



The ISAF Council met at 0930 – 1800 hours on Friday 4 May and at 09:30 – 13:45 on Saturday 5 May 2012 in the Verdi Rooms at the Regina Palace Hotel, Stresa, Italy.

Please refer to the ISAF website www.sailing.org for the details of the submissions on this agenda

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Present

Göran Petersson (SWE)	President and Meeting Chairman
HM King Constantine	President of Honour (<i>ex officio non voting</i>)
Tomasz Holc (POL)	Vice-President
Nazli Imre (TUR)	Vice-President
David Irish (USA)	Vice-President
Teresa Lara (VEN)	Vice-President
Teo-Ping Low (SIN)	Vice-President
Alberto Predieri (ITA)	Vice-President
Eric Tulla (PUR)	Vice-President
David Kellett (AUS)	Treasurer (<i>ex officio non voting</i>)
Chris Atkins (GBR)	Representatives of Group A - United Kingdom & Ireland
John Crebbin (IRL)	Representatives of Group B - Central Europe
Tatjana Antoncic (SLO)	Representatives of Group C - East Europe
Rolf Baehr (GER)	Representatives of Group D - South Europe
Tomasz Chamera (POL)	Representative of Group E - Iberian Peninsula
Kamen Fillyov (BUL)	Representatives of Group F – Low Countries
George Andreadis (GRE)	Representatives of Group G - Scandinavia
Jean-Pierre Champion (FRA)	Representative of Group H - Euro-Asian
Carlo Croce (ITA) – <i>alternate for Sergio Gaibisso</i>	Representative of Group I – North Africa and Middle East
Gerardo Seeliger (ESP) – <i>alternate for Gerardo Pombo</i>	Representatives of Group J - East Asia
Patrick Bergmans (BEL)	
Kurt Lonnqvist (FIN)	
Stig Hvide Smith (NOR)	
Oleg Ilyin (RUS) – <i>alternate for Alexander Kotenkov</i>	
Khalifa M Al-Sewaidi (QAT)	
Takao Otani (JPN)	

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Ajay Balram (IND)

Ralph Roberts (NZL)

David Tillett (AUS)

Pablo Masseroni (ARG) – *Alternate for Maximo Rivero-Kelly*

Abraham Rosemberg (BRA) – *Alternate for Harry Adler*

Jane Moon (CAY)

Hector Duval - *Alternate for Andres Santana*

Charley Cook (USA)

Cory Sertl (USA) -

Peter Hall - (CAN)

Ross Robson (RSA)

Jeff Martin (GBR) – Morning Session 4 May only

Helen-Mary Wilkes (IRL) – Alternate from 14:30, 4 May

Jacques Lehn (FRA)

Fiona Kidd (CAN)

Ben Barger (USA)

Apologies:

Sergio Gaibisso (ITA)

Gerardo Pombo (ESP)

Alexander Kotenkov (RUS)

Maximo Rivero Kelly ((ARG)

Quanhai Li (CHN)

Harry Adler (BRA)

Andres Santana (DOM)

Also in attendance:

Jerome Pels (NED)

Philip Tolhurst (GBR)

Alastair Fox

Helen Fry

Esther Hanson

Trish Merrick

Jason Smithwick

Rob Taylor

Pauline Ward

Dick Batt

Jan Dawson

Representative of Group K - South and Central Asia

Representatives of Group L - South West Pacific

Representative of Group M - South & West South America

Representative of Group N – Central & East South America

Representatives of Group O – North South America, Central America and Caribbean

Representatives of Group P - North America

Representative of Group Q - Africa – South of the Sahara

ISAF Classes Representative

Oceanic and Offshore Representative

Women's Representative

Athletes Commission Representative

Representative of Group D – South Europe

Representative of Group E – Iberian Peninsula

Representative of Group H - Euro-Asian

Representative of Group M - South & West South America

Representative of Group J – East Asia

Representative of Group N – Central & East South America

Representatives of Group O – North South America, Central America and Caribbean

Secretary General

Chairman Constitution Committee

Head of Competitions

Head of Administration

Sailor Services Administrator

Governance Services Administrator

Head of Technical and Offshore

Technical Co-ordinator

Events Administrator

Chairman Equipment Committee

Chairman Audit Committee

Before commencing the business of the meeting, those present stood in memory of colleagues, friends and sailors who have passed away since the last meeting of Council in San Juan, Puerto Rico, November 2011: Nick Burgin (GBR), International Judge and Umpire.

1. Opening of the Meeting

- (a) Welcome

The President opened the meeting and thanked the Federazione Italiana Vela for hosting the meeting against the backdrop of Lake Maggiore.

Council received the "Green Book" containing the recommendations on submissions and recommendations not based on submissions.

The President outlined the order of proceedings, declarations of conflict of interest and rules of debate.

The Secretary General explained the voting procedure and confirmed that the President would only vote in the event of the need of a casting vote and therefore 38 Council members were entitled to vote.

(b) Attendees, Alternates and Apologies

Council noted the apologies and alternates.

2. Report by the ISAF President

Almost immediately following the Annual Conference in Puerto Rico all focus switched to Perth, Australia and the 2011 ISAF World Championships. The event was a tremendous success and met expectations on all levels. The Organising Committee and the Team, so ably lead by John Longley are to be congratulated and a report from John was received under item 16(a). A personal highlight was the sailing off Bathers Beach much enhanced by the racing commentary and atmosphere generated by the spectators who filled the grandstands located in the natural breakwaters for the medal races. The match racing on Swan river also provided popular entertainment. Great steps were made in television production with an unprecedented level of coverage disseminated to broadcasters globally to facilitate national uptake and create good visual impact for team sponsors. Council received a DVD of the event which is also available for purchase.

With the world eagerly awaiting the decisions regarding the selection of events and equipment for 2016 Olympic Games the President gave a collective thanks to the sailors, evaluation teams and ISAF staff for their efforts in producing the reports in time for Council to make decisions in May 2012 as requested in November 2011. The RFEV and Santander were thanked for providing the venue for the evaluations and allowing so many to see the location for the 2014 ISAF Championships. The final contract was signed in the presence of the Mayor of Santander during the Evaluation Trials.

Nations are now in the midst of final Olympic qualification events and it is vital that MNAs work with the NOCs so that sailor quotas are confirmed by the deadline required. This is also important in order for spare places to be re-allocated to maximise nation participation.

The venue in Weymouth and Portland is ready and the "Nothe" will be the ticketed area for spectators to watch sailing. The only disappointment is that, due to the terms in the broadcasting contracts, ISAF is not permitted to show tracking on the ISAF website. Council will be kept informed regarding on-going discussions with the IOC for 2D or 3D tracking to be made available via the broadcast right holders and each nation may request their national TV to take up the tacking signal on their national websites.

The success of the 2012 Olympic Sailing Competition is extremely important for the future of our sport in the Olympic Games.

With regard to the business of this meeting, 15 submissions were received, only one was deemed to be "urgent" and all submitters were duly notified that the November 2012 meeting will be the time their submissions will be considered. Submissions regarding Olympic equipment were also not allowed as ISAF must follow the procedure which is clearly set out in the Regulations.

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The Executive Committee discussed the Governance of ISAF at their meeting in Doha, last February. In November 2011, IOC Executive Board Member, Richard Carrion commented on the length of ISAF meetings and if it were not for the Olympic Equipment decisions there would not be much need for this May meeting. The Secretary General has been instructed not to host a Mid-Year Meeting unless it is absolutely necessary. The new Executive Committee will address the issue of efficiency of governance.

A full report on the Sailing World Cup is included under Item 8. The President informed Council that, following discussion and obtaining advice, the decision was made by the Executive Committee in February 2012 for Marketing and Sponsorship to be sourced from an outside organisation on an "as and when" basis.

The President closed by reminding Council that November 2012 is not only when the new Officers will be elected but also when Council, Committees and Commissions will be renewed. The procedures have already been notified to all MNAs and he asked for MNA's co-operation to ensure the best qualified persons are put forward for consideration to the ISAF Secretariat by 1 August 2012.

3. Minutes of Previous Meeting

The minutes can be downloaded at www.sailing.org/meetings

(a) Council Minutes November 2011

i) Council noted the minutes of the Council Meetings of 10, 11 and 12 November 2012 (circulated and approved after the meeting).

ii) Matters Arising

There were no matters arising from the previous minutes.

(b) Executive Committee Minutes

Council noted the minutes of the Executive Committee Meetings of:

i) 3, 4, 5, 10 and 12 November 2011

ii) 11, 12 and 13 February 2012

4. Finance

(a) 2011 Accounts

i) Management Accounts

The Secretary General presented the Management Accounts for the year ended 31 December 2011. It was noted that the increase in expenditure was due to money invested in the 2011 ISAF World Championships in Perth which proved to be well spent and contributed greatly to its success. This expenditure was offset by the significant increase in income that exceeded the budget income forecast. This additional income has resulted in a reduced deficit not counting Olympic Games revenue. Expenditure for the Olympic Sailing Competition and Administration are in line with budget.

ii) Audited Statutory Accounts

The Treasurer informed Council that the Audited Statutory Accounts for the International Sailing Federation (IOM) Ltd (company number 79772C) for the year ended 31 December 2011 had been reviewed by the Audit Committee made and were subsequently approved by the Directors of the Company (the Executive Committee).

iii) Audit Committee

Jan Dawson informed Council that in addition to reviewing the Accounts and budget the Audit Committee will be looking into a number of projects including the responsibilities of the Executive Committee as Directors of the Company and will report back to Council in November 2012.

