

ISAF Regulation 26 implication on IOM Class

26. ISAF INTERNATIONAL AND RECOGNIZED CLASSES

26.1 Classes which offer a high standard of international competitive sailing and satisfy the respective criteria set out below may be designated as ISAF International or Recognized Classes.

Impact on the IOM Class: NO

Obtaining designation as an International or Recognized Class

26.2 To be designated as either an International or Recognized Class, a class shall be recommended for designation by the Equipment Committee to the Council and must receive a majority vote of the Council.

Impact on the IOM Class: NO

IOM ICA has sent official application to the ISAF, subject to the outcome of the IOM ICA Special General Meeting scheduled for October 31 2009.

26.2.1 In order to be so designated a Class must be able to meet the following criteria, detailed in an application to the Secretary General, for consideration by the ISAF Council at the next scheduled meeting,

(a) an active Class/Owners Association;

Impact on the IOM Class: NO. IOM ICA is existing and active.

(b) a Constitution passed by a pre-existing Class/Owners Association and approved by the Equipment Committee and the Constitution Committee containing at least:

(i) the name of the class,

(ii) provision for control by a Class/Owners Association,

(iii) an elected Board and Executive Committee,

(iv) an Executive Committee, including at least the Executive Officers, and

(v) a statement of the objectives of the class;

Impact on the IOM Class: NO. IOM ICA Constitution contains required items.

(c) a set of class rules in the ISAF Standard Class Rules format, and adopting the Equipment Rules of Sailing, approved by the Equipment Committee. The Equipment Committee may approve an exemption to either requirement if in its opinion the class rules are satisfactory and well established;

Impact on the IOM Class: NO. IOM CR has been already written in the ISAF Standard Class Rules format.

(d) demonstrated, either by confirmation from the requisite number of Member National Authorities set out below or a listing of registered boat owners, that it is 'actively racing';

Impact on the IOM Class: NO. NCAs have detailed lists of Certified and Registered IOM

owners.

- (e) (i) in the case of International Classes, in at least six Member National Authorities which are from at least three continents and meet the following criteria as to the number of boats per country according to size:

LOA	Boats per country
Up to 7.6m	20
7.6m to 9.0m	10
9.0 to 12.0m	6
12.0m to 15.0m	4
above 15.0m	2
Windsurfers	50

Impact on the IOM Class: NO.

Radio sailing classes are not listed in the ISAF Regulations so far. If the windsurfers criteria will be used for the IOMs, it is possible to demonstrate that there are six NCAs from three continents (Europe, Oceania and North America) with more than 50 IOMs. Generally, IOMs are sailed worldwide. There are 22 NCAs on 5 continents.

- (ii) in the case of Recognized Classes, in at least four Member National Authorities or three Member National Authorities which are from two continents and meet the following criteria as to the number of boats per country according to size:

LOA	Boats per country
Up to 5.0m	20
5.0m to 6.5m	15
6.5m to 7.6m	8
7.6m to 9.0m	7
9.0m to 12.0m	6
12.0m to 15.0m	2
above 15.0m	1
Windsurfers	30

LOA	Boats Worldwide
Up to 5.0m	100
5.0m to 6.5m	80
6.5m to 7.6m	60
7.6m to 9.0m	30
9.0m to 12.0m	25
12.0m to 15.0m	20
15.0m to 20.0m	12
above 20.0m	8
Windsurfers	100

Impact on the IOM Class: NO. Not applicable for IOMs (this is related to Recognized Classes only)

- (f) the requirements of 26.2.1(e)(ii) may be waived by the Council, upon recommendation of the Equipment Committee, when considering a class which serves a unique aspect of sailing. For the purposes of these regulations "continent" means any one of Europe, North America, South America, Asia, Africa and Oceania.

Impact on the IOM Class: NO. It is likely that it will not be needed for IOM Class.

- (g) paid an application fee as established by the Council from time to time;

Impact on the IOM Class: NO. ISAF application fee in amount of 1000 GBP will be waived by the ISAF.

- (h) its constitution and class rules available on the ISAF website or with a link from the ISAF website.

Impact on the IOM Class: YES. IOM ICA Constitution and CR will be available from ISAF website with link on IOM ICA website. Costs involved for IOM owners: ZERO

26.3 There shall be an executed agreement between the ISAF Ltd., the Class/Owners Association and where relevant the Trademark, Trade Name and the Copyright Owner. This agreement shall include at a minimum the following matters:

Impact on the IOM Class: YES. The present agreement with RSD has to be mutually terminated and new one must be signed between ISAF and IOM ICA. The Trademark, Trade Name and the Copyright Owner are not applicable in the IOM ICA case.

