World Sailing Committees

Nominations and Appointments to Committees and Sub-Committees – Regulation 5

A submission from the Hellenic Sailing Federation, International 420 Class Association, International 470 Class Association, International Formula Kite Class Association, and the Chairman of the World Sailing Classes Committee

Purpose or Objective

To replace the current nomination and appointment process for committee members by a process as outlined in the most recent Governance Reform proposal, where an independent Nominations Panel makes recommendations for appointments to the Board to ensure that appointments are made based on merit and not for political reasons.

Proposal 1

Delete Regulation 5 and replace with the following:

5. Appointment of Committee Members

5.1 Nominations Panel

The Nominations Panel shall consist of 3 independent persons with expertise in non-executive governance recruitment and appointment, appointed by the Board, following public advertisement; and the President (non-voting)

5.1.1 The Nominations Panel shall agree the person specification and criteria relevant to the skills, expertise or experience required for the subject matter of the Committee or Sub-committee to be used for making an appointment. It shall consult as appropriate with the Board and the current chair of the Committee or Sub-committee, if appropriate.

5.1.2 The Nominations Panel will assess the nominations against the specification and criteria and make a recommendation to the Board. In making its recommendations, the Nominations Panel shall, if possible, ensure that the Committee or Sub-committee has:

(a) at least one member from each Region;

(b) at least 30% of each gender;

(c) appropriate class expertise and experience, if relevant; and,

(d) such other perspectives, which are relevant to the body such as recently active elite sailors, different age groups, and other relevant attributes.
5.1.3 The Panel must not recommend a person for appointment unless they possess the relevant skills, expertise or experience of the subject matter of the Committee or Sub-committee.

5.2 Nominations

5.2.1 Prior to the General Assembly, the positions for the members of Committees and Sub-committees (except the Audit Committee) must be publicly advertised and published to all Member National Authorities and World Sailing Class Associations. Member National Authorities and World Sailing Class Associations may nominate any person who meets the specification and criteria to any Committee or Sub-committee. The Nominations Panel may directly approach individuals to encourage them to apply. The closing date for applications must be after the General Assembly.

5.2.2 Nominations for the Para World Sailing Committee may only be made by Member National Authorities, who, in the assessment of the Nominations Panel, have disabled sailing programmes.

5.2.3 All individuals nominated to a Committee, Sub-committee, or Working Party must, prior to being appointed, sign a declaration in a form decided by the Chief Executive Officer. If appointed, individuals agree:

(a) to comply with the obligations in Article 6 to 9 of the Constitution;

(b) to act in a voluntary capacity;

(c) that any work undertaken during their appointment belongs to the Federation;

(d) to respect and keep confidential any information which he or she receives during their appointment (until that information becomes public);

(e) to work in the interests of the sport worldwide and not in the interests of any particular Member;

(f) to attend all properly scheduled meetings; and

(g) to be responsible for their own medical and travel insurance

5.2.4 If a MNA nominates an individual who is not a national nor resident of that country, then the nomination is not valid unless it contains the consent of the individual’s MNA.

5.2.5 Nominating bodies must pay all travel and accommodation costs for their Delegates, Committee, Sub-committee and Working Group members to attend meetings (unless otherwise agreed between the nominating body and the individual).

5.2.6 The Board may refuse or remove an individual’s appointment if they are not a member of their respective MNA (or an affiliated body). The Board may also remove any individual who is not fulfilling their obligations, having first given them a reasonable opportunity to respond to any allegations.

5.3 Appointments

5.3.1 Members of Committees and Sub-committees shall be appointed by the Board on the recommendation of the Nominations Panel, subject to the provisions of Regulation 5.4.
5.3.2 The proposed Chair of each Committee and Sub-committee will be recommended to the Board by the Nominations Panel for appointment first. After the Chair has been appointed, the nominations for the other members of the Committees and Subcommittees, will be assessed by the Nominations Panel in consultation with the relevant Chair of each Committee or Sub-committee.

5.3.3 The appointment process shall be completed within three months of each General Assembly. In the event of a vacancy arising during the term, the Nominations Panel shall use a similar process to recommend a replacement member to the Board. Pending that replacement, the remaining members of the relevant Committee or Subcommittee shall continue.

5.3.4 This Regulation 5.3 does not apply to the membership of the Athletes’ Commission, the Olympic Classes Sub-Committee and World Sailing Classes Committee.

5.3.5 In addition to the members of a Committee or Sub-committee appointed by the Board, the Athletes’ Commission may appoint a full voting member to each Committee and Sub-committee. The appointed member must be a member of the Athletes’ Committee and may be changed by the Athletes’ Commission from time to time. If the appointed member is the Chair of the Athletes’ Commission, then he or she shall not have a vote.

5.4 Exceptions

5.4.1 The Audit Committee shall be appointed by the Board but no employee of World Sailing or its subsidiary and associated companies shall be appointed. In making the appointment the Board will take into account the need for experience in matters of finance and/or investment.