(b) 2012 Budget

Council noted that, in accordance with the recommendation from the Audit Committee, the Executive Committee approved the revised 2012 Budget. The Secretary General informed Council that it was usual for requests for additional budget requests to be received and approved accordingly at this meeting. In addition, as a result of the Audit conducted in February 2012, recommendations were received from haysmcintyre and certain costs will be relocated to different areas.

(c) Trust Report

The Treasurer reported that the increase in long terms reserves over the past 2 years was very satisfactory. As a result of a review of sovereign investments in February 2012 professional advice was sought and confirmation was received that there was no danger to money invested and any potential exposure would be reduced by not re-investing as they fall due.

Sterling and Euro investments were retaining yield and their market value has increased.

(d) Subscription Fees

Council noted the unpaid Member National Authority (MNA) and Class Subscriptions attached as Appendix 1 to these minutes.

5. Draft Annual Report 2011

Council received the draft Annual Report and were invited to contact the Secretary General with any comments/amendments.

6. Submissions Deferred from Previous Council Meetings

Also available online at www.sailing.org/meetings

(a) Submission 007-11 ISAF Ethics Commission – Executive

Decision

On a proposal from Charley Cook, seconded by David Tillett, Council approved submission 007-11 with the following amendment (1 reject, 0 abstain, 36 approve – 37 participated):

8.14.2 Regulation 8.2 does not apply to the appointment or removal of members of the Commission. Council shall appoint the members of the Commission on the nomination of the Executive Committee. There shall be at least seven members of the Commission, including at least two members of the Constitution Committee ~~and at least two members of the Review Board.~~ Council shall appoint the Chairman and Vice-Chairman of the Commission on the nomination of the Executive Committee.

8.14.3 **Notwithstanding Regulation 8.2,** a member of the Commission may be removed by Council ~~on the recommendation of the Executive Committee.~~

8.14.7 The Commission may adopt its own rules of procedure to govern its meetings and operations ~~subject to the approval of the Executive Committee under Regulation 8.2.~~

36.3 The Code shall be adopted by Council from time to time ~~acting on the recommendation of the Executive Committee. The Ethics Commission shall advise the Executive Committee on the establishment and subsequent amendments to the Code.~~

- (b) Submission 043-11 ISAF Learn to Sail Programme - Development and Youth
- (c) Submission 044-11 ISAF Recognized National Training Programme - Development and Youth
- (d) Submission 045-11 ISAF Recognized Training Programme - Development and Youth

There was no objection from Council to vote on submissions 043-11, 044-11 and 045-11 en bloc.

Decision 1:

On a proposal from Nazli Imre, seconded by Ross Robson, Council approved submissions 043-11, 044-11 and 045-11 (3 reject, 0 abstain, 34 approve – 37 participated).

Vice-President Nazli Imre informed Council that in accordance with the comments to deferred submissions 043-11, 044-11 and 045-11 a Development Symposium was duly held in March 2012 and a proposal was formulated for consideration by Council.

Decision 2:

On a proposal from Nazli Imre seconded by John Crebbin, Council approved the following proposal (3 reject, 0 abstain, 34 approve – 37 participated):

The existing MNA 'Recognized Training' Accreditation Inspection guidelines for Dinghy, Keelboat, Multihull and Windsurfing are also fit for the purpose of inspection of National Yacht Training Programmes, incorporating:

- i) good practice and safety should be the focus of the Inspection and not the Levels and number certificates of participants that have been achieved nationally.
 - ii) based on feedback from those MNAs that have experienced Inspection visits so far it is recommended that two ISAF Inspectors should be used for the purpose of Inspection during all 'Recognized Training' visits, helping to provide an 'instant' outcome decision moderated by both inspectors at the end of each visit.
 - iii) it is requested also that the Inspection visit should be shorter (currently set at maximum of 5 days) and focus more on National MNA Sail Training Programme Structures and not on 'practical facility' visits in order to reduce financial impact on MNA. The example of the International Tennis Federation (ITF) was given as they too had made this decision based on consultation with their members for a similar programme.
- (e) Submission 054-11 In-House Certification – Equipment

Decision

On a proposal from Jeff Martin, seconded by Kurt Lonnqvist, Council rejected submission 054-11 (25 reject, 1 abstain, 11 approve – 37 participated).

- (f) Submission 056-11 Equipment Rules of Sailing – Equipment

Decision

On a proposal from Jeff Martin, seconded by John Crebbin, Council approved submission 056-11 with the following amendment (2 reject, 0 abstain, 35 approve – 37 participated):

Changes

The ERS may only be changed as follows:

- (a) Prescriptions of an MNA may change ~~an~~ a rule in ERS rule, Part 1 for ~~racing~~ aces under its jurisdiction.
- ~~(b) Sailing instructions may change an ERS rule by referring specifically to it and stating the change, but may not change any portion of the ERS adopted in class rules.~~
- ~~(c) A rating authority may change an ERS for racing within its jurisdiction.~~
- (b) **Class rules** may change ERS rules as permitted by rule A.1, B.7, and B.9, H1, H2, H3, H.4, H.5 and H.6.

These restrictions do not apply if Part 1 rules are changed to develop or test proposed rules in local races. The MNA may prescribe that its approval is required for such changes.

Marginal markings indicate substantial changes ~~and additions~~ to the ~~2005-2008~~ 2009-2012 edition.

- (g) Approved Submission 100-11 Selection of Core Events

Decision

On a proposal from Ajay Balram, seconded by Ross Robson, Council unanimously approved the revised wording of Regulation 23.1.5 (37 participated):

23.1.5 Core Events and Core Equipment

A Core Event is an Event that is selected for the next two Olympic Games following its selection. Core Equipment is Equipment selected for a Core Event for the next two Olympic Games following its selection. At any time there shall not be more than eight Core Events.

- (a) Core Events and Core Equipment shall be decided at Council's first ordinary meeting after an Olympic Games. Only Events and Equipment already selected for the next Olympic Games may be considered.
- (b) Any recommendation or decision to select a Core Event or Core Equipment shall require at least two-thirds of votes cast to be in favour of the recommendation or decision.
- (c) Reporting Committees shall, in voting to approve a recommendation, for Core Events use a single ballot paper with ten yes / no votes, one per Event, and the motion for each vote being that "Event xxx should be a Core Event and selected as an Olympic Event in 20xx and 20yy" where "20xx" and "20yy" are the next two Olympic Games. In the event that more than eight Events receive the required two-thirds majority, the eight with the highest number of votes in favour shall be recommended as Core Events. In the event of a tie that needs to be broken, a run-off ballot shall be held.

- (d) Reporting Committees voting to approve a recommendation for Core Equipment shall vote separately for each Core Event, the motion being whether to recommend the current Equipment is selected as Core Equipment, or not. To be recommended, a vote in favour of two-thirds of votes cast is required.
 - (e) Council may decide to accept the recommendation of a Reporting Committee on Core Events or Core Equipment providing at least two-thirds of votes are cast in favour of so doing. If Council does not so decide, it shall then use the voting procedures laid out in 23.1.5 (a) to (d) above to make its decision(s).
- (h) Submission 101-11 Olympic Events Selection - Specification of Voting Process – Events/ Executive

Decision

On a proposal from Chris Atkins, seconded by Peter Hall, Council approved submission 101-11 with the following amendment (3 reject, 0 abstain, 33 approve – 36 participated):

Add new regulation 23.1.9 to define the voting process

23.1.9 Reporting Committees voting to recommend Olympic Events shall vote in accordance with the procedure below. Council may decide to accept the recommendation of a Reporting Committee. If Council does not so decide, it shall also vote in accordance with the procedure below

(a) Voting Procedure

If there is one or more submissions to change Olympic Events, a two stage procedure shall be used to choose whether to retain the existing set of Events or to change to an alternative set proposed in a particular submission.

Stage 1

Any submission to change Olympic Events must be proposed and seconded by a member of the committee (or if the submission is before Council by a member of Council). A member may propose or second more than one submission.

If a submission is not so proposed and seconded it is deemed rejected.

Stage 2

Stage 2 selects one set of Events from the current set of Olympic Events and the alternative set or sets of Olympic Events that have been proposed and seconded in Stage 1.

(b) The Stage 2 procedure is as follows:

- (i) Each member of the committee, or if it is a vote of Council, each member of Council, shall cast one vote for his or her preferred set of Olympic Events from those sets that have not so far been rejected.**

- (ii) If a set receives more than 50% of votes cast, it is selected and the voting process is concluded.
- (iii) If no set receives more than 50% of votes cast, first any set that has received zero votes is rejected, and second, of the remaining sets, the one that received the fewest votes is also rejected.
- (iv) The procedure in (i) (ii) and (iii) above shall then be repeated with the remaining sets.
- (v) The procedure shall continue until a set receives more than 50% of votes cast, whereupon it is selected, and the others are then deemed rejected
- (vi) After each round, the rejected set(s), but not the number of votes, shall be declared. The totals of all votes in all rounds shall be declared at the end of the process.
- (c) In the event of a tie in step (b)(iii) above, it shall be broken as follows:

 - (i) The tie is broken in favour of the set that received more votes in the previous round of Stage 2.
 - (ii) If this fails to break the tie, or it is the first round of Stage 2, a run-off ballot shall be held.
 - (iii) If a tie between more than two sets is only partially broken by (i) or (ii), the tie-break process continues with the sets that are still tied.
 - (iv) If a run-off ballot fails to break a tie, the chairman shall have a casting vote.

