

1. Introduction

- 1.1 **Purpose:** This Regulation sets out the criteria and procedure for selecting sailors to be part of the 2020 NZL Sailing Foundation Youth Team to attend the 2020 Youth Sailing World Championships.
- 1.2 **Commencement:** This Regulation was adopted by the Board on 28 June 2019 in accordance with the Yachting New Zealand Constitution. It shall take effect and come into force on 28 June 2019.
- 1.3 **Definitions:** Clause 11 (Definitions) contains definitions for key terms used in this Regulation.
- 1.4 **Amendment:** This Regulation may be amended at any time by the Board. Amendments, or an updated copy of the Regulation, will be published on the Yachting New Zealand website (www.yachtingnz.org.nz) or otherwise made available by Yachting New Zealand.
- 1.5 **Exclusion:** Clause 4.5.3 (New Zealand Representation) of the general Yachting New Zealand Regulations does not apply to selection of the Team.

2. The Championships

- 2.1 The Championships is the world's premier sailing event for youth sailors. New Zealand sailors may be selected to attend if they meet the requirements in this Regulation. Selection is **not** automatic. Selection is at the discretion of the Selectors as described below.
- 2.2 Unless otherwise directed by World Sailing, the Championships include the Events listed in the left column of the table below using the equipment named in the right column below.

Events	Equipment
Boy's One Person Dinghy	Laser Radial
Girl's One Person Dinghy	Laser Radial
Boy's Two Person Dinghy	International 420
Girl's Two Person Dinghy	International 420
Boy's Windsurfer	RS:X with 8.5m ² sail & 60cm fin
Girl's Windsurfer	RS:X with 8.5m ² sail & 60cm fin
Mixed Multihull	Nacra 15
Boy's Skiff	29er
Girl's Skiff	29er

3. Eligibility

- 3.1 To be eligible for selection to the Team to compete in an Event at the Championships a sailor must:
- be a national of New Zealand at the time the selection decision is made (which status is to be determined in accordance with the World Sailing Regulations);

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- b. be a current member of a yacht club that is a current member of Yachting New Zealand (which status is to be determined in accordance with the Yachting New Zealand Constitution);
- c. comply with the World Sailing eligibility rules (currently specified in Regulation 19 of the World Sailing Regulations);
- d. not attain their 19th birthday prior to 31 December 2020;
- e. compete in the Nomination Regatta for the Event as specified in the table below, unless clause 4 (Cancellation) applies or clause 7 (Extenuating circumstances) applies;

Events	Nomination Regattas
Boy's One Person Dinghy	The Laser Radial Class at the Yachting New Zealand Youth Trials 2020
Girl's One Person Dinghy	
Boy's Two Person Dinghy	The International 420 Class at the Yachting New Zealand Youth Trials 2020
Girl's Two Person Dinghy	
Boy's Skiff	The 29er Class at the Yachting New Zealand Youth Trials 2020
Girl's Skiff	
Boy's Windsurfer	The RS:X with 8.5m ² sail & 60cm fin class at the Yachting New Zealand Youth Trials 2020
Girl's Windsurfer	
Mixed Multihull	The mixed Nacra 15 Class at the Yachting New Zealand Youth Trials 2020

- f. comply with any gender requirements of the Event; and
- g. agree that, if selected, they will pay the specified amount towards the expenses of the Team as determined by Yachting New Zealand.

4. Cancellation

4.1 Cancellation: If the Nomination Regatta is cancelled or is not constituted as a valid series, Yachting New Zealand may, but does not have to:

- a. name a different regatta as a replacement regatta for the Event (which is to be regarded as a Nomination Regatta); or
- b. Hold a replacement nomination regatta at a later date

