

**Governance Reform Documents**

**1. Introduction**

- 1.1 The attached letter was circulated to World Sailing Stakeholders on the 13 April 2024.
- 1.2 No substantive comments were submitted to the Governance Working Group.

**2. Summary**

- 2.1 The current Regulations being reviewed in this phase of work are:

2, 8, 14, 26	Governance, Commissions
10, 11, 12, 14	Classes & Rating Systems / Class World Championships
24, 25	World Sailing Events & Equipment

- 2.2 It was originally intended that Regulation 23 concerning the Olympic Sailing Competition would be reviewed in this phase. However, following consultation with the Events Committee, it has been agreed to move this to Phase 3 (completing in November 2024) to allow the current Olympic decision-making work to progress.

- 2.3 You will find at the link below a copy of the New Regulations and the Policy Register as they will be after the 2024 General Assembly. You will also find the new terms of reference of the Committees and Commissions.

<https://www.sailing.org/inside-world-sailing/organisation/governance/governance-reform/>

- 2.4 The proposed New Regulations and Policy Register will take effect from November 2024 after the General Assembly concludes.

**3. Recommendation**

- 4.1 The Council is requested to note the report.
- 4.2 The Council is requested to approve the new Regulations proposed in the phase of the work and the Policy Register.

***Prepared on behalf of the Governance Working Group***

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12<sup>th</sup> April 2024

**To:**

**World Sailing Member National Authorities**

**Council Members**

**World Sailing Committees, Sub-committees and Commissions**

As World Sailing moves towards the adoption of the new governance structure in November this year, the Governance Working Party has now concluded the drafting for the New Regulations and Policy Register in Phase 2.

The purpose of this note is to invite comments on the proposed documents as required by Appendix A of the New Constitution. Following receipt of comments, the Working Party will prepare the final texts to be put forward for approval by Council and the Board.

Comments should be made to [governance@sailing.org](mailto:governance@sailing.org) no later than Monday 29 April 2024 by 15H00 UTC. The Working Party requests that comments are made by submitting a Word copy of the document with any proposed changes or comments in tracked changes.

All documents are circulated in PDF format on the website but if you require a word version please contact [governance@sailing.org](mailto:governance@sailing.org).

Important information is in the note below. If you have any questions or comments, please do not hesitate to contact the Working Party at the above address.

Kind regards



**David Graham**  
CEO



**Philip Baum**  
Chairman: Governance Sub-Committee

## **SUMMARY NOTE: PHASE 2**

The current Regulations being reviewed in this phase of work are:

2, 8, 14, 26	Governance, Commissions
10, 11, 12, 14	Classes & Rating Systems / Class World Championships
24, 25	World Sailing Events & Equipment

It was originally intended that Regulation 23 concerning the Olympic Sailing Competition would be reviewed in this phase. However, following consultation with the Events Committee, it has been agreed to move this to Phase 3 (completing in November 2024) to allow the current Olympic decision-making work to progress.

You will find at the link below a copy of the New Regulations and the Policy Register as they will be after the 2024 General Assembly. You will also find the new terms of reference of the Committees and Commissions.

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### **When does this take effect from?**

None of this work affects anything prior to the end of the current quad.

Any references to changes to the Regulations mean changes which take effect from November 2024 after the General Assembly concludes.

### **Is anything being changed?**

The role of the Working Party under the New Constitution is to:

1. Review the current Regulations and Council Minutes from November 2013 onwards.
2. Remove policy from the Regulations/Minutes and place it in a Policy Register.
3. Draft any New Regulations which are still required.

It is not the role of the Working Party to change the substance of a Regulation or Policy. The Working Party may make minor or non-substantial changes to improve drafting language, but it has not sought to change any substantive policy or procedure (unless this was a direct consequence of the New Constitution as approved).

### **What are the New Regulations? Why are they in two parts?**

The New Regulations are split into two parts:

- Part 1** Regulations which have **already** been reviewed, redrafted and approved by the procedure last year. Once approved by Council and the Board, the text in Part 1 will apply immediately after the General Assembly concludes in November 2024.
- Part 2** These are the **current** Regulations which are still to be reviewed. As the review goes through its various stages, the Regulations in Part 2 are deleted and new Regulations are added to Part 1.

The end goal is that Part 2 will end up 'empty' and Part 1 will be the complete set of Regulations.

However, in the unlikely event the review is not complete by November, this structure means the current Regulations (those left in Part 2) will continue to apply until its review is complete and approved.

### **What happens in the review?**

At a high level, the review seeks to remove existing policy from the Regulations and put it in a separate document called the Policy Register. Policies do not need to be Regulations and the new governance structure is aimed at being more flexible, more responsive and better able to change policy to meet the growth in our sport.

There are some areas which must still be a Regulation because of the legal and regulatory consequences that the status of a Regulation brings.

Therefore, the Governance Working Party reviews the current Regulations and decides which one of three categories should be applied to them:

**A Current Regulation will be transferred to the New Regulations**

**B Current Regulation will be transferred to Policy Register**

**C Current Regulation deleted**

In the link you will find a document called "Regulation v Policy Split". This document shows treatment the Working Party decided to apply to the current Regulations having first consulted with the Committees.

### **What will happen to Category A?**

Regulations in Category A (Green) have been redrafted into as simple and plain English (as possible) and put into the New Regulations. The Governance Working Party is required not to recommend any change in process or procedure unless it thinks the change is uncontentious.

Once the final approval of Council and the Board is given, text in Category A will be deleted from the Current Regulations in Part 2 and the proposed New Regulation will then be inserted in Part 1.

### **What will happen to Category B?**

Category B text is considered to be policy which does not need to be in the Regulations. It will be transferred into the Policy Register (which will be the record of all World Sailing policies). The Governance Working Party is required not to recommend any change in policy unless it thinks the change is uncontentious. The approach has been to 'lift' the current policy text, reformat it and put it into a standalone document with the Register. Minor text amendments to improve understanding have been made to some policies.

Once the final approval of Council and the Board is given, text in Category B will be deleted from the Current Regulations in Part 2 and the entries in the Policy Register will take their place.

### **What will happen to Category C?**

Category C text is considered to be redundant wording (either because it is outdated or because it is replicated elsewhere in the World Sailing governance structure).

Once the final approval of Council and the Board is given, text in Category C will be deleted from the Current Regulations in Part 2.

### **When is a response required by?**

Responses must be received by 15:00 UTC on **Monday 29 April 2024**.

### **What happens to past policies which have been approved by Council but that are not in the Regulations? Will they need to be considered?**

Policies which have been approved by Council (often on recommendations not based on submission) must be reviewed and transferred to the new Policy Register via the same process. The Working Party is required by the New Constitution to review all minuted policy decisions from November 2013 onwards.

This work is being undertaken at present and will be presented for approval in Phase 3 (ending November 2024).

If you are aware of a policy that pre-dates this that you believe should still be included, you are welcome to bring it to the Working Party's attention.

**Won't policies be easier to change than Regulations? Isn't it better to have something in a Regulation?**

Under the New Constitution, policy can still only be made, changed or revoked by Council. Council can only make policy decisions after it has received recommendations from the Committee/Sub-committees (and some policies must also be approved by the General Assembly). Under the Constitution, all World Sailing Members are legally required to carry out and comply with decisions of World Sailing (including policy decisions).

Therefore, the Policy Register will become a document as equally important as the Regulations.