- (i) Submission 109-11 ISAF Sailing World Cup – Events

Decision

On a proposal from Chris Atkins, seconded by John Crebbin, Council approved submission 109-11 with the following amendment (1 reject, 1 abstain, 35 approve – 37 participated):

- 24.3.3 Notwithstanding 24.3.1 above the Organising Authority for an ISAF Sailing World Cup Sailing regatta may, with ISAF approval, also include Events and Equipment included in the next Paralympic Sailing competition provided that if it does so the format of such Events shall be based on the format of those Events for the next Paralympic Sailing competition.**

7. Urgent Submissions

Also available online at www.sailing.org/meetings

- (a) Submission M01-12 from the Executive Committee regarding betting and anti-corruption, new Appendix 5 (attached as Appendix 2 to these minutes).

Decision

On proposal from Ross Robson, seconded by George Andreadis, Council unanimously approved submission M01-12 as amended and subject to an email

vote to finalise the section relating to sanctions, date of implementation and definition of "International Competition"(38 participated).

8. ISAF Sailing World Cup

Alastair Fox reported that 4 ISAF Sailing World Cup (SWC) events have taken place since November 2011, Melbourne, Miami, Palma de Mallorca and Hyères.

Vice-President Alberto Predieri gave an extensive overview of the implementation of the policy approved by Council in November 2010 as to the establishment of the 2009-2012 SWC, outlining in particular the requirements (provided equipment, prize money) decided by the Executive Committee with regard to the new events to join the SWC.

He also reported that the process for hiring a SWC Manager has been initiated by the ISAF Secretariat. The SWC Manager will work full-time at the office in Southampton and will be responsible for the actual running of the SWC, the implementation of the guidelines, drafting and updating the relevant manual, managing contracts, communications and resolving the problems identified.

After the last announcement (November 2011), a new contract has been signed with Melbourne as the third event for 2013-2016 and negotiations are underway with Miami.

Qingdao can now be announced as the fourth event for 2013-2016 and will stage 6 classes with provided equipment (Men's and Women's RS:X – subject to Council decision on the events for the Olympic Games 2016-, Laser, Laser Radial and 470), with prize money of USD180,000 (to be divided among the 6 classes) and a sanction fee of 200,00 euros for ISAF.

Charley Cook asked Chris Atkins questions and requested that the responses be included in the minutes:

Question 1. Is a Grand Final included in the current implementation plan?

Answer : A Grand Final is not included in the current implementation plan.

Question 2: Is the implementation plan final or can there still be changes after November 2012.

Answer: Recommendations may, if adopted by Council in November, be effective for 2013 SWC events occurring after the November Council meeting.

Decision

On a recommendation from Chris Atkins, seconded by Ross Robson Council approved that Council should request that the Executive Committee continues the current implementation and that the Events Committee should take forward their review on the broader basis and come forward with updated recommendations starting November 2012 (0 object, 0 abstain, 37 approved – 37 participated).

9. 2016 Women's Skiff Event Equipment Evaluation

Council noted that Ben Barger, Takao Otani and Helen-Mary Wilkes declared a conflict of interest. They would take part in the debate but would not vote.

(a) The 2016 Women's Skiff Event Equipment Evaluation report was received.

After expressing thanks to all involved in bringing about the successful evaluation trials Dick Batt summarised the process and responded to questions from Council on the published report.

(b) The following recommendations were made:

- iv) The Events Committee recommends that the Mackay FX is selected as the Women's skiff.
 - v) The Equipment Committee recommends that the RS 900 is selected as the Women's skiff as it better satisfies the evaluation criteria.
 - vi) On a motion by Chris Atkins, seconded by Stig Hvide Smith it was proposed that a vote should be taken on the shortlist of two boats the Mackay FX and the RS 900 in accordance with the recommendation of the Events Committee.
 - vii) On a proposal by Abraham Roseburg, seconded by Oleg Ilyin it was proposed that a vote should be taken on the 29er XX.
- (c) To decide, if appropriate, the equipment for the Women's Skiff event for the 2016 Olympic Sailing Competition.

Decisions

- i) **Council unanimously approved that a decision would be made at this meeting.**
The President explained that he did not intend to invite or allow any comments from observers to ensure a level playing field. As it was for the Mid-Year Meeting 2011, the voting will be conducted as an open vote unless, as outlined in Article 46, three members present requested a secret ballot.
- ii) **No-one requested a secret ballot. The voting will be conducted as an open vote with ballot papers. President of Honour, HM King Constantine and the Chairman of the Audit Committee, Jan Dawson would act as voting scrutineers.**
- iii) **All 35 votes were valid. The Mackay FX obtained more than 50% of votes cast and was selected as the Women's Skiff Equipment for the 2016 Olympic Sailing Competition (attached as Appendix 3 to these minutes).**

10. 2016 Mixed Multihull Event Equipment Evaluation

Council noted that Ben Barger, Takao Otani and Helen-Mary Wilkes declared a conflict of interest. They would take part in the debate but would not vote.

- (a) The 2016 Mixed Multihull Event Equipment Evaluation Report was received.
After expressing thanks to all involved in bringing about the successful evaluation trials Dick Batt summarised the process and responded to questions from Council on the published report.
- (b) The following recommendations were made:
 - i) The Events Committee recommends that the Nacra 17 is selected as the Mixed Multihull
 - ii) The Equipment Committee recommends that the Nacra 17 is selected as the Mixed Multihull as it better satisfies the evaluation criteria.
 - iii) It was proposed by Oleg Ilyin that a vote should be taken on the Tornado. This proposal was not put on the table as there was no seconder.
 - iv) On a motion by Abraham Roseburg, seconded by Pablo Masseroni it was proposed that a vote should be taken on the Viper F16.
 - v) On a motion by Kurt Lonqvist, seconded by Chris Atkins it was proposed that a vote should be taken on the Nacra 17.

The debate was opened.

- (c) To decide, if appropriate, the equipment for the Mixed Multihull event for the 2016 Olympic Sailing Competition.

Decisions

- i) **Council unanimously approved that a decision would be made at this meeting.**

The President explained that he did not intend to invite or allow any comments from observers to ensure a level playing field. As it was for the Mid-Year Meeting 2011, the voting will be conducted as an open vote unless, as outlined in Article 46, three members present requested a secret ballot.

- ii) **No-one requested a secret ballot. The voting will be conducted as an open vote with ballot papers. President of Honour, HM King Constantine and the Chairman of the Audit Committee, Jan Dawson would act as voting scrutineers.**

- iii) **All 35 votes were valid. The Nacra 17 obtained more than 50% of the votes cast and was selected as the Mixed Two Person Multihull Event at the 2016 Olympic Sailing Competition (attached as Appendix 4 to these minutes).**

11. 2016 Olympic Board and/or Kiteboard Events

Council noted that Ben Barger and Helen-Mary Wilkes declared a conflict of interest. They would take part in the debate but would not vote.

- (a) The report on the Kiteboarding Format Evaluation Event held in Santander, Spain 21-25 March 2012 was received.

Tomasz Chamera expressed thanks to all those involved in the evaluation event and responded to questions on the published report.

- (b) Recommendations

- i) The Events Committee recommends to include kiteboarding into ISAF events.
- ii) The Events Committee recommends that no decision should be made on the RS:X and/or kiteboarding event until November 2012 after a direct approach has been made by ISAF to the IOC for additional medals for Men's kiteboarding and Women's kiteboarding events in 2016.
- iii) If Council decides to make the decision on the RS:X and/or kiteboarding event then the Events Committee recommends the RS:X is selected.

The debate was opened.

- iv) On a motion by Chris Atkins, seconded by Kamen Fillyov the proposal was to adopt the Events Committee Recommendation amended to:

"The inclusion of kiteboarding in ISAF events and/or the Windsurfing and Kiteboarding Committee to prepare a recommendation for how and when this should be achieved and report to Council in November 2012".

Decision

The amendment was approved (0 reject, 1 abstain, 37 approve – 38 participated).

- (c) To decide, if appropriate, the equipment/format for the Board and/or Kiteboard Event for the 2016 Olympic Sailing Competition.

Decisions

- i) **On a motion by John Crebbin, seconded by Abraham Rosemberg Council approved to make a decision at this meeting on the RS:X and/or kiteboarding**

event (attached as Appendix 4(a) to these minutes - 6 reject, 2 abstain, 30 approved – 38 participated)

- ii) No-one requested a secret ballot. The voting will be conducted as an open vote with ballot papers. President of Honour, HM King Constantine and the Chairman of the Audit Committee, Jan Dawson would act as voting scrutineers.
- iii) All 36 votes were valid. Kiteboarding obtained more than 50% of the votes cast and was Men's Kiteboarding and Women's Kiteboarding are selected for the 2016 Olympic Sailing Competition (attached as Appendix 5 to these minutes).
- iv) Following the decision that Men's and Women's kiteboarding was selected for the 2016 Olympic Sailing Competition, Chris Atkins as Chair of the Events Committee agreed it was not appropriate to consider the second recommendation of the Events Committee.

The President expressed profound thanks to the evaluation teams, the manufacturers, the sailors and ISAF staff, for their work in undertaking the trials and producing the reports within a very short timeframe in order for Council to consider at this meeting. The RFEV and was also thanked for agreeing to host the evaluations at short notice.

12. Committee Recommendations to Council from the Executive Committee

The recommendation from the Executive Committee was dealt with under Item 22.