5. Selection of the Team

- 5.1 **Team Size:** The maximum Team size for the Championships is fourteen sailors. The Selectors may, in their discretion or at the direction of the Chief Executive, select a Team of less than fourteen sailors, or not select a Team at all.
- 5.2 **Timing:** The Selectors may, but do not have to, select sailors and pairs to be in the Team for each Event at any time after the Nomination Regatta for that Event have been completed.
- 5.3 **Process:** The Selectors may, but do not have to, select a sailor or pair (as applicable) for each Event. In making selection decisions for each Event:
- a. the requirements in clause 5.4 (Automatic Consideration) **must** be followed unless clause 6.3 (No Valid Series) applies; and
 - b. where clause 6.3 (No Valid Series) applies:
 - i. for any Event, the Selectors may, but do not have to, consider any eligible sailors or pairs that competed in the Nomination Regattas for that Event and in considering those sailors or pairs the Selectors may, but do not have to, take into account the performances and results of those sailors and pairs at the Nomination Regattas for that Event;
- 5.4 **Automatic Consideration:** Where a sailor, or pair, is eligible and achieves the results specified in the table below for an Event, the Selectors must consider that sailor or pair for selection to the Team to compete in that Event. The requirements specified in clause 6 (Calculating the Results) must be followed to determine the sailor or pair that has achieved the results for each Event. Achievement of the results for an Event does **not** guarantee that a sailor, or pair, will be selected to the Team because the Selectors may:
- a. take into account any one or more of the following factors in making decisions about selection to the Team:
 - i. the results the sailor, or pair, has achieved in other regattas, including those where other internationally competitive sailors were competing;
 - ii. the potential of the sailor, or pair, to win a medal at the Championships;
 - iii. the potential of the sailor, or pair, to place in the top ten at the Championships in any race); and/or
 - iv. a sailor's attendance, performance, attitude and conduct;
 - b. consider any extenuating circumstances in accordance with clause 7;

Events	Nomination Regattas	Results
Boy's One Person Dinghy Girl's One Person Dinghy Boy's Two Person Dinghy Girl's Two Person Dinghy Boy's Windsurfer Girl's Windsurfer Boy's Skiff Girl's Skiff Open Multihull	Yachting New Zealand Youth Trials 2020	The sailor, or Pair, with the lowest Series Score (of all Eligible sailors or Pairs) from the Nomination Regatta for each event.

6. Calculating the Results

- 6.1 **Medal Races:** Medal races shall not be taken into account when calculating a Series Score.
- 6.2 **Nomination Regatta must be a Series:** A Series Score for a Nomination Regatta will only be allocated to sailors or pairs when the Nomination Regatta is constituted as a series in accordance with the sailing instructions for that Nomination Regatta.
- 6.3 **No Valid Series:** If the Nomination Regatta or any subsequent replacement Nomination Regatta for an Event is not constituted as a series, the Selectors may, but do not have to, consider any Eligible sailors or Pairs that competed in the Nomination Regatta or regattas for that Event; and in considering those sailors or Pairs the Selectors may, but do not have to, take into account the performances and results of those sailors and Pairs at the Nomination Regatta or Regattas for that Event.
- 6.4 **Split Crews:** For an Event for a Pair (being the Two Person Dinghy, Open Multihull, and Skiff Events), the pair must remain the same pairing throughout the nomination regatta.

7. Extenuating Circumstances

- 7.1 **Extenuating Circumstances:** If a sailor, or Pair, considers there are Extenuating Circumstances that are relevant to their selection, they must notify Yachting New Zealand of this in writing immediately upon the occurrence of the Extenuating Circumstances. The Selectors may, but do not have to, take any such Extenuating Circumstances into consideration.
- 7.2 **Medical Examination:** In the case of any Extenuating Circumstances claim based on injury or illness, Yachting New Zealand may request the sailor, or Pair, undergo a medical examination by a medical practitioner nominated by Yachting New Zealand and provide the opinion and/or report of that practitioner to Yachting New Zealand. Any failure to agree to such a request may result in Yachting New Zealand not treating the injury or illness as an Extenuating Circumstance.

8. Consequences of Selection

- 8.1 **Requirements:** All sailors who are selected to the Team must, by the date(s) specified by Yachting New Zealand, sign the 'Sailor Agreement'.
- 8.2 **Obligations:** Following selection and execution of the Sailor Agreement referred to in clause 8.1, sailors who are selected to the Team must:
- a. by a date(s) specified by Yachting New Zealand, pay Yachting New Zealand the amount specified by Yachting New Zealand (for 2020 it will be \$3000) to contribute to the expenses of the Team to cover the expenses of sending the Team to the Championships;
 - a. compete in the Event for which they have been selected to the Team on the basis on which they were selected, unless otherwise directed by Yachting New Zealand. For example, if two sailors are selected as a Pair for an Event, they must compete as a Pair in that Event at the Championships, unless otherwise directed by Yachting New Zealand; and
 - b. train for the Event they will compete in at the Championships in accordance with the competition and training programme specified by Yachting New Zealand and any reasonable directions of Yachting New Zealand.
- 8.3 **Removal:** Any sailor who does not complete and adhere to the requirements in clause 8.1 (Requirements) and 8.2 (Obligations) may, at the sole discretion of Yachting New Zealand, be suspended or removed from the Team at any time. In addition, any sailor may be suspended or removed from the Team if he or she:
- a. breaches or fails to comply with this Regulation (including ceasing to be Eligible), and the Sailor Agreement;
 - b. breaches or fails to comply with:
 - i. the World Sailing Constitution, World Sailing Regulations, or any other requirements of World Sailing; or
 - ii. the Yachting New Zealand Constitution, Yachting New Zealand Regulations (excluding Yachting New Zealand Regulation 4.5.3 – New Zealand Representation), or any other reasonable instruction or request by Yachting New Zealand;
 - c. (in the sole and reasonable opinion of the Chief Executive of Yachting New Zealand) brings him/herself, another sailor in the Team, the Team as a whole, an official, Yachting New Zealand, or the sport of yachting generally into disrepute (or could be perceived to have done so); or
 - d. has a significant illness or injury which the Selectors consider prevents the sailor from remaining in the Team.
- 8.4 **Duty to act fairly:** Yachting New Zealand will act fairly at all times with regard to making any decision to suspend or remove a sailor from the Team.

