of Submission 037-18.

(b) US Sailing Query

The Committee received a request from US Sailing regarding Interpretation 004-18.

US Sailing noted that in 2016 a policy was approved that the slate of events for the 2024 Olympics must comply with gender equality requirements in respect of both the number of athletes, and the number of events. US Sailing asked a number of questions which the Committee determined could be summarised as follows:

- If a submission or motion is presented to Council or the AGM that does not comply with this policy (ie. it does not provide for gender equity in the number of athletes or events), would that submission be ruled invalid? Ie. what is the effect of a Council policy decision on the AGM – does it bind the AGM?

- If the AGM approves a motion, can a subsequent motion be debated and decided on if the subsequent motion deals with (even if only in part) the same content (even if only part of the content is the same)?

Decision

The powers of the AGM cannot be fettered by policy decisions of the Council.

Once a general meeting has settled an item of business, other motions seeking to re-open that item may be ruled invalid on the grounds of redundancy or inconsistency.

(c) JSAF Query
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The Committee received a request from the World Sailing Executive Office for guidance on how to deal with an issue raised by Japan Sailing Federation (JSAF) in respect of submissions made to the 2018 mid-year meeting.

The Committee considered whether submissions which were not deemed urgent (and therefore not presented to the mid-year meeting) automatically ‘carry over’ to the annual meeting, or whether they need to be re-submitted again.

Decision

Submissions that are not considered urgent, and therefore not accepted for the Mid-Year Meeting, lapse and do not automatically carry over to the annual meeting (i.e. they must be re-submitted).

(d) Submission 110-18

The Committee received a request concerning a proposed amendment to Submission 110-18.

Decision

The proposed amendment would be a substantial change to the submission and therefore could not be recommended to Council.

The Committee changed its opinion to ‘reject’ on the grounds that there are inconsistencies in the proposed new text which the Committee does not consider can be rectified by non-substantial amendment.

(e) Submission 004-18

The Committee received a request from the submitters in relation to further amendments the proposers wish to make.

Decision

The Committee did not regard the proposed amendments as non-substantial and would not recommend them to Council.

(f) The Chairman thanked the members of the Committee for all of their hard work over the last 12 months. The Committee also formally thanked the World Sailing legal department for their work and acknowledged the efforts of all World Sailing staff.