13. Committee Recommendations to Council from the Events Committee

- (a) Events Committee agenda item 8(b)

The recommendation from the Events Committee was dealt with under Item 11(b)(iv).

- (b) Events Committee agenda item 10(b)

The recommendation from the Events Committee was dealt with under Item 8.

14. Committee Recommendations to Council from the Equipment Committee

- (a) Equipment Committee agenda item 3(a) RS100 ISAF Class Application.

Decision

On a proposal by Kamen Fillyov, seconded by George Andreadis Council deferred this application pending further information on distribution (0 reject, 2 abstain, 34 approve – 36 participated).

- (b) Equipment Committee agenda item 3(b) Elliott 6m Class Application

Decision

On a recommendation to reject by Ross Robson, seconded by John Crebbin Council rejected this application. The Class needs to re-apply for ISAF Class status once they meet the general requirements of Regulation 10 (2 reject, 1 abstain, 33 approved – 36 participated).

- (c) Council noted that the Equipment Committee supported the recommendation of the Youth Olympic Games Working Party that the Byte CII is selected as equipment for the 2014 Youth Olympic Games.

15. International Sports Update

- (a) IOC

ISAF Council Minutes Cont'd

The President informed Council that the expected revenue from the London Olympic Games is forecasted to be significantly higher than from the Beijing Games..

Council were informed that the cities bidding to host the 2020 Olympic Games are: Bacu, Doha, Istanbul, Madrid and Tokyo.

(b) SportAccord

Council noted that the President and the Secretary General will be attending the SportAccord International Convention, Québec City, 20-25 May 2012.

(c) ASOIF

A new ASOIF President will be appointed in May 2012.

16. ISAF Sailing World Championships

(a) 2011 ISAF Sailing World Championships

John Longley made a presentation and reported that 3 years of hard work from all involved, culminated in an extremely successful event.

There was unprecedented television coverage with 356 media representatives, 21 hours national TV, 454 hours of international TV broadcast to 105 nations.

The sailing grandstand close to shore was a huge success and was filled to capacity for the medal races.

The enthusiastic contribution of volunteers was invaluable and thanks to ISAF communications the level of coaching was excellent.

John Longley will now be assisting Santander. A World Sailing Championship Manual will be provided.

The Treasurer, David Kellett, thanked John and the ISAF staff in attendance at the Championships.

The President expressed special thanks to John for his personal, dedicated commitment throughout.

(b) 2014 ISAF Sailing World Championships

Gerardo Seeliger reported on the successful Emerging Nations Programme and advised that he will give an updated report at the Council meeting in November 2012. RFEV would welcome visits from anyone wishing to see the venue first hand.

17. America's Cup

The Treasurer, David Kellett informed Council that the sanction fees had been received within the agreed deadline. It is anticipated that there will be three challengers to the Defender in the 2013 finals in San Francisco, USA.

18. 2012 Olympic Sailing Competition

David Kellett, Technical Delegate congratulated the efforts of Rob Andrew and his team on their great working relationship with ISAF. The spectator area will provide a great viewing area and all 60,000 tickets have already been sold.

Alastair Fox reported on the work of Documentation Working Group consisting of Chris Atkins, Dick Batt, John Doerr, Sandra Robinson and Jan Stage. The equipment specifications have been released and following consultation with 30 team leaders and the Racing Rules Committee the Sailing Instructions were published along with the draft course allocation.

Seven championships are currently taking place which are qualifying events for the 2012 and as soon as the results are known NOCs are strongly urged to confirm their places. To this end MNAs have been requested to confirm their places by 1 June 2012 to allow for the re-allocation of spare places with all places being confirmed by 18 June 2012.

19. 2014 Youth Olympic Games

Alastair Fox reported that it has been confirmed that ISAF will have four medals with 100 athletes aged 15-16. The Executive Committee confirmed that the BIC Techno 293 will be the windsurfing board at their February 2012 meeting subject to contract. There had been a bid process for the 1 person dinghy and the Youth Olympic Games Working Party had recommended to the Executive Committee that the Byte CII equipment should be selected.

20. ISAF Members

(a) Applications for ISAF full member status

Council received the recommendations from the Executive Committee to approve the following applications for full member status:

i) Kosovo

Decision

On a proposal from Peter Hall, seconded by George Andreadis, Council approved the application for full membership of the Kosovo Sailing Federation Group C, Subscription Category 1 as confirmed by the Constitution Committee (0 against, 1 abstain 36 approve – 37 participated)

ii) Paraguay

Following successful mediation, the current MNA for Paraguay, Yacht Club Ypacarai have withdrawn full membership in favour of the application from the Federacion Paraguaya de Vela (FEPAVE).

Decision

On a proposal from Ross Robson, seconded by Kamen Fillyov, Council unanimously approved the transfer of full membership to the Federacion Paraguaya de Vela (FEPAVE) Group N, Subscription Category 1 as confirmed by the Constitution Committee (37 participated)

iii) Vietnam

Decision

On a proposal from Ajay Balram and seconded by Kamen Fillyov, Council unanimously approved the application for full membership of Vietnam Canoeing, Rowing and Sailing Federation Group K, Subscription Category 1 as confirmed by the Constitution Committee (37 participated).

(b) Any other business

i) The cancellation of membership from the Solomon Islands Yachting Association was noted.

ii) MNA Groupings

Council received the proposal to revise the MNA Groupings and were invited to review the changes recommended by the MNA Grouping Working Party (proposed grouping changes attached as Appendix 6 to these minutes).

21. Tracking

The Chairman of the Information Technology and Tracking Commission gave a summary presentation of tracking at recent major events. A full presentation of tracking at the regattas of the SWC 2012 will be given at the annual meeting.

For the first time, the scores of the recent SWC regattas (Miami, Palma, Hyères) were transmitted to the ISAF secretariat using the new version of the XRR (XML Regatta Report) format. This format, introduced to implement a 2004 submission to represent sailing scores based on modern data technology (XML), will be promoted in the future for use by any organization reporting regatta results, resulting in more efficient and more reliable data communication. XRR will also be extended with other statistics, such as course layout, weather data and jury decisions.

The ITTC is also working on the specification of a system to enable juries and protest committees to gain access and use tracking data during the hearing and processing of protests. Unlike systems used to stream data over the Internet for real-time visualization of sailing races, the jury system will integrate many functions useful for jury work, including measures of uncertainty, and search functions through the file, necessary to validate the data.

22. Election Committee

Decision

Council unanimously approved the appointment of the 2012 Election Committee (37 participated):

HM King Constantine

John Tinker (CAN)

Peter Siemsen (BRA)

Jan Dawson (NZL)

23. Future ISAF Meetings

- (a) 2012 Annual Conference Dun Laoghaire, Ireland – 1-11 November.
- (b) 2013 Annual Conference, Oman – 7-17 November (subject to contract).

24. Any Other Business

- (a) Racing Rules of Sailing 2013-2016

David Tillett confirmed finalisation of the Racing Rules of Sailing 2013-2016 which would be available for translation purposes from 30 June 2012.

- (b) 2016 Olympic Sailing Competition

Abraham Rosemberg informed Council that teams from, Australia, Great Britain and the Netherlands had already visited the venue and would welcome visits from other nations.

- (c) Women's Representation on Council / ISAF Committees

Fiona Kidd urged Council to do all they could to ensure more representation of women on Council and ISAF Committees is achieved in the forthcoming nomination process.

- (d) World Youth Sailing Trust

Thanks were expressed to Ding and Treecie Schoonmaker and George and Anna Andreadis for their generous family donations to the World Youth Sailing Trust and everyone present was invited to contact the Secretariat if they also wish to make a donation.

- (e) Thanks

ISAF Council Minutes Cont'd

On behalf of the International Sailing Federation, the President thanked the Federazione Italiana Vela for their generous hospitality and presented gifts of appreciation to the President, Carlo Croce, Marco Predieri, Pascale Queriot and Elisa Crosta.

