IC299 - 2011 Rule Change Proposals including an IMPORTANT Fundamental Rule Change

23 March 2011

The following letter has been approved by the Laser World Council and Advisory Council.

Dear National Class Officer

For 40 years the ILCA Class Rules and associated agreements concerning the management of the class have given the sailing world the most successful youth and adult racing class in history with over 200,000 boats built and racing in over 125 countries. This success, we believe, is based fundamentally on he ILCA Class Rules, which requires that a builder of class-legal boats must (among other things) (i) manufacture the hull, equipment, fittings, spars, sails and battens in strict adherence to the Construction Manual and (ii) have the Laser trademark rights. In addition, a builder also needs a building agreement from Bruce Kirby or Bruce Kirby Inc. This provision is mostly historical. The rule was insti­tuted at a time when Bruce Kirby held certain design rights. The ILCA is not a party to any of these “Kirby” agree­ments. Unfortunately, a dispute has arisen between parties who claim to be representing Kirby’s interests: a New Zealand company called Global Sailing; and Laser Performance Europe (LPE), one of the manufacturers, which holds the Laser trademark rights for Europe, South America, Africa and Asia (excluding trademark rights owned by Performance Sailcraft Japan for Japan and South Korea). The dispute centers on whether a valid “design rights holder” agreement exists with LPE. Under the current ILCA Class Rules, if there is not a valid building agreement, then a manufacturer, even a trademark owner, would not meet the requirements to be an International Sailing Federation (ISAF) and International Laser Class Association (ILCA) approved builder. Each of the parties to the conflict has threatened ILCA in various ways – Global Sailing has said it may form a new class association for a “Kirby Sailboat”. LPE informed the ILCA that it intends to form its own “Laser” class. We may therefore end up with three different classes and may lose the Olympic status. The “one design / out of the box principle” would also be threatened. One other possible result of this conflict is that due to uncertainty over ISAF and ILCA approval, there may not be a sufficient quantity of new Laser boats compliant with the ILCA Class Rules available in Europe and other countries in 2011 and beyond to satisfy the demand of its current and future ILCA members.The class officers made numerous attempts to get the two conflicting parties to end their dispute: meetings were held in different parts of the world and written compromise proposals were made, unfortunately with no success. While discussions between the two parties continue we are unsure of the outcome and running out of time. We also took legal advice. The above rule changes were deemed the only possible solution in order to promote the uninterrupted supply of class legal Laser boats and to maintain ILCA in its current set-up. The lawyers also informed us that the Kirby design patents had in fact expired.Therefore, we are proposing to change the rule to eliminate the “building agreement from Bruce Kirby or Bruce Kirby Inc” requirement. Manufacturers who have trademark rights and who build in strict adherence to the ILCA Rules and to the Construction Manual, which is controlled by ILCA, will continue to have the right to build Class legal boats. We believe that this change will eliminate uncertainty over ISAF and ILCA approval, give manufacturers continued reasons to support the class and satisfy the demands of current and future class members.Why should you vote YES?1. To promote the uninterrupted supply of class-legal Laser boats all over the world to meet the demands of current and future sailors.2. To maintain the International Laser Class Association in its current set-up. 3. To preserve the “one design / out of the box” principle, which is assured by the mandatory adherence to the Laser Construction Manual by all builders as defined in the fundamental rule.4. To maintain ISAF recognition and Olympic status.

Class Rule changes to the Fundamental RuleIt is proposed that the following rule changes be adopted. The additions are underlined. The deletions are crossed through (strike through). They are:

CLASS RULES, PART ONEFUNDAMENTAL RULE

Present Rule:

The Laser shall be raced in accordance with these rules, with only the hull, equipment, fittings, spars, sail and battens manufactured by a licensed builder in accordance with the Laser design specification (known as the Construction Manual) which is registered with ISAF.

Proposed new rule with changes:

The Laser shall be raced in accordance with these Rules, with only the hull, equipment, fittings, spars, sail and battens manufactured by a licensed an International Sailing Federation (ISAF) and International Laser Class Association (ILCA) approved builder in accordance with strict adherence to the Laser design specification (known as the Construction Manual) which is registered with ISAF.

DEFINITION OF BUILDER (part of Fundamental Rule)

Present Rule:

A Builder is a manufacturer that has a building agreement from Bruce Kirby or Bruce Kirby Inc. to build the Laser and has the rights to use a Laser trademark and has been approved as a Laser Builder by each of the International Sailing Federation and the International Laser Class Association.

Proposed new rule with changes:

A Builder is a manufacturer that has a building agreement from Bruce Kirby or Bruce Kirby Inc. to build the Laser and has the rights to use a Laser trademark, is manufacturing the hull, equipment, fittings, spars, sails and battens in strict adherence to the Construction Manual, and has been approved as a Laser Builder by each of the International Sailing Federation and the International Laser Class Association.

To vote please visit:

http://www.laserinternational.org/rules2011

The above letter together with the proposed rule changes are published on our website at:

http://www.laserinternational.org/rules2011

Also at the same link is an ‘on line’ electronic voting form.

Please draw the attention of your members to these proposed rule changes and how to vote by publishing the details on your national web site and in any electronic newsletters you can send to your members encouraging them to vote early through our web site.

5 other rule changes relating to technical rules are also detailed at the above link after a vote on the fundamental rule is completed. The World Council consider that the technical changes are minor and do not affect the one design nature of the Laser.

Thank you for your help and support

Best regards

Heini Wellmann and Jeff MartinPresident and Executive Secretary ILCA