9. Replacement Sailors

- 9.1 If a sailor or pair that has been selected to the Team is subsequently suspended or removed from the Team or is no longer Eligible, the Selectors may, in their absolute discretion, consider other sailors or pairs that have not achieved the Results and may select a replacement sailor or Pair.

10. Appeals

- 10.1 **Grounds:** A sailor or Pair may lodge an appeal against their non-selection to the Team in accordance with clause 10.2 (Appeal Process) of this Regulation on one or more of the following grounds (but no other grounds):

- a. this Regulation has not been properly followed and/or implemented;
- b. the sailor, or Pair, seeking selection was not afforded a reasonable opportunity to satisfy the requirements in this Regulation;
- c. the decision not to select the sailor, or Pair, was affected by actual bias; and/or
- d. there was no material on which the selection decision could reasonably be based.

- 10.2 **Appeal Process:** Any appeal must be made as follows:

- a. the sailor, or Pair, must notify the Chief Executive of their wish to appeal the decision. This notification must be made in writing and received by the Chief Executive within 72 hours from the date the sailor or Pair (as applicable) was notified in writing of the selection decision;
- b. on receipt of such notice the Chief Executive shall, as soon as practicable, convene a confidential "without prejudice" meeting between the Chief Executive, as many of the Selectors as are available, the sailor or Pair, and each sailor's authorised representative (if any). The purpose of this meeting is to allow the Selectors to explain the selection decision and see whether the matter can be resolved by agreement;
- c. if the appeal is unresolved after the process in clause 10.2b is followed, or if a without prejudice meeting cannot be arranged, the Chief Executive may determine the appeal in his or her sole and absolute discretion; and
- d. there is no further right of appeal from the decision of the Chief Executive.

11. Definitions

- 11.1 In this Regulation, the following definitions apply:

"Board" means the Board of Yachting New Zealand.

"Championships" means the 2020 Youth Sailing World Championships

“Chief Executive” means the Chief Executive Officer of Yachting New Zealand, or another person nominated by the Board.

“Eligible” means the sailor, or Pair, that has met the eligibility requirements in clause 3.

“Event” means an event as specified in the left column of the table in clause 2.2 in which sailors and pairs can compete at the Nomination Regattas and the Championships.

“Extenuating Circumstances” means the inability of a sailor or pair to perform at an optimum level, or an inability for a pair to remain together as a pair, arising from any one or more of the following:

- a. injury or illness;
- b. bereavement or personal misfortune; and/or
- c. any other factors reasonably considered to constitute extenuating circumstances.

“Nomination Regatta” means the regatta specified in the right column of the table in clause 3.1e (or any substitute regattas if clause 4.1a applies).

“Other Factors” means the factors in clause 5.4a.

“Pair” means a pair of two sailors competing together in an Event.

“Regulation” means this regulation unless otherwise specified.

“Results” for each Event, has the meaning specified in the third column of the table in clause 5.4, which results must be determined in accordance with clause 6 (Calculating the Results).

“Sailor Agreement” means the agreement issued by Yachting New Zealand which each sailor must sign and agree to if selected to the Team.

“Selectors” means those people who have been appointed by Yachting New Zealand to select sailors to the Team.

“Series Score” has the meaning specified in clause A2 (Series Scores) of Appendix A (Scoring) of the Racing Rules of Sailing 2017-2020 except that the Series Score must not include any results achieved in any medal races.

“Team” means the 2020 NZL Sailing Foundation Youth Team.

“Yachting New Zealand” means Yachting New Zealand Incorporated.