- (a) define, if any, the ownership of the Copyright, Trade Name and Trademark and establish the rights granted and the responsibilities, obligations and restrictions that apply to the use of such rights generally and among the parties to the agreement;

Impact on the IOM Class: NO. Not applicable to the IOM Class.

- (b) where a licensed builder system is to be adopted, establish the procedure for granting licences and the control of the licensed builders;

Impact on the IOM Class: NO. Not applicable to the IOM Class.

- (c) agree on the amount of the ISAF fee for each boat which is recommended as 0.4% of the average retail price of a complete new boat without sails as a guideline for negotiation;

Impact on the IOM Class: YES. ISAF fee in amount of 5.20 GBP is foreseen.

- (d) define the method of issuing and using ISAF plaques, if any, Sail numbers, Measurement forms, Measurement certificates, changes to class rules and any other documentation affecting the ownership and the use of the boat; and

Impact on the IOM Class: YES. The method of issuing and using ISAF plaques must be defined in the Agreement. Changes to the IOM Class Rules must be defined in the Agreement, and will probably refer to ISAF Regulation 26.11. Management of the IOM Measurement forms, Certificates and procedures affecting the ownership and the use of the boat are already defined in the IOM CR.

- (e) provide that the Class organization and members of the class shall act in accordance with the ISAF Constitution, Rules and Regulations.

Impact on the IOM Class: General note. Proposed changes of the IOM ICA Constitution, Regulations and IOM CR have provisions of that effect.

World Championships for Classes granted provisional status

26.4 A class which has been granted provisional status by the Council shall, pursuant to Regulation 18 hold a World Championship in the period between the receipt of a fully documented application for such status and the granting of full International or Recognized Class status. The determination of whether a fully documented application has been received shall be in the sole discretion of the ISAF.

Impact on the IOM Class: NO. Not applicable to the IOM Class.

26.4.1 Where a World Championship of a Class granted provisional status is held (pursuant to Regulation 18), an ISAF appointed representative shall be present to assess the class, both in terms of participation and organization.

Impact on the IOM Class: NO. Not applicable to the IOM Class.

26.4.2 If the election of Class Officers has not taken place, it must be done during this World Championship, prior to final ISAF approval being granted.

Impact on the IOM Class: NO. Not applicable to the IOM Class.

Regulations on Administering International or Recognized Classes

26.5 To maintain its ISAF designation an International or Recognized Class shall:

- (a) be known as the International or Recognized XYZ Class and should use the approved ISAF Classes Logo in all Class publications, advertising or promotions;

Impact on the IOM Class: YES. New ISAF logo to be implemented on all IOM ICA documents including IOM CR, Measurement forms and Certificate. ISAF Regulation 26.5(a) = RSD Regulation 13.1(a). Costs involved for IOM owners: ZERO

- (b) properly administer its affairs and maintain its objectives in accordance with its Constitution, Class Rules, its Agreement with the ISAF and these Regulations;

Impact on the IOM Class: General note ISAF Regulation 26.5(b) = RSD Regulation 13.1(b).

- (c) provide the ISAF with up-to-date copies of all Class publications including the Constitution, Class rules, Measurement Forms, One Design Specifications and Class Newsletter, if any, and unless otherwise stated in the Agreement, the Class shall be responsible for regular updating and publishing all of the above mentioned publications and ensuring that updated class rules are published before the rule amendments come into effect;

Impact on the IOM Class: YES. IOM ICA has to provide ISAF with up-to-date copies of its Constitution, Regulations, Class Rules and Measurement Forms. ISAF Regulation 26.5(c) = RSD Regulation 13.1(c). Costs involved for IOM owners: ZERO

- (d) send the ISAF the dates for the next year's major championships (world and continental) by 1 August each year. No alteration in the championship dates are to be allowed after the Annual ISAF Meeting without the approval of the ISAF, the host National Authority and the Class/Owners Association;

Impact on the IOM Class: YES. IOM ICA must send the dates for next year's World and Continental Championship by 1 August each year. Application for organizing mentioned championships must be received by the IOM ICA Exec in due time in order to inform ISAF in due time as required. ISAF Regulation 26.5(d) = RSD Regulation 13.1(d). Costs involved for IOM owners: ZERO

- (e) send the ISAF a completed annual report on the activities of the Class, success in maintaining its objectives, current membership, boat registration and financial status prior to February each year (third party ratification may be required to

substantiate these figures). Failure to file a complete annual report shall automatically result in a review of the ISAF recognition of that class;

