

APPENDIX 3 – ELIGIBILITY CODE

19. ELIGIBILITY CODE

Competition Eligibility

- 19.1 An individual shall have Competition Eligibility unless that eligibility has been suspended or revoked. 'Competition Eligibility' means the individual has a general entitlement to take part in competition in the sport of sailing.
- 19.2 An individual who does not have Competition Eligibility, or who is in breach of any condition imposed on his Competition Eligibility, shall not compete in any competition in the sport of sailing to which the RRS or these Regulations apply in whole or in part.
- 19.3 A boat that races with, as part of her crew, a competitor who is in breach of this Code shall be disqualified from all such races.

World Sailing Eligibility

- 19.4 In addition to Competition Eligibility, a competitor has 'World Sailing Eligibility' if he meets the following conditions:
- (a) he is a member of his/her Member National Authority or one of its affiliated organizations. Such membership to be established by the competitor either:
 - (i) by being entered by a national authority of the country of which the competitor is a national or ordinarily a resident; or
 - (ii) by presenting a valid membership card or certificate, or other satisfactory evidence of identity and membership;
 - (b) he is registered as an 'World Sailing Sailor' on the World Sailing Website for those events listed under Regulations 19.6(a) to (c), Olympic Qualification Events and World Sailing Graded Match Racing Events;
 - (c) he has agreed to be governed and bound by the Regulations and any other requirements issued by World Sailing; and
 - (d) he has not had either his Competition Eligibility or World Sailing Eligibility suspended or revoked under Regulation 19.
- 19.5 In exceptional circumstances the Board may waive the requirements contained in Regulations 19.4.(a) and (b) for a sailor who, for good reason, is unable to comply with those requirements.

Events Requiring World Sailing Eligibility

- 19.6 World Sailing Eligibility is required for the following events:
- (a) the Olympic Sailing Competition;
 - (b) the sailing events of Regional Games recognized by the International Olympic Committee;
 - (c) events including "World Sailing" in their titles;
 - (d) world and continental championships of World Sailing classes and world championships of the IMS, Major Events and other events approved by World Sailing as a World Championship;
 - (e) any event at which the Organizing Authority, Member National Authority or World Sailing has appointed an International Jury, International Umpires,

International Race Officers, International Measurers or World Sailing Technical Delegates to act in that capacity;

- (f) any event approved by a Member National Authority of World Sailing as an Olympic qualifying event;
- (h) any event designated by a Member National Authority within its jurisdiction as requiring competitors to satisfy the requirements of Regulation 19.7; and
- (i) any event designated by World Sailing.

19.7 Additionally, with the prior approval of the relevant Member National Authority, an Organizing Authority may also impose the same requirements as in Regulation 19.6 above for an event and that fact shall then be stated in the notice of race.

Nationality Criteria

19.8 Regulations 19.8 to 19.18 apply only to the world, continental and regional championships of the Olympic Classes and to World Sailing Events, except

- (a) Match Racing World Championships
- (b) Team Racing World Championship; and
- (c) Offshore Team World Championship

19.9 A competitor shall be national of the country he represents but this does not apply to crew substitutes if the notice of race so specifies.

19.10 For the purpose of Regulation 19, the country a competitor represents is either the country of:

- (a) if applicable, the Member National Authority that entered the competitor into the event; or
- (b) if Regulation 19.10(a) does not apply, the national letters of the sail number of the boat that he races on at an event to which Regulation 19.8 applies.

Residents in other countries

19.11 A competitor who is a resident of a country in which he is not a national shall be regarded as a national of that country for the purposes of this Regulation if he holds a residency certificate issued by the Chief Executive Officer.

19.12 The Chief Executive Officer may issue a residency certificate upon application from a competitor if all the following conditions are satisfied in the opinion of the Chief Executive Officer:

- (a) the competitor has been ordinarily resident in the country for more than three consecutive years;
- (b) the competitor has been a member of the Member National Authority of that country (or a club or organization affiliated to that Member National Authority) for more than three consecutive years; and
- (c) the competitor has not represented another country within the last three years (the Board may reduce this period).

Dual nationality and nationality changes

19.13 Unless Regulations 19.14 to 19.17 apply:

- (a) a competitor who is a national of two or more countries at the same time may represent either one of them as he may elect (this election may be made once only); and
- (b) after representing one country, a competitor shall not represent another country.