There being no further business the meeting was closed

Circulation: Council, ISAF Secretariat

Outstanding Debtors as at 31 March 2012
Over 30 days old

Includes receipts received up to 23/05/12

<u>Name</u>	<u>GBP</u>	<u>GBP Paid</u>	<u>Notes</u>
<u>Member National Authorities</u>			
Federation Algerienne de Voile	61.00		MNA Subscription 2012
Federacao Angolana de Vela	61.00		MNA Subscription 2012
Antigua Sailing Association		61.00	MNA Subscription 2012
Armenian Sailing Federation	61.00		MNA Subscription 2012
Pago Pago Yacht Club Inc		61.00	MNA Subscription 2012
Sailing Federation of Azerbaijan	61.00		MNA Subscription 2012
Belize Sailing Association	30.50		MNA Subscription 2012
Belarus Sailing Union	61.00		MNA Subscription 2012
Bahrain Maritime Sports Association		61.00	MNA Subscription 2012
Federacion Chilena de Navegacion a Vela		1,116.50	MNA Subscription 2012
Sailing Cook Islands		61.00	MNA Subscription 2012
Cuban Sailing Federation	664.00		MNA Subscription 2012
Federation Djiboutienne de Voile	30.50		MNA Subscription 2012
Egyptian Sailing and Water Ski Federation		664.00	MNA Subscription 2012
Salavador Sailing Federation	61.00		MNA Subscription 2012
Real Federacion Espanola de Vela		11,471.00	MNA Subscription 2012
Grenada Sailing Association	64.00		MNA Subscription 2012
Guatemala Federacion Nacional de Navegacion a Vela		61.00	MNA Subscription 2012
Guam Sailing Federation	58.00		MNA Subscription 2012
Hungarian Yachting Association		1,512.00	MNA Subscription 2012
Iran Canoeing, Rowing and Sailing Federation		119.00	MNA Subscription 2011 & 2012
Virgin Islands Sailing Association		664.00	MNA Subscription 2012
Federation Libanaise de Yachting		61.00	MNA Subscription 2012
Libyan Sailing Federation	177.00		MNA Subscription 2010 & 2011 & 2012
Sailing Association Principality of Liechtenstein	61.00		MNA Subscription 2012
Madagascar Yachting and Rowing Squad	61.00		MNA Subscription 2012
Federation Royale Marocaine de Yachting	61.00		MNA Subscription 2012
Yacht Club de Monaco	796.80		MNA Subscription 2012
Federacas Mozambicana de la Vela	61.00		MNA Subscription 2012
Mauritius Yachting Association		61.00	MNA Subscription 2012
Myanmar Yachting Federation		61.00	MNA Subscription 2012
Nigeria Rowing and Yachting Federation	177.00		MNA Subscription 2010 & 2011 & 2012
Oceania Sailing Federation	182.00		Affiliate 2012
Palestine Sailing Federation		61.00	MNA Subscription 2012
Pan American Sailing Federation		191.00	Affiliate 2012
Panama Sailing Association	61.00		MNA Subscription 2012
Federacion Peruana de Vela		664.00	MNA Subscription 2012
Papua New Guinea Yachting Association	61.00		MNA Subscription 2012
Federacao Portuguesa de Vela		5,736.00	MNA Subscription 2012
Yacht Racing Association of the Democratic People's Republic of Korea	3,660.00		MNA Subscription 2010 & 2011 & 2012
Romanian Yachting Federation		73.20	MNA Subscription 2012
Samoa Sailing Federation		61.00	MNA Subscription 2012
Federation Senegalaise De Voile	119.00		MNA Subscription 2011 & 2012
Solomon Islands Yachting Association		61.00	MNA Subscription 2012
Serbian Sailing Association		61.00	MNA Subscription 2012
Yacht Racing Association of Thailand		664.00	MNA Subscription 2012
Trinidad & Tobago Sailing Association	61.00		MNA Subscription 2012
Uganda Sailing Federation	30.50		MNA Subscription 2012
Vanuatu Sailing Association	61.00		MNA Subscription 2012

Class Associations

International Access Class Association	546.00		Class Subscription 2012
International Cadet Class Association		218.40	Class Subscription 2012
International Contender Class Association	218.40		Class Subscription 2012
International Dart 18 Class Association	326.12		Class Subscription 2011 & 2012
Formula 16 International Class Association		426.00	Class Subscription 2011 & 2012
International Finn Association	218.40		Class Subscription 2012
International Fireball Class Association		218.39	Class Subscription 2012
International Formula 18 Class Association	218.40		Class Subscription 2012
International J24 Class Association		182.00	Class Subscription 2012
International Laser 2 Class Association	173.00		Class Subscription 2011
Laser Vago Class Association	218.40		Class Subscription 2012
International Moth Class Association	182.00		Class Subscription 2012
Tempest Class Association	362.52		Class Subscription 2010 & 2012
International Topper Class Association	218.40		Class Subscription 2012
Ultimate 20 Class Association		363.00	Class Subscription 2011 & 2012
Viper Class Association		218.40	Class Subscription 2012
International Zoom 8 Class Association	218.40		Class Subscription 2012

<u>9,743.34</u>	<u>25,232.89</u>
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Total 34,976.23

APPENDIX 5 – BETTING AND ANTI-CORRUPTION**1. INTRODUCTION**

- 1.1 The integrity of sport depends on the outcome of sporting events and competitions being based entirely on the competing merits of the participants involved. Any form of corruption that might undermine public confidence in the integrity of a sporting contest is fundamentally contrary to the spirit of sport and must be eradicated at all costs.
- 1.2 ISAF has adopted these rules ("Rules") as a means of safeguarding the integrity of the sport of Sailing by (i) prohibiting any conduct that may impact improperly on the outcome of its events and competitions and (ii) establishing a mechanism of enforcement and sanction for those who, through their corrupt conduct, place the integrity of the sport at risk.
- 1.3 ISAF is committed to taking all practical steps within its power to prevent corrupt practices undermining the integrity of the sport of sailing. This commitment shall include:
 - (a) raising awareness of these Rules at all levels, including using existing and/or suitably adapted educational programmes and tools to provide information and educational materials to the widest possible target audience;
 - (b) establishing the best means of monitoring sports betting at International Competitions, including monitoring any irregular betting patterns that may occur;
 - (c) establishing the best means for the receipt of third party information on a confidential basis, for example, by establishing an information 'hot-line';
 - (d) establishing and, where appropriate, making use of effective channels for the exchange of intelligence and information related to the investigation and/or prosecution of Violations under these Rules;
 - (e) co-operating with competent national and international authorities where information in its possession may also amount to or evidence infringements of other applicable laws or regulations; and
 - (f) exchanging information with partners in the Olympic Movement (through ASOIF or otherwise) on acknowledged areas of best practice in relation to combatting corruption in sport.

2. APPLICATION AND SCOPE

- 2.1 These Rules shall apply to all Participants who participate or assist in an International Competition and each Participant shall be automatically bound by, and be required to comply with, these Rules by virtue of such participation or assistance.
- 2.2 It shall be the personal responsibility of every Participant to make himself aware of these Rules including, without limitation, what conduct constitutes a Violation of the Rules and to comply with those requirements. Participants should also be aware that conduct prohibited under these Rules may also constitute a criminal offence and/or a breach of other applicable laws and regulations. Participants must comply with all applicable laws and regulations at all times.

- 2.3 Each Participant submits to the exclusive jurisdiction of any Hearing Panel convened under these Rules to hear and determine charges brought by ISAF and to the exclusive jurisdiction of CAS to determine any appeal from a Hearing Panel decision.
- 2.4 Each Participant shall be bound by these Rules until a date 6 months following his last participation or assistance in a Competition. Each Participant shall continue to be bound by these Rules in respect of his participation or assistance in Competitions taking place prior to that date.
- 2.5 It is recommended that MNAs put in place similar rules and regulations to safeguard the integrity of competitions held under their respective jurisdictions.
- 2.6 Notice under these Rules to a Participant who is under the jurisdiction of a MNA may be accomplished by delivery of the notice to the MNA concerned. The MNA shall be responsible for making immediate contact with the Participant to whom the notice is applicable.

3. RULE VIOLATIONS

The following conduct shall constitute a Violation of these Rules (in each case whether effected directly or indirectly):

3.1 Betting

- (a) Participation in, support for, or promotion of, any form of Betting related to an Event or Competition (whether one in which the Participant is directly participating or is otherwise taking place in the Participant's sport or is taking place in another sport at an International Competition hosted by a Major Event Organisation in which the Participant is participating), including Betting with another Person on the result, progress, outcome, conduct or any other aspect of such an Event or Competition.
- (b) Inducing, instructing, facilitating or encouraging a Participant to commit a Violation set out in this Rule 3.1.

3.2 Manipulation of results

- (a) Fixing or contriving in any way or otherwise improperly influencing, or being a party to fix or contrive in any way or otherwise improperly influence, the result, progress, outcome, conduct or any other aspect of an Event or Competition.
- (b) Ensuring or seeking to ensure the occurrence of a particular incident in an Event or Competition which occurrence is to the Participant's knowledge the subject of a Bet and for which he or another Person expects to receive or has received a Benefit.
- (c) Failing in return for a Benefit (or the legitimate expectation of a Benefit, irrespective of whether such Benefit is in fact given or received) to perform to the best of one's abilities in an Event or Competition.
- (d) Inducing, instructing, facilitating or encouraging a Participant to commit a Violation set out in this Rule 3.2

3.3 Corrupt Conduct

- (a) Accepting, offering, agreeing to accept or offer, a bribe or other Benefit (or the legitimate expectation of a Benefit, irrespective of whether such Benefit is

in fact given or received) to fix or contrive in any way or otherwise to influence improperly the result, progress, outcome, conduct or any other aspect of an Event or Competition.

- (b) Providing, offering, giving, requesting or receiving any gift or Benefit (or the legitimate expectation of a Benefit, irrespective of whether such Benefit is in fact given or received) in circumstances that the Participant might reasonably have expected could bring him or the sport into disrepute.
- (c) Inducing, instructing, facilitating or encouraging a Participant to commit a Violation as set out in this Rule 3.3

3.4 Inside Information

- (a) Using Inside Information for Betting purposes or otherwise in relation to Betting.
- (b) Disclosing Inside Information to any Person with or without Benefit where the Participant might reasonably be expected to know that its disclosure in such circumstances could be used in relation to Betting.
- (c) Inducing, instructing, facilitating or encouraging a Participant to commit a Violation set out in this Rule 3.4

3.5 Other Violations

- (a) Any attempt by a Participant, or any agreement by a Participant with any other person, to engage in conduct that would culminate in the commission of any Violation of this Rule 3 shall be treated as if a Violation had been committed, whether or not such attempt or agreement in fact resulted in such Violation. However, there shall be no Violation under this Rule 3 where the Participant renounces his attempt or agreement prior to it being discovered by a third party not involved in the attempt or agreement.
- (b) Knowingly assisting, covering up or otherwise being complicit in any acts or omissions of the type described in Rule 3 committed by a Participant.
- (c) Failing to disclose to ISAF or other competent authority (without undue delay) full details of any approaches or invitations received by the Participant to engage in conduct or incidents that would amount to a Violation as set out in this Rule 3
- (d) Failing to disclose to the ISAF or other competent authority (without undue delay) full details of any incident, fact or matter that comes to the attention of the Participant that may evidence a Violation under this Rule by a third party, including (without limitation) approaches or invitations that have been received by any other party to engage in conduct that would amount to a Violation of this Rule;
- (e) Failing to cooperate with any reasonable investigation carried out by ISAF or other competent authority in relation to a possible breach of these Rules, including failing to provide any information and/or documentation requested by ISAF or competent competition authority that may be relevant to the investigation.

