

Re-Evaluation Procedures

Draft Template for LA2032 Selection of Equipment

1. Introduction

- 1.1 This document serves to compile the re-evaluation procedures recommended by the Office to the Equipment Committee Task Team on reg 11.7 for presentation at the Committee mid-year meeting to further develop the procedures ahead of seeking Board approval.
- 1.2 This document includes:
 - (a) Background and regulatory requirements
 - (b) The proposed evaluation process
 - (c) The proposed criteria
 - (d) The draft structure of the Invitation to Tender
- 1.3 Notes in *italic and blue* are comments from the Office and/or Task Force to provide further context and reasons for the proposed content.

2. Background and regulatory requirements

- 2.1 World Sailing Regulation 11.7 establishes the framework for the periodic re-evaluation of Olympic sailing equipment for events that are retained across multiple Olympic cycles. Its primary purpose is to ensure that access to the Olympic sailing market remains open, fair, and compliant with applicable competition (antitrust) principles.
 - 2.2 As the international federation governing Olympic sailing, World Sailing exercises a degree of control over access to this market through the selection of events and the equipment used within them. To mitigate the risk of monopolistic outcomes and ensure compliance with antitrust obligations, World Sailing has adopted a structured approach based on three key mechanisms:
 - (a) The periodic review of Olympic events; where the introduction of new events creates opportunities for new equipment, classes, and manufacturers to enter the Olympic pathway.
 - (b) The requirement for equipment selection processes to comply with the Olympic Equipment Policy, including adherence to fair, reasonable, and non-discriminatory (FRAND) principles.
 - (c) The mandatory re-evaluation of equipment for retained events at defined intervals, ensuring that continued selection is subject to competitive review and open market access.
 - 2.3 Regulation 11.7 specifically applies to events that remain unchanged over successive Olympic Games. Ahead of selecting equipment for the Brisbane 2032 Olympic Games, retained events will have been included in Paris 2024, Los Angeles 2028, and Brisbane 2032. In such cases, even where no changes to equipment is proposed, Regulation 11.7 requires that the equipment be formally re-evaluated prior to confirmation for their third cycle.
 - 2.4 The purpose of re-evaluations, as set out in the regulations, is to ensure that:
 - (a) competing equipment and competing manufacturers of existing equipment can bid to be selected for Olympic Events and therefore access the market on a fair and objective basis;
 - (b) reduce the risk of monopolies; and
 - (c) manufacturers do not become complacent, remain price-competitive, produce high-quality equipment, and do not abuse their market positions.
 - 2.5 Accordingly, Regulation 11.7 ensures that Olympic equipment selection remains transparent,
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competitive, and aligned with World Sailing's governance responsibilities, even in scenarios where continuity of events and equipment is ultimately maintained.

- 2.6 The Equipment Committee decides the re-evaluation procedures to be used with the approval of the Board. The re-evaluation procedures must:
- (a) allow classes and manufacturers of other equipment suitable for the Event in question to tender for its use in the Event;
 - (b) use criteria which are open, fair and non-discriminatory; and
 - (c) use criteria are published publicly as part of the 'invitation to tender'.

3. Invitation to Tender

- 3.1 This tender is open to Classes, right holders, designers and manufacturers of equipment suited for the respective event being re-evaluated. *(tbc)*
- 3.2 Tenders shall be submitted to: technical@sailing.org
- 3.3 Deadline for tenders: dd/mm/yyyy

4. Evaluation Process

This is the same evaluation process used last time (2019). It allows the Equipment Committee to make a recommendation without necessarily committing to requiring Sea Trials for cases where it determines it is not required. (Need to review target dates and timeframes)

- 4.1 An Evaluation Panel shall be appointed by the Board following a recommendation from the Equipment Committee.
- 4.2 The evaluation will be carried in two or three phases. The results of each phase will determine the need to go to the next phase.
- 4.3 Phase 1
- (a) Document based evaluation of tenders against the event specific criteria, the general criteria and the WS requirements. The Evaluation Panel will shortlist the candidates to continue with Phase 2.
- 4.4 Phase 2
- (a) Shortlisted tenders will be requested to provide any additional information required to evaluate the tender.
 - (b) If the Evaluation Panel considers it a requirement, World Sailing Technical Auditors will visit production and/or assembly sites or proposed events for shortlisted tenderers. These visits are to confirm any information received and to investigate any questions or concerns that arise.
 - (c) The Evaluation Panel will evaluate the shortlisted tenders based on feedback from the yard or events visits and any additional documentation or information gathered. The Evaluation Panel will produce a report outlining the results of the evaluation.
- 4.5 At the completion of Phase 2, the Evaluation Panel will present the results of the evaluation, along with any recommendations to the Equipment Committee. At this stage the Equipment Committee may make a recommendation to Council Select one of the tenderers as the Equipment for the event, or may decide to recommend to the Board the need to conduct Sea-trials (Phase 3) to further evaluate the candidates and to recommend to Council only after the trials.
- 4.6 Target timeline for decisions
- (a) Decision after phase 2: at the earliest opportunity but no later than mid-year 2027
 - (b) Decision after phase 3: no later than Annual Conference 2027

5. Criteria

5.1 **Event Specific Criteria**

Event specific criteria would be defined for each Event being re-evaluated. Here the example shows the Event specific criteria used during the last re-evaluation of the Mixed Two Person Dinghy event. The 470 class and the Melges 15 Class bid to be selected. The Melges 15 class withdraw their application after Phase 1.