5.4.2 In addition to provide for special representation required for organizations of sailors which are not directly represented through the process set out above or for required specialty knowledge the following additional nominations may be made:

(a) World Sailing Classes Committee

(i) An ICA Member may appoint one member to the World Sailing Classes Committee. The ICA Members which have specific fleets for disabled sailing may appoint a second member to the World Sailing Classes committee to represent the interests of disabled sailing. The names of these members shall be advised to the Executive Office in writing not less than fourteen days prior to any meeting of the World Sailing Classes Committee. There shall be only one vote per class association so represented.

(ii) The Chairman and Vice-Chairman of the World Sailing Classes Committee shall be elected by the World Sailing Classes Committee at the meeting held during the session of an ordinary meeting of the General Assembly or at any other time should a vacancy arise.

(iii) The Women referred to in Regulation 9 select a women's representative for membership of the World Sailing Classes Committee. The woman selected for this position shall be drawn from the women referred to in Regulation 9.2

(iv) The World Sailing Classes Committee may nominate candidates for membership of the Equipment, Events, International Measurers Sub-committee, and Equipment Rules Sub-committee.
(b) Race Officials Committee

The Chairman of the Race Officials Committee may nominate candidates for membership in the Race Officials Committee and the International Judges, International Umpires, Race Management and International Measurers Subcommittees.

(c) Development and Regions Committee & Regional Games Sub-committee

(i) The Development and Regions Committee shall include one representative of each continent, nominated by the World Sailing Affiliate Continental Member, except that if a continent does not have such a member, the nomination is decided by the Member National Authorities of that continent.

(ii) Membership of the Regional Games Subcommittee shall represent Regional Games organizations as defined from time to time by the Board.

(iii) The Member National Authorities represented as defined according to Regulation 5.4.2(c)(ii) may collectively nominate candidates for membership in the Regional Games Sub-committee, however only one nominee for each Regional Games Organization may be nominated. The Member National Authorities from a particular Regional Games Organization shall agree on their representative to be nominated. The process of such nomination is to be decided by the collective Member National Authority members of the particular organization.

(iv) Member National Authorities who are members of more than one Regional Games Organization as defined according to Regulation 5.4.2(c)(ii) may participate in the selection of candidates in any of the organizations of which they are a member.

(v) The foregoing provisions do not prevent additional members being nominated for the Development and Regions Committee and the Regional Games Sub-committee by the process in Regulation 5.2.

5.5 Sub-Committees and Working Parties

5.5.1 Working parties

(a) A Committee may appoint working parties to deal with particular subjects.

(b) The appointing committee shall assign members of the committee to the working party, but may include any other person where it needs specific expertise.

(c) Council may appoint a joint working party from two or more committees with the consent of the Chairmen of those Committees.

(d) The appointing Committee shall select the working party for a set project or period. Unless dismissed earlier, membership of working parties automatically finishes in line with the term of appointment of the appointing committee.

(e) Working parties shall work under a standard terms of reference as follows:

(i) members of the working party may work by e-mail;
(ii) where meetings are necessary, working parties will use the offices of the Executive Office;

(iii) at the first meeting of the appointing committee after the working party’s appointment, the members will present a defined set of objectives for their work; and

(iv) the working party will present a record of its work at each subsequent meeting of the appointing committee.

5.5.2 Sub-committee and working parties shall not be entitled to financial or extra-ordinary assistance from the Executive Office without prior approval by the Board.

5.6 Committee Term of Office

The ordinary term of office for a committee member shall be four years from 1 February following the last ordinary General Assembly.

Current Position 1

Current Regulation 5

Proposal 2

If Proposal 1 is approved, add new interim Regulation 5.6 to allow the process laid out in new Regulation 5 to already be applied in the 2021-2024 quad.

Add new Regulation 5.6 as follows:

5.7 Interim Regulations

5.7.1 As soon as reasonably possible after the 2020 General Assembly, the positions for the members of Committees and Sub-committees (except the Audit Committee) shall be publicly advertised and published to all Member National Authorities and World Sailing Class Associations.

5.7.2 Nominations in addition to the nominations received from MNAs through the process described in the 2020 Regulations shall be made within 4 weeks following the publication outlined in Regulation 5.2.1

5.7.3 The timelines set out in new regulation 5 may be amended to allow proper appointment of the Nominations Panel and their recommendation for appointments.

5.7.4 This Regulation 5.7 takes precedence over any conflicting part of Regulation 5 above and ceases on 31 December 2021.

Current Position 2

Appointments are currently made under current Regulation 5. To apply new Regulation 5 for the 2021-2024 Term, interim timelines are required.
Reasons

1. Ensure the assessment of persons seeking appointment to the Committees is objective and fair against a set criteria.

2. Ensure that appointments are made based on merit and not for political reasons.

3. Set out specific criteria for the Nominations Panel to apply in considering applicants for the Committees and Sub-Committees. The criteria include the requirement for the Nominations Panel to take into account the relevant skills and expertise for the mandate of the body; knowledge of sailing (including active elite sailors); people from different regions; gender balance and diversity of perspectives.

4. This Regulation takes into account the nomination and appointment process in current Regulation 5, the provisions for the Nominations Panel set out in Governance Reform Draft Constitution Article 52, and the appointment process described in Governance Reform Draft New Regulations 3.

5. It is desirable to apply this process already for the 2021-2024 appointments.