- 3.6 The following are not relevant to the determination of a Violation of these Rules:
- (a) Whether or not the Participant was participating, or a Participant assisted by another Participant was participating, in the specific Event or Competition;
 - (b) The nature or outcome of any Bet in issue;
 - (c) The outcome of the Event or Competition on which the Bet was made;
 - (d) Whether or not the Participant's efforts or performance (if any) in any Event or Competition in issue were (or could be expected to be) affected by the acts or omissions in question;
 - (e) Whether or not the results in the Event or Competition in issue were (or could be expected to be) affected by the acts or omissions in question.

4. BURDEN AND STANDARD OF PROOF

- 4.1 ISAF or other prosecuting authority shall have the burden of proving that a Violation has occurred under these Rules. The standard of proof shall be whether ISAF or other prosecuting authority has proved a Violation to the comfortable satisfaction of the Hearing Panel, a standard which is greater than the mere balance of probability but less than proof beyond a reasonable doubt.
- 4.2 Where these Rules place the burden of proof on the Participant alleged to have committed a Violation to prove facts or circumstances, the standard of proof shall be by a preponderance of the evidence.
- 4.3 The Hearing Panel shall not be bound by judicial rules governing the admissibility of evidence and facts may be established by any reliable means, including but not limited to, admissions, evidence of third parties, witness statements, expert reports, documentary evidence and other analytical information.
- 4.4 The Hearing Panel shall have discretion to accept any facts established by a decision of a court or professional disciplinary tribunal of any competent jurisdiction which is not subject to a pending appeal as irrefutable evidence against the Participant to whom the decision relates unless the Participant establishes that the decision violated the principles of natural justice.
- 4.5 The Hearing Panel shall be entitled to draw an inference adverse against any Participant who is accused of committing a Violation if that Participant fails to appear in front of the Hearing Panel if requested to do so a reasonable time in advance of the hearing, or fails to comply with any information request that has been submitted in accordance with these Rules.

5. INVESTIGATING A BREACH

- 5.1 Any allegation or suspicion of a Violation of these Rules shall be reported to ISAF for investigation and possible charge in accordance with this Rule 5.
- 5.2 ISAF may conduct an investigation into the activities of any Participant that it believes may have committed a Violation of these Rules and may appoint one or more Persons for this purpose. Such investigation may be conducted in conjunction with relevant competent national or international authorities (including criminal, administrative, professional and/or judicial authorities) and all Participants must co-operate fully with such investigations. ISAF shall have discretion, where it deems it

appropriate, to stay its own investigation pending the outcome of investigations conducted by other competent authorities.

- 5.3 As part of any such investigation, if ISAF reasonably suspects that a Participant has committed a Violation of these Rules, it may make a written demand to such Participant for information that is related to the alleged Violation and/or require the attendance of such Participant for interview, or a combination of the two. Any interview shall be at a time and place to be determined by ISAF and the relevant Participant shall be given reasonable notice in writing of the requirement to attend. Interviews shall be recorded and the Participant shall be entitled to have legal counsel and an interpreter present.
- 5.4 By participation in a Competition, each Participant shall be deemed to have agreed for the purposes of applicable data protection laws and other laws, and for all other purposes, to have consented to the collection, processing, disclosure or any other use of information relating to his activities (including without limitation personal information) to the extent permitted under these Rules and shall confirm such agreement in writing upon demand.

6. ISSUING A NOTICE OF CHARGE

- 6.1 Where following an investigation ISAF determines that there is a case for the Participant to answer under Rule 3, ISAF shall issue the Participant with a written Notice of Charge setting out the following:
- (a) The specific Violation(s) that the Participant is alleged to have committed;
 - (b) The facts upon which such allegation(s) are based;
 - (c) The range of sanctions applicable under the Rules for such Violations;
 - (d) Details relating to the Participant's response to the Notice of Charge within a specified deadline; and
 - (e) The Participant's right to have the matter determined by a hearing.
- 6.2 The Notice of Charge shall also specify that, if the Participant wishes to exercise his right to a hearing, he must submit a written request for a hearing so that it is received by ISAF as soon as possible but in any event within 14 days of receipt of the Notice of Charge. The request must state how the Participant responds to the charge and must explain (in summary form) the basis for such response.
- 6.3 If the Participant fails to file a written request for a hearing by the specified deadline, he shall be deemed to have:
- (a) waived his right to a hearing;
 - (b) admitted that he has committed the Violation(s) specified in the Notice of Charge; and
 - (c) acceded to the range of applicable sanctions specified in the Notice of Charge.
- 6.4 Where the Participant requests a hearing in accordance with Rule 6.2 the matter shall proceed to a hearing in accordance with Rule 7. Where the Participant is deemed to have waived his right to a hearing and to have admitted the Violation(s) in accordance

with Rule 6.3, any hearing held at ISAF's discretion shall be limited to determining the applicable sanctions only.

- 6.5 In any case where ISAF decides to charge a Participant with a violation under these Rules, he shall have discretion, in circumstances where he considers that the integrity of the sport could otherwise be seriously undermined, to provisionally suspend the Participant pending the relevant tribunal's determination of whether he has committed a Violation. A provisional suspension shall be effective from the date of notification to the Participant in accordance with these Rules. Alternatively, the Participant may accept a voluntary suspension from competition provided that it is confirmed in writing to ISAF. A voluntary suspension shall be effective only from the date of receipt of the Participant's written confirmation of such to ISAF.
- 6.6 A decision to impose a provisional suspension on a Participant shall not be subject to appeal.
- 6.7 If a Participant retires whilst a disciplinary procedure under these Rules is underway, ISAF shall retain jurisdiction to complete the relevant procedure. If the Participant retires before any disciplinary procedure has begun, ISAF shall nevertheless have jurisdiction to conduct the relevant procedure.

7. RIGHT TO A FAIR HEARING

- 7.1 Where ISAF alleges that a Participant has committed a Violation of these Rules and the Participant denies the allegation and/or disputes the sanctions to be imposed for such Violation, then the matter shall be referred to a hearing before the Hearing Panel.
- 7.2 The Hearing Panel shall be appointed by the ISAF in accordance with the principles set out in Rule 7.3 below, and where the Participant is a Race official also under Regulation 35. The members of the Hearing Panel shall have had no prior involvement with the case and shall not, unless otherwise agreed between the parties, be from the same country as the Participant alleged to have violated these Rules.
- 7.3 The hearing process shall respect the following principles: a timely hearing, a fair and impartial Hearing Panel, the right to be represented by counsel (at the Participant's expense), the right to respond to the asserted anti-corruption rule violation and range of resulting sanction; the right of each party to present evidence, including the right to call and question witnesses (subject to the Hearing Panel's discretion to accept evidence by telephone or written submission), the Participant's right to an interpreter at the hearing (with the Hearing Panel to determine the identity and responsibility for the cost of the interpreter) and a timely, written reasoned decision specifically including an explanation of the reason(s) for the sanction imposed.
- 7.4 Once the parties have made their submissions, the Hearing Panel shall determine whether a Violation has been committed. Where the Hearing Panel determines that a Violation has been committed and these Rules specify a range of possible sanctions for such Violation, the Hearing Panel shall also fix the appropriate sanction within that range after considering any submissions on the subject that the parties may wish to make.
- 7.5 The Hearing Panel shall issue a decision in writing, with reasons, as soon as possible after the conclusion of the hearing. The decision will set out and explain:
 - (a) the Hearing Panel's findings as to whether any Violation has been committed;

- (b) the Hearing Panel's findings as to what sanctions, if any, are to be imposed;
- (c) the date that any period of ineligibility shall commence; and
- (d) the rights of appeal described in Rule 9.

8. SANCTIONS

8.1 If the Hearing Panel decides that a Participant has committed a Violation, the Hearing Panel shall be entitled to impose the following Sanctions in accordance with this Rule 8.

8.2 **Ineligibility - Subject to email vote**

- (a) The respective period of ineligibility set out in:
 - (a) Rule 3.1, shall be a minimum of [X] and a maximum of [X];
 - (b) Rule 3.2, shall be a minimum of [X] and a maximum of [X];
 - (c) Rule 3.3, shall be a minimum of [X] and a maximum of [X];
 - (d) Rule 3.4, shall be a minimum of [X] and a maximum of [X]; and
 - (e) Rule 3.5, shall be a minimum of [X] and a maximum of [X].

The Hearing Panel shall have discretion to impose a period of ineligibility in accordance with the bands set out in Rules 8.2 (a) In imposing any period of ineligibility in accordance with this Rule 8.2, the Hearing Panel shall be entitled to consider whether any aggravating and/or mitigating factors (as described in Rule 8.6) should be taken into account.