19.14 A competitor shall not be regarded as having represented a country unless he is at least 16 years of age at the time.

19.15 A competitor who has represented one country and who has another nationality, has changed his nationality, or has acquired a new nationality shall not represent his new country unless:

- (a) he has not represented his old country within the last three years; and
- (b) at least three years has passed since such change or acquisition.

The World Sailing Board may, after taking into account the circumstances of each case and with the agreement of the Member National Authorities concerned, reduce or cancel the three-year periods referred to in (a) and (b) above.

19.16 If a part of an existing country (such as an associated state, province or overseas department, country or colony) acquires independence and becomes a new country, or is incorporated into or is associated with another country, a competitor may:

- (a) continue to represent the former country if he remains a national of that country; or
- (b) represent the new country provided that country has a Member National Authority and the competitor becomes or applies to become a national of that country.

The choice provided for in this Regulation may only be made once in respect of such change in national status (subject to Regulation 19.15) and shall be notified to the Chief Executive Officer. The country a competitor represents must be recognised by the International Olympic Committee.

19.17 In exceptional circumstances, the World Sailing Board may make decision(s) of a general or individual nature concerning any question of nationality (including authorising a change of nationality not otherwise permitted), and in particular may issue specific requirements relating to nationality, citizenship, domicile or residence, and any applicable waiting periods.

Determination of nationality and disputes

19.18 All applications and disputes under Regulations 19.8 to 19.17 shall be determined by the World Sailing Board. An alleged breach of Regulations 19.8 to 19.17 shall not be grounds for protest and RRS 63.1 does not apply. The penalty for a breach shall be at the discretion of the Board. The Board may delegate authority to make decisions to a panel consisting of the Chief Executive Officer and at least one Vice President.

Suspension or revocation of Competitor Eligibility or World Sailing Eligibility

19.19 Competition Eligibility or World Sailing Eligibility (or both) may be suspended or revoked:

- (a) by a National Authority (for events within its own jurisdiction) or by World Sailing:

- (i) for a breach of RRS 69.1(a); or
- (ii) for competing, within the preceding two years, in an event that the competitor knew or should reasonably have known was a Prohibited Event; or
- (b) for a breach of RRS 5.

World Sailing's powers in this Regulation are in addition to the provisions of RRS 69.

19.20 A 'Prohibited Event' means an event:

- (a) permitting or requiring advertising beyond that permitted by the World Sailing Advertising Code;
- (b) with prizes or other benefits referred to in Regulation 25.12.2 that is a national event not approved by the National Authority of the venue or an international event not approved by World Sailing;
- (c) that is described as a world championship or uses the word "world", either in the title of the event or otherwise, and that is not approved by World Sailing;
- (d) that does not conform to the requirements of RRS 89.1 and is not otherwise approved by World Sailing; or
- (e) for which the Organizing Authority that has not paid the World Sailing event fees, and
- (f) has been listed on the World Sailing website on a list maintained for this purpose

Subsequent review and appeals

19.21 The procedures for reviewing and appealing decisions of a National Authority or World Sailing under this Regulation are set out in Regulation 35.

19.22 After a decision to suspend or revoke, or to impose conditions on, Competition Eligibility and/or World Sailing Eligibility has become final, the Chief Executive Officer shall report the decision to all National Authorities, World Sailing Class Associations and other World Sailing affiliated organizations, which may also suspend eligibility for events held within their own jurisdiction. The Chief Executive Officer may do this by publishing an appropriate notice on the World Sailing website.

Reinstatement of Competition and/or World Sailing Eligibility

19.23 A competitor may apply to the World Sailing Judicial Board for his Competition Eligibility and/or World Sailing Eligibility to be reinstated, or have any conditions imposed upon it removed or amended, if

- (a) he establishes substantial, changed circumstances justifying the change; and
- (b) a minimum of three years has passed since the original decision.

Class Eligibility

19.24 Any competitor whose eligibility has been suspended, denied, or revoked by an World Sailing Class may appeal that decision to the Judicial Board in accordance with Articles 77 to 81 and the procedures set out in the Judicial Board Rules of Procedure