(a) i.e: example from the re-evaluation of the Mixed Two Person Dinghy event in 2019:

(i) *The evaluation of the equipment will be based on the equipment criteria from the approved Submission 058-18 for the mixed two-person dinghy event, described as:*

1. *A displacement boat (non-foiling),*
2. *Glass fibre reinforced with polyester hull construction,*
3. *Suitable for a skipper weight range between 50kg to 70kg,*
4. *Suitable for a crew weight range between 65kg to 80kg.*
5. *A single trapeze rig with a 9m² to 10m² mainsail, a 3m² to 4m² jib and a 13m² to 14m² Symmetrical Spinnaker.*
6. *Suitable for competition at wind ranges between 5 to 35 knots*
7. *Allow for multiple manufacturers (such as 'measurement controlled' Classes)*

5.2 **General Criteria**

We recommend differentiating event specific criteria (previous section) from "general criteria" that should and would apply to all re-evaluations being conducted. This would include criteria to show alignment with Olympic Vision, Sustainability objectives, adherence to One-Design principles, technical and professional capacity, technical readiness, requirement to use updated WS Standard Class Rules, readiness and technical viability as well as availability of equipment, equipment and campaign cost, etc.

(a) To be developed.

5.3 **Technical requirements/criteria**

This draft addresses lessons learned around equipment governance, we recommend the procedures also serve to define roles and responsibilities of Classes, Right Holders, Manufacturers, and World Sailing in the approval, licensing and termination of builders and their tooling.

(a) Equipment eligibility

This aims to address the issues around measurement controlled vs manufacturer controlled in relation to uncertainty of controls or requirements for manufacturer controlled classes. It seeks to move away from "Manufacturer controlled equipment is ok as long as its build by a licensed builder" to "equipment is ok as long as is certification controlled". The increase in administrative burden and costs of manufacturer-controlled classes for the Office is also reflected in the respective requirements. It also aims to address the licensing and clarity of roles and responsibilities. (This is work in progress)

(i) Class rules must determine the eligibility of equipment items subject to limitations by using one of the following options:

1. Option 1: defining measurement controls, or;
2. Option 2: requiring equipment to display certification marks.

(ii) For items governed by Option 2:

1. The use of World Sailing's Manufacturer Certification System (MCS) shall be required. The MCS establishes for each equipment item the:
 - certification controls,
 - certification authority,
 - certification measurers.

2. The certification marks shall include a unique reference number issued by, or approved by World Sailing.
3. The right holder shall provide the design specifications that determine the physical properties of the equipment. These shall be maintained by WS. If such specifications do not exist or are not considered fit for purpose by the EQ, WS may develop them at a cost determined by the WS Board.
4. The builders (or right holder) shall develop with WS the certification controls.
5. World Sailing shall be licensed free of charge to use the class trademark and logo whilst the Equipment remains selected for the Olympic event.
6. World Sailing shall be granted licensing rights. The right holder and/or Class may specify any approval or licensing requirements that they may wish to apply (which shall comply with FRAUD principles). These may include but are not limited to; minimum/maximum numbers of approved builders per equipment type, approval deadlines ahead of events, technical and operational requirements for applicants, etc.
7. The Class shall agree to cover the costs of attendance of one WS technical auditor to pre-event inspections to one event per year.
8. Audits costs as required by the MCS shall be paid by manufacturers.
9. Builders shall pay certification fees as determined by the WS Board.
10. Builders seeking approval shall pay an application fee determined by the WS Board to cover the cost of their evaluation.
11. Licensing or royalty fees shall be agreed between WS, the Class and the right holder.
12. No additional fees or additional certification marks shall be imposed by the right holder or the class that effectively increase the cost of equipment.
13. Where the MCS certification controls rely fully or partially on equipment being produced by approved moulds or approved tooling, the builders shall provide scan files of the moulds to WS. Alternatively, builders may rely on WS Technical Auditors to perform the scanning at a cost to be paid by the builders determined by the WS Board.
14. Foil builders shall provide scans of a number (determined by the EQ) of prototypes to be scanned as reference blueprints. Alternatively, builders may rely on WS Technical Auditors to perform the scanning at a cost to be paid by the builders determined by the WS Board.
15. The class rules shall define how equipment can be modified after production (after the certification mark is applied). By default, the equipment item shall comply with the requirements set out for certification control at all times throughout its lifespan. If compliance is a requirement only at time of production, this shall be explicitly stated in the class rules and the process for re-certification shall be defined within the class rules.

6. Content of the Tender

- 6.1 The tender shall include an assessment against the following:
- (a) Event Specific Criteria contained in section (x)
 - (b) General Criteria contained in section (y)
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- (c) Technical requirements contain in section (z)
- (d) Acknowledgment of requirements including:
 - (i) *Tbc*
- (e) Supporting documents:
 - (i) Required:
 1. Statement of support and acknowledgement of requirements from builders, right holders, class manager, etc... (tbc)
 2. tbc

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