Impact on the IOM Class: YES. IOM ICA will need to send report to ISAF as required. ISAF Regulation 26.5(e) = RSD Regulation 13.1(e). Costs involved for IOM owners: ZERO

- (f) not permit the organizers to amend, suspend or override the Class Rules in the Notice of Race or Sailing Instructions for Class events without the prior approval of the ISAF, a Class event being an event initiated and controlled by the Class/Owners Association without any alteration to the Class rules;

Impact on the IOM Class: YES. So far, according to the IOM CR A.7.1 and A.7.2 , IOM Class Rules at World or Continental Championship may vary only with the agreement with IOM ICA. If needed, IOM CR A.7.2 has to be changed. ISAF Regulation 26.5(f) = RSD Regulation 13.2. Costs involved for IOM owners: ZERO

- (g) ensure that its equipment control procedures properly maintain the objectives of the class rules and shall:
 - (i) appoint a technical and/or equipment control committee;

Impact on the IOM Class: NO. ISAF Regulation 26.5(g)(i) = RSD Regulation 13.3(a). IOM ICA has Technical Sub-committee.

- (ii) appoint a technical representative who is a member of the class technical/equipment control committee and authorized to discuss class technical matters with ISAF;

Impact on the IOM Class: NO. ISAF Regulation 26.5(g)(ii) = RSD Regulation 13.3(b). IOM ICA has VC Technical.

- (iii) maintain a register of the names and addresses of all Official Measurers approved for the class, a copy of which shall be supplied to ISAF;

Impact on the IOM Class: YES. ISAF Regulation 26.5(g)(iii) = RSD Regulation 13.3(c) **Official Measurer** is ERS defined term. According to the ERS C.4.4, **Official Measurer** is a person appointed or recognised by the MNA of the country where the control takes place. IOM ICA has to collect names of Official Measurers from NCAs and the list has to be forwarded to the ISAF.

- (iv) request all Official Measurers approved for the class to be members of both their National Authority and class equipment control networks if these exist; and

Impact on the IOM Class: YES. ISAF Regulation 26.5(g)(iv) = RSD Regulation 13.3(d). Some NCAs which are fully integrated in respective MNAs are already fulfilling the requirement. Some RSD Division Members (DM) acting as NCA are also in compliance with the requirement because of RSD Regulation 13.3(d). For other NCAs, this issue must be resolved on the national level by the relevant MNAs. IOM ICA and ISAF may help, if needed.

- (v) keep all Official Measurers approved for the class informed with respect to class rule changes and interpretations,

Impact on the IOM Class: NO. ISAF Regulation 26.5(g)(v) = RSD Regulation 13.3(e). Class rule changes and interpretations are published on the IOM ICA website at the moment and Official Measurers may find there the latest status.

and, if practical:

1. have sufficient ISAF recognized class International Measurers (see Regulation 35) to represent the class regionally;
2. ensure that at least one class International Measurer attends each ISAF Equipment Inspection Symposium;
3. have at least one class International Measurer present at the class World Championships;
4. organize regular class Equipment Inspection Seminars to train class Equipment Inspectors with the class International Measurers as instructors; and
5. ensure only class International Measurers to measure prototypes of moulded production boats.

Impact on the IOM Class: YES. ISAF Regulation 26.5(g)(v) = RSD Regulation 13.3(e). The KEY WORD here is "if practical". To be discussed with ISAF. Long term goal for the IOM Class will be for sure to have International Measurers trained in compliance with ISAF standards. There is the possibility that IOM ICA can share expenses with some other ICAs if IOM ICA makes an agreement with International Measurers responsible for some other ISAF classes.

26.6 Use its best efforts to ensure that the National Association is affiliated to the relevant ISAF Member National Authority. Class/Owners Associations shall require that individual boat owners shall be members of their National Class Association, if any, before racing.

Impact on the IOM Class: YES. ISAF Regulation 26.6 = RSD Regulation 13.4. A good number of NCAs are already fully affiliated to their relevant ISAF MNAs. There are some NCAs which are in fact RSD Division Members. According to RSD Constitution 5.5(iv), Division Members are affiliated with their respective MNAs. NCAs have lists of their respective IOM Owners (registered and certified)

26.7 When a licensed builder system is adopted, gain the approval of the ISAF and the relevant Member National Authority before appointing licensed builders.

Impact on the IOM Class: NO. Not applicable for IOM Class boats.