- (b) The period of ineligibility shall commence on the date the decision of the Hearing Panel is published and shall end on date stated in the published decision. The Hearing Panel may at its sole discretion reduce the period of ineligibility imposed by any period of provisional suspension already served by the Participant prior to the decision being reached.
- (c) No Participant shall participate in any capacity in any Event or Competition during his period of ineligibility as imposed by the Hearing Panel [save that, if directly invited by ISAF, an ineligible Participant may attend an Event in an educational capacity as part of anti-corruption program organised by ISAF.
- (d) If a Participant violates any prohibition on participation imposed in accordance with this Rule 8.2, such Participant shall be disqualified immediately from the relevant Event or Competition and the period of ineligibility originally imposed in accordance with these Rules shall recommence from the date of such violation.
- (e) These Rules shall continue to apply to any ineligible Participant and any Violation committed during a period of ineligibility shall be treated as a distinct Violation and separate proceedings shall be brought against the Participant in accordance with these Rules.

8.3 **Financial Sanctions – Reserved for Future Use**

8.4 **Disqualification of Results – Subject to email vote**

8.5 **Reinstatement - Subject to email vote**

8.6 **Aggravating and Mitigating Factors**

- (a) In imposing a Sanction in accordance with this Rule 8, the Hearing Panel shall be entitled to consider the existence of any aggravating and/or mitigating factors.
- (b) Aggravating factors which may be considered by the Hearing Panel shall include (without limitation and where applicable):
 - (a) a failure to co-operate by the Participant with any investigation or requests for information;
 - (b) any previous Violations by the Participant;
 - (c) the Participant receiving or being due to receive a significant Benefit in connection with the Violation;
 - (d) the Violation having or having the potential to affect the course or result of an Event or Competition;
 - (e) the Participant displaying a lack of remorse (including, for example, refusing to take part in anti-corruption educational programs organised by ISAF); and
 - (f) any other aggravating factor the Hearing Panel deems relevant.
- (c) Mitigating factors which may be considered by the Hearing Panel shall include (without limitation and where applicable):
 - (a) co-operation by the Participant with any investigation or requests for information;
 - (b) a timely admission of guilt by the Participant;
 - (c) the Participant's clean disciplinary record;
 - (d) the youth or inexperience of the Participant;
 - (e) the Violation not having affected or not having the potential to affect the course or result of an Event or Competition;
 - (f) the Participant displaying remorse (including, for example, agreeing to take part in anti-corruption educational programs organised by ISAF); and
 - (g) any other mitigating factor the Hearing Panel deems relevant.

9. RIGHT OF APPEAL

9.1 The following decisions made under these Rules may be appealed either by ISAF or the Participant who is the subject of the decision exclusively to CAS in accordance with this Rule 9.

- (a) a decision that a charge of breach of these Rules should be dismissed on procedural or jurisdictional grounds;

- (b) a decision that a Violation has been committed;
 - (c) a decision that no Violation has been committed;
 - (d) a decision to impose a Sanction, including a Sanction that is not in accordance with these Rules;
 - (e) a decision not to impose a Sanction;
 - (f) any other decision that is considered to be erroneous or procedurally unsound.
- 9.2 The time for filing an appeal to CAS shall be twenty-one days (21) from the date of receipt of the decision by the appealing party.
- 9.3 Any decision and any Sanctions imposed shall remain in effect while subject to the appeal process, unless CAS directs otherwise.
- 9.4 The decision of CAS shall be final and binding on all parties and on all MNAs and there shall be no right of appeal from the CAS decision. No claim may be brought in any other court, tribunal or via any other dispute resolution procedure or mechanism.

10. RECOGNITION OF DECISIONS

- 10.1 It shall be a condition of membership of ISAF that all MNAs shall comply with, recognise and take all necessary and reasonable steps within their powers to enforce and give effect to these Rules and to all decisions and Sanctions imposed hereunder.
- 10.2 Final decisions of a Major Event Organisation in relation to a Participant that are within the Major Event Organisation's jurisdiction and based on the same or similar betting and anti-corruption rules as these Rules shall be recognised and respected by ISAF upon receipt of notice of the same. Any disciplinary process, so far as determining a Participant's Sanction beyond the sanction imposed by the Major Event Organisation is concerned, shall be determined by ISAF in accordance with these Rules

11. STATUTE OF LIMITATIONS

- 11.1 No action may be commenced under these Rules against a Participant for a Violation of these Rules unless such action is commenced within eight (8) years from the date on which the Violation occurred.
- 11.2 Subject to Rule 11.1 above, ISAF may temporarily suspend any investigations under the Rules to avoid prejudice to and/or to give precedence to, investigations conducted by the relevant authorities into the same or related matters.

12. AMENDMENTS AND INTERPRETATION

- 12.1 These Rules may be amended from time to time by ISAF
- 12.2 Betting and anti-corruption rules are, by their nature, competition rules governing the conditions under which the sport of sailing is to be held. They are not intended to be subjected to or limited by the requirements and legal standards applicable to criminal proceedings or employment matters. The policies and standards set out in these Rules as a basis for the fight against corruption in the sport of sailing represent a broad consensus of those with an interest in fair sport and should be respected by all courts and adjudicating bodies.

- 12.3 These Rules shall be interpreted as an independent and autonomous text and not by reference to existing law or statutes.
- 12.4 The headings and sub-headings in these Rules are for convenience only and shall not be deemed to be part of the substance of these Rules or to affect in any way the language of the provisions to which they refer.
- 12.5 The Definitions in Appendix 1 shall be considered an integral part of these Rules.
- 12.6 All references to the masculine gender in these Rules shall also include references to the feminine.
- 12.7 If any Rule or provision of these Rules is held to be invalid, unenforceable or illegal for any reason, it shall be deemed to be deleted and the Rules shall otherwise remain in full force and effect.
- 12.8 These Rules have come into full force and effect on **subject to email vote**

ANNEXE 1

DEFINITIONS

"Athlete" means any athlete who participates or is selected to participate in an Event or Competition;

"Athlete Support Personnel" means any coach, trainer, manager, athlete representative, agent, team staff member, official, medical or para-medical personnel, family member or any other person employed by or working with an Athlete or the Athlete's MNA participating in a Competition.

"Benefit" means the direct or indirect receipt or provision (as relevant) of money or money's worth (other than prize money and/or contractual payments to be made under endorsement, sponsorship or other contracts);

"Bet" means a wager of money or any other form of financial speculation;

"Betting" means making, accepting, or laying a Bet and shall include, without limitation, activities commonly referred to as sports betting such as fixed and running odds, totalisator/toto games, live betting, betting exchange, spread betting and other games offered by sports betting operators;

"CAS" means the Court of Arbitration for Sport in Lausanne, Switzerland;

"Competition" means an Event or series of Events conducted over one or more days under one ruling body (e.g., World Championships).

"Event" means a single, race, match or contest.

"Hearing Panel" means the panel appointed by ISAF to perform the functions assigned to it in these Rules.

"Inside Information" means any information relating to any Competition or Event that a Participant possesses by virtue of his position within the sport. Such information includes, but is not limited to, factual information regarding the competitors, the conditions, tactical considerations or any other aspect of the Competition or Event, but **does not include** such information that is already published or a matter of public record, readily acquired by an interested member of the public or disclosed according to the rules and regulations governing the relevant Competition or Event;

"International Competition" means **Subject to email vote.**

REGULATIONS

"MNA" means the Member of ISAF to which a Participant under these Rules is affiliated directly or through a club or another body affiliated to the member.

"Major Event Organisation" means any international multi-sport organisation that acts as the ruling body for any continental, regional or other International Competition.

"Participant" means any Athlete, Athlete Support Personnel, judge, referee, delegate, commissioner, jury of appeal member, competition official, MNA team or delegation member and any other accredited person;

"Person" shall include natural persons, bodies corporate and unincorporated associations and partnerships (whether or not any of them have separate legal personality);

"Sanction" means any sanction that the Hearing Panel has the right to impose in accordance with Rule 8 of these Rules; and

"Violation" means a violation of these Rules as set out in Rule 3.

Women's Skiff Vote - Mid Year Meeting 2012

Number of Ballot papers

35

Submission Number

Ballot	29erXX	Mackay FX	RS900	Abstain	Totals
Ben Barger	0	0	0	0	0
Fiona Kidd	0	1	0	0	1
Jacques Lehn	0	1	0	0	1
Helen Mary Wilkes	0	0	0	0	0
Khalifa M Al-Sewaidi	1	0	0	0	1
Ajay Balram	1	0	0	0	1
Kurt Lonnqvist	0	1	0	0	1
Stig Hvide Sith	0	1	0	0	1
Pablo Masseroni	1	0	0	0	1
Gerardo Seegler	1	0	0	0	1
Hector Duval	1	0	0	0	1
Jane Moon	0	1	0	0	1
Kamen Filyov	0	1	0	0	1
Tomasz Chamera	1	0	0	0	1
Ross Robson	1	0	0	0	1
John Crebbin	0	1	0	0	1
Chris Atkins	0	1	0	0	1
Nazli Imre	0	1	0	0	1
Tomasz Holc	0	1	0	0	1
Teresa Lara	1	0	0	0	1
David Irish	0	1	0	0	1
Teo-Ping Low	1	0	0	0	1
Alberto Predieri	0	1	0	0	1
Eric Tulla	1	0	0	0	1
Tatjana Antoncic	0	1	0	0	1
Rolf Bahr	0	1	0	0	1
Charles Cook	1	0	0	0	1
Cory Sertl	1	0	0	0	1
Peter Hall	0	1	0	0	1
George Andreadis	0	1	0	0	1
Jean-Pierre Champion	0	0	1	0	1
Carlo Croce	0	0	1	0	1
Abraham Rosemberg	1	0	0	0	1
Patrick Bergmans	0	1	0	0	1
Ralph Roberts	0	1	0	0	1
David Tillett	0	1	0	0	1
Oleg Ilyin	1	0	0	0	1
Takao Otani	0	0	0	0	0
Totals	14	19	2	0	35
Percentage	40.0	54.3	5.7	0.0	

