



# SAS Bulletin

## No 2 / 2005

<b>In this Bulletin:</b>
--------------------------

---

### **SAS obligations under ISAF**

---

#### **Introduction**

As a Member National Association (MNA) of ISAF, South African Sailing and its members are obliged to comply with the membership regulations of that body. SAS has been advised that there is one specific area where member clubs are not complying with the requirement and because it is a sensitive issue Council invites membership's comments on resolving it.

#### **The Issue**

The Racing Rules of Sailing (RRS) are the copyright of ISAF and the MNA's are required to ensure that only those persons that are members of the MNA are permitted to use them. SAS as the MNA has no authority to change the rules (See introduction and rule 86) and as the custodian of the RRS it is SAS's responsibility to ensure that the rules are complied with. If SAS becomes aware of non-compliance it must use all the powers vested in it by ISAF to remedy the situation.

**SAS does not wish to be in default because a large number of people are racing as crew both at events, and at club level. Many of these people are casual crew or first time sailors enjoying the experience and SAS does not wish to discourage them.** But, Appendix 2 of the RRS, spells out very clearly that a competitor shall be a member of a MNA (21.1) to be eligible to participate in any event using the RRS (21.2.1. (L)).

The rules are there not only to level the playing field for competitors but also to grant remedy to competitors who feel that their rights have been compromised whilst racing. In addition, the RRS are there to limit liability of the competitors (Rule 3), the race management and organising committees (Rule 4), handle abuse of drugs etc (Rule 5) and as a mechanism to deal with misconduct (Rule 6). A participant who is not a member of the MNA and hence is not bound by the RRS becomes a potential liability and neither SAS nor any Yacht Club or the average Race Officer in South Africa has the funds to defend a class 1 legal suite, so we need to think carefully how the matter is handled.

SAS has resolved the problem at sanctioned events by providing temporary membership for a 3 month period that costs R50.00. This fee is the same as that charged by SAYRA some 15 years ago illustrating that this is not a fund raising issue.

We must find a way of ensuring with proof that casual sailors who race are complying with the RRS. There have been a number of suggestions, most of which rely on clubs keeping lists of casuals who are made temporary SAS members for the day in question. The problem is that this is not permitted under the RRS.

The easiest way to resolve this matter legally would be to prove SAS membership in the form of a receipt in payment of a membership fee. The participant is now bound by both the RRS as well as the SAS constitution. This approach has an added advantage in that temporary membership swells the ranks of SAS at a time when the Government has intimated that any

sports organisations numbering less than ten thousand members (a minor sport is currently 5000 members) could be forced into amalgamation with another "minor" sport.

SAS Council invites the membership to give some thought to the problem. We do not wish to drive casuals away from the sport and we do not wish to charge exorbitant fees but we should cover administrative costs. Clearly we have to charge but how much and how do we collect it?

The Clubs would have to participate in the system, temporary memberships would have to be recorded, perhaps with an invoice receipt book. Ideally we introduce a system that could be applied nationally but circumstances vary from Club to Club. If we seek solutions and not problems we can make it work. This might be an opportunity for Clubs to review their own policy towards casual sailors; when should clubs insist that these persons become members?

Clubs inputs are welcomed and your responses are requested by the latest 25<sup>th</sup> February 2005 to allow Council to consider the matter at their next meeting.

Council  
January 2005