26.8.1 Require that all new boats shall have paid a class fee to ISAF in accordance with the requirements agreed with ISAF, such payment to be evidenced by affixing an ISAF plaque to the boats or such other methods of evidencing the payment as shall be agreed by ISAF;

Impact on the IOM Class: YES. See comment under ISAF Regulation 26.3(c)

26.8.2 require the organizing authority organizing its world championship to include in the Notice of Race a provision that no boat over 25ft LOA first registered ten years or less before 1 January of the year in which the event is held shall be registered as an entry unless she produces evidence of such payment by display of a plaque or otherwise;

Impact on the IOM Class: NO. Not applicable for IOM Class boats.

26.8.3 require that the organizing authority agrees to reject or cancel any entry if such evidence is not provided.

Impact on the IOM Class: NO. Not applicable for IOM Class boats.

26.9 Obtain the approval of the Member National Authority governing the proposed venue of its ensuing World Championships.

Impact on the IOM Class: YES. NCAs willing to organize World Championships must ask

their MNA for approval, although this obligation already exists in many NCAs.

26.10 Appoint an International Jury for the World Championships unless otherwise agreed with ISAF.

Impact on the IOM Class: NO. International Jury in accordance with RRS has been already appointed for all World Championships so far.

Class Rule Changes

26.11 Unless otherwise provided in any agreement between ISAF and the Association, International and Recognized Class Associations shall not change their Class Rules except with the approval of ISAF which shall be obtained in accordance with the following procedures:

Impact on the IOM Class: YES. Instead of ISAF RSD approval, procedure described in following items shall be applied.

26.11.1 Before applying to ISAF for approval, the Class/Owners Association is encouraged to consult with the Secretariat of ISAF who shall respond in a timely manner and shall have approved the changes in accordance with its constitution and its class rules.

Impact on the IOM Class: YES. IOM ICA has to consult with the Secretariat of ISAF regarding changing its Constitution or class rules before formal submission to the IOM ICA World Council.

26.11.2 Then the Class/Owners Association shall apply for approval of the changes in writing to the Secretary General and the application shall include:

- (a) the changes required;
- (b) a statement of the reasons for requiring the change;
- (c) a certificate that the changes have been duly approved by the Class/Owners Association; and
- (d) the date when the changes are to take effect.

Impact on the IOM Class: YES. Instead sending above mentioned data to ISAF RSD , they will be sent to ISAF Secretary General.

26.11.3 When the application is received by the Secretary General, in the case of changes not relating to a modification of the Advertising Code, he shall supply the members of the Class Rules Sub-committee at once with copies of the application, whereupon the subcommittee shall consider the it as soon as practicable either at any meeting duly convened or by discussion carried on by electronic communication.

Impact on the IOM Class: YES. ISAF Class Rules Sub-committee will do the job of the ISAF RSD Technical Committee.

26.11.4 The sub-committee may approve or reject the changes or return them to the Class/Owners Association with comments for revision. However before rejecting them the Chairman of the Class Rules Sub-committee shall report the views of his committee to the Class/Owners Association, who shall be entitled to comment on such views within thirty days of such report. Any such comments shall be submitted to the members of the Class Rules Sub-committee before a final decision is made.

Impact on the IOM Class: YES. Procedure to be followed.

26.11.5 If an application is rejected the Class/Owners Association may require that the application is referred to the Council for review. Its decision shall be final.

Impact on the IOM Class: YES. Procedure to be followed.

26.11.6 Once a change has been approved, ISAF shall notify the Class/Owners Association, all Member National Authorities, all International Measurers and all licensed builders. The Class/Owners Association shall inform its members.

Impact on the IOM Class: NO. To be done by the ISAF. IOM ICA currently informs its members.

26.11.7 The Class Rules Sub-committee shall present a report of the changes approved by it during the previous year to the next meeting of the Equipment Committee.

Impact on the IOM Class: NO. To be done by the ISAF.

26.11.8 Class Rules shall not modify the Advertising Code, except as permitted under Regulation 20.4.4 in the case of an application for such modifications, the procedure required above shall apply except that the Executive Committee shall take the place of the Class Rules Sub-committee.

Impact on the IOM Class: NO. Category C is stated in the IOM CR C.3.1.

Impact on the IOM Class: NO. To be done by the ISAF.

Class Rule Interpretations

26.12 When sanctioned in the Agreement, the class may issue written Rule interpretations [or Rule changes] following a procedure specified in the class rules and/or constitution to clarify class rules but such interpretative changes shall not be used to change an existing rule. The class shall immediately advise ISAF of any interpretations issued.

