



CONSTITUTION COMMITTEE INTERPRETATION

Interpretation Number	Interpretation of Regulation	Relating to	Date of Interpretation
002-12	23.1.4	Olympic Events and Equipment	16 July 2012

Questions for the Constitution Committee

In May 2012 the Council decided that Men's Kiteboarding and Women's Kiteboarding are selected for the 2016 Olympic Sailing Competition (hereafter referred to as 'the decision').

In reaction to this decision I received questions for clarification from Member National Authorities, Classes and Council members. For the preparation for the November Meetings and in order to implement Council decisions properly, I believe the following questions, interpreting the ISAF Regulations need to be answered:

- 1(a) Has the decision changed the list in Regulation 23.1.4 and, if yes, has the decision been taken under the godfathering regulation 23.1.9 (now deleted) which was also the regulation under which submission M10-11 was approved?

Interpretation: The May 2012 decision determined the nature of the Event as prescribed within regulation 23.1.3. It did not 'change' the list in 23.1.4 as contemplated by 23.1.7. It determined that the Event would be Kiteboarding alone. (see also 2(a) below)

- 1(b) Can the decision be changed (change of Regulation 23.1.4)?

Interpretation: Any Event or Equipment as listed in 23.1.4 can be changed in accordance with either Regulation 23.1.3, or, if later than November six years before an Olympic Competition Regulation, 23.1.7

- 1(c) If yes to question 1(b), what procedure must be followed?

Interpretation: A submission to change the list in 23.1.4 later than November of the year six years before the Olympic Sailing Competition must be approved by at least 75% of the votes cast. Following the approval of such a Submission, any Submission to change a particular Event or Equipment listed in 23.1.4, must comply with regulation 23.1.3(e), and be passed by a simple majority of votes cast.

- 1(d) If the decision can be changed, does this mean any event can replace Kiteboarding? Example if a submission is made for Keelboat Men and Women, can this replace Kiteboarding Men and Women.

Interpretation: Yes

- 1(e) If the decision can be changed, in order to make a change, is it needed to submit the entire slate' or, as Regulation 23.1.7 says, simply the "specific part of regulation 23.1.4" which the submitter intends to change?

Interpretation: Only a submission to change a "specific part" of Regulation 23.1.4 is permissible under 23.1.7. Any subsequent motion must however comply with Regulation 23.1.3(e).

- 1(f) If yes to question 1(b) is there a special majority (75%) need for a motion to change a part of Regulation 23.1.4.?

Interpretation: If the motion to change a specific part of 23.1.4 is approved by a special majority (not less than 75%), then a simple majority vote will suffice on any particular change.

- 2(a) Does the decision mean that the Event and the Equipment for the Kiteboarding events has been decided or is the Equipment still to be decided?

Interpretation: The Event is Kiteboarding. The exact equipment to be used is to determined by further evaluation

- 2(b) If found that the Equipment is still to be decided, should ISAF accept/invite submissions on the issue of Equipment for the Kiteboarding events or should simply conduct the evaluation on the Equipment?

Interpretation: Evaluation is to be carried out in accordance with Regulation 23.1.3(c)

- 2(c) If the answer to 2(b) is that ISAF should simply conduct the evaluation on the Equipment, should this evaluation necessarily include trials?

Interpretation: Not necessarily: Trials or other evaluation – See Regulation 23.1.3(c), but must be completed by November 2012.

Philip Tolhurst
Chair Constitution Committee