Mixed Multihull Vote - Mid Year Meeting 2012

Number of Ballot papers

36Submission Number

	Nacra 17	Viper	Abstain	Totals
Ballot				
Ben Barger	0	0	0	0
Fiona Kidd	1	0	0	1
Jacques Lehn	0	1	0	1
Helen Mary Wilkes	0	0	0	0
Khalifa M Al-Sewaidi	1	0	0	1
Ajay Balram	0	1	0	1
Kurt Lonngqvist	1	0	0	1
Stig Hvide Sith	1	0	0	1
Pablo Masseroni	0	1	0	1
Gerardo Seegler	0	1	0	1
Hector Duval	0	1	0	1
Jane Moon	0	1	0	1
Kamen Filyov	1	0	0	1
Tomasz Chamera	0	1	0	1
Ross Robson	0	1	0	1
John Crebbin	1	0	0	1
Chris Atkins	1	0	0	1
Nazli Imre	1	0	0	1
Tomasz Holc	1	0	0	1
Teresa Lara	0	1	0	1
David Irish	1	0	0	1
Teo-Ping Low	1	0	0	1
Alberto Predieri	1	0	0	1
Eric Tulla	0	1	0	1
Tatjana Antoncic	1	0	0	1
Rolf Bahr	1	0	0	1
Charles Cook	1	0	0	1
Cory Sertl	1	0	0	1
Peter Hall	1	0	0	1
George Andreadis	0	1	0	1
Jean-Pierre Champion	0	1	0	1
Carlo Croce	0	1	0	1
Abraham Rosemberg	0	1	0	1
Patrick Bergmans	1	0	0	1
Ralph Roberts	1	0	0	1
David Tillett	1	0	0	1
Oleg Ilyin	0	1	0	1
Takao Otani	0	0	1	1
Totals	20	15	1	36
Percentage	55.6	41.7	2.8	

4	Delegate Name	Question 15
QX	Question text	Question 15
GV	Given votes	38
No		6
Abstain		2
Yes		30
1	Göran Petersson	0
2	HM King Constantine	0
3	Abraham Rosemberg - Group N	yes
4	David Irish	yes
5	Teo Ping Low	yes
6	Teresa Lara	yes
7	Tomasz Holc	yes
8	Alberto Predieri	yes
9	Eric Tulla	yes
10	Nazli Imre	yes
11	Chris Atkins - Group A	yes
12	John Crebbin - Group A	yes
13	Rolf Bähr - Group B	yes
14	Tatjana Antoncic - Group B	no
15	Kamen Fillyov - Group C	no
16	Tomasz Chamera - Group C	yes
17	Jean Pierre Champion - Group D	yes
18	Carlo Croce - Group D	yes
19	George Andreadis - Group D	yes
20	Gerardo Seeliger - Group E	yes
21	Patrick Bergmans - Group F	no
22	Kurt Lönnqvist - Group G	yes
23	Stig Hvide Smith - Group G	no
24	Oleg Ilyin - Group H	yes
25	Khalifa M Al-Sewaidi - Group I	yes
26	Quanhai Li - Group J	0
27	Takao Otani - Group J	yes
28	Ajay Balram - Group K	yes
29	Ralph Roberts - Group L	yes
30	David Tillett - Group L	yes
31	Pablo Masseroni - Group M	yes
32	Faulty Card	0
33	Jane Moon - Group O	yes
34	Hector Duval - Group O	no
35	Charley Cook - Group P	yes
36	Cory Sertl - Group P	yes
37	Peter Hall - Group P	yes
38	Ross Robson - Group Q	no
39	Helen-Mary Wilkes - ISAF Classes Rep	abstain
40	Jacques Lehn - Offshore Rep	yes
41	Fiona Kidd - Women's Rep	yes
42	Jerome Pels - Secretary General	0
43	Philip Tolhurst - Constitution Committee Chairman	0
44	Card Missing	0
45	David Kellett - Treasurer	0
46	Ben Barger - Athletes' Commission	abstain
47	Translator - Jean Pierre Champion	0
48	Guest Speaker	0
49	Guest Speaker	0
50	Secretariat	0

RS:X and Kiteboarding Vote - Mid Year Meeting 2012

Number of Ballot papers

36

Submission Number

		RS:X	Kiteboarding	Abstain	Totals
Ben Barger	1	0	0	0	0
Fiona Kidd	2	0	1	0	1
Jacques Lehn	3	1	0	0	1
Helen Mary Wilkes	4	0	0	0	0
Khalifa M Al-Sewaidi	5	0	1	0	1
Ajay Balram	6	0	1	0	1
Kurt Lonngqvist	7	0	1	0	1
Stig Hvide Sith	8	0	1	0	1
Pablo Masseroni	9	1	0	0	1
Gerardo Seegler	10	0	1	0	1
Hector Duval	11	0	1	0	1
Jane Moon	12	0	1	0	1
Kamen Filyov	13	0	1	0	1
Tomasz Chamera	14	1	0	0	1
Ross Robson	15	0	1	0	1
John Crebbin	16	0	1	0	1
Chris Atkins	17	1	0	0	1
Nazli Imre	18	1	0	0	1
Tomasz Holc	19	1	0	0	1
Teresa Lara	20	0	1	0	1
David Irish	21	0	1	0	1
Teo-Ping Low	22	0	1	0	1
Alberto Predieri	23	0	1	0	1
Eric Tulla	24	0	1	0	1
Tatjana Antoncic	25	1	0	0	1
Rolf Bahr	26	1	0	0	1
Charles Cook	27	0	1	0	1
Cory Sertl	28	0	1	0	1
Peter Hall	29	1	0	0	1
George Andreadis	30	1	0	0	1
Jean-Pierre Champion	31	1	0	0	1
Carlo Croce	32	1	0	0	1
Abraham Rosemberg	33	1	0	0	1
Patrick Bergmans	34	1	0	0	1
Ralph Roberts	35	1	0	0	1
David Tillett	36	0	1	0	1
Oleg Ilyin	37	1	0	0	1
Takao Otani	38	1	0	0	1
Totals		17	19	0	36
Percentage		47.2	52.8	0.0	

Council Seats	MNAs in each Group Today	No. of Countries	Recommended changes New countries in BLACK	Resulting Countries
			Additions in BLUE	
			Subtractions in RED	
2	Great Britain / Ireland	2		2
2	Austria / Croatia / Czech Rep. / Germany / Hungary Liechtenstein / Slovak Rep. / Slovenia / Switzerland	9		9
2	Belarus / Bulgaria / Latvia / Lithuania / Macedonia Moldova / Montenegro / Poland / Romania / Serbia Ukraine	11	Latvia, Lithuania	9
3	Cyprus / France / Greece / Israel / Italy / Lebanon Malta / Monaco / San Marino / Turkey	10	Albania Lebanon	10
1	Andorra / Portugal / Spain	3		3
1	Belgium / Luxembourg / Netherlands	3		3
2	Denmark / Estonia / Finland / Iceland / Norway Sweden	6	Latvia, Lithuania	8
1	Armenia / Azerbaijan / Kazakhstan / Kyrgyzstan Russia	5		5
1	Algeria / Bahrain / Egypt / Iran / Kuwait / Libya Morocco / Oman / Palestine / Qatar / Saudi Arabia Sudan / Tunisia / United Arab Emirates	14	Jordan Lebanon Algeria / Egypt / Morocco Libya / Sudan / Tunisia	10
2	China / Chinese Taipei / Guam / Hong Kong / Japan DPR Korea / Korea / Phillipines	8	Guam	7
1	India / Indonesia / Malaysia / Myanmar / Pakistan Singapore / Sri Lanka / Thailand	8	Bangladesh / Brunei Vietnam	11
2	American Samoa / Australia / Cook Islands / Fiji New Zealand / Papua New Guinea / Samoa Salomon Islands / Tahiti / Vanuatu	10	Guam	11
1	Argentina / Chile / Ecuador / Peru / Uruguay	5		5
1	Brazil / Paraguay	2	Colombia / Venezuela	4
2	Antigua / Aruba / Bahamas / Barbados / Bermuda British Virgin Islands / Cayman Islands / Colombia Cuba / El Salvador / Dominican Rep. / Grenada Guatemala / Jamaica / Mexico / Panama Puerto Rico / Trinidad & Tobago / US Virgin Islands Venezuela / Belize / Netherlands Antilles	21	Costa Rica / Honduras Nicaragua / Dominica Turks & Caicos Colombia / Venezuela	24
3	Canada / United States of America	2		2
1	Angola / Bostwana / Kenya / Madagascar / Mauritius Mozambique / Namibia / Nigeria / Senegal Seychelles / South Afirca / Tanzania / Zimbabwe Djibouti / Uganda	15	Malawi / Cameroon Cape Verde / Congo Ghana / Somalia Swaziland / Zambia Algeria / Egypt / Morocco Libya / Sudan / Tunisia	29
28		134		152