Impact on the IOM Class: YES IOM CR A.9.1 to be changed so that the interpretation of class rules will be made in accordance with the ISAF Regulation 26.12.1. The procedure described in the following section shall be applied:

26.12.1 Where an ISAF sanctioned procedure for the interpretation of a class rule does not exist, ISAF may only make interpretations in accordance with the following procedures:

- (a) requests for an interpretation may be made to ISAF from the following sources only: Member National Authorities, International and Recognized Class/Owners Associations, Copyright Owners, Trade name and Trademark Owners, Manufacturers of International or Recognized Classes and International Measurers;

Impact on the IOM Class: NO. Procedure to be followed.

- (b) an interpretation shall only clarify an existing class rule and shall not change the class rules;

Impact on the IOM Class: NO. Procedure to be followed.

- (c) a request received by ISAF from one of those sources shall be acknowledged and immediately sent to the Class/Owners Association;

Impact on the IOM Class: NO. To be done by the ISAF.

- (d) the validity of the interpretation or any alternative interpretation shall be decided

by a panel formed by the Chairman or Vice-Chairman of the Class Rules Sub-committee, the technical representative of the Class/Owners Association and a nominated member of the ISAF Technical Staff;

Impact on the IOM Class: YES. Instead of ISAF RSD Technical Committee Chairman and Vice Chairman, ISAF Class Rules Sub-committee Chairman or Vice chairman and a nominated member of the ISAF Technical Staff will work with IOM ICA VC Technical on the interpretation of the IOM Class Rules.

- (e) interpretations of the Class rules made by the Sub-committee shall be distributed by ISAF as provided in Regulation 26.11.6; and

Impact on the IOM Class: NO. To be done by the ISAF.

- (f) rule interpretations shall have the status of a class rule and, unless otherwise sanctioned in the Agreement, shall remain valid for a maximum period of 2 years or until superseded by a Class Rule change or modification carried out following the procedures of this Regulation.

Impact on the IOM Class: NO. Procedure to be followed.

Review of International and Recognized Status

26.13 All International and Recognized Classes shall be subject to regular review by the Equipment Committee (at least once every three years).

Impact on the IOM Class: NO. To be done by the ISAF.

26.13.1 In the review the Equipment Committee shall establish whether or not:

- (a) the International or Recognized Class/Owners Association has fulfilled its Agreement with ISAF, properly administering its affairs and maintained the agreed objectives, and whether the original reasons for granting International or Recognized Status still apply; and either
- (b) the class is actively racing pursuant to the relevant requirements of 26.2.1(d) (The recommended guidelines to 'actively racing' is considered to be at least the same number of registered boats as required for the new classes in that category seeking designated status); or
- (c) is continuing to provide a significant contribution to the development of the sport, e.g. technical innovation; and
- (d) that the class rules continue to support the objectives of the class and provide a reasonable framework for the technical control of the class.

Impact on the IOM Class: NO. To be done by the ISAF.

26.13.2 If a Class fails to meet the above criteria, on the recommendation of the Equipment Committee, the Class shall be reviewed by the Council, and its status as an ISAF Class may be withdrawn.

Impact on the IOM Class: NO. To be done by the ISAF.

26.13.3 If a Class is to have its status reviewed by the Council, the Class/Owners Association shall be notified and entitled to representation at the Council meeting.

Impact on the IOM Class: NO. To be done by the ISAF.

Existing Agreements

26.14 In the case of agreements between ISAF and International or Recognized Classes and Licensed Builders and Trademark, Trade name and Copyright Owners in existence prior to 30 November 1993, nothing shall be deemed to change the effect or validity of such agreements until the agreements are amended or replaced between the relevant parties, except that the review of Classes shall be carried out in accordance with the provision of Regulation 26.13 herein and the ISAF Status may be withdrawn.

Impact on the IOM Class: NO. Not applicable for IOM Class boats.

Television Rights

26.15 Media Rights granted to ISAF Classes are detailed in Regulation 18.15.

Impact on the IOM Class: NO. Procedure to be followed.

Fees

26.16 Pursuant to Article 10, the Council shall set the Annual Class fees which International and Recognized Classes shall pay. Such fees shall accrue from the date that the class's application for International or Recognized Status is received at the ISAF Secretariat, but such accrued fees shall not be payable until the earlier of the date when the ISAF status is granted or until the next annual class fees are payable.

Impact on the IOM Class: YES. It is expected that the annual fee will be 165 GBP.

26.16.1 Pursuant to Article 13, and as an alternative to the penalties for International and Recognized Classes in arrears of payments due provided for in Article 13, the Council may suspend any or all of the rights of such Class to hold World Championships or be selected for an ISAF event.

Impact on the IOM Class: YES. New procedure if IOM ICA fails to pay its annual fees

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