

# SUBMISSIONS LINKED FROM DEFINITIONS AND THE RULES OF PARTS 1 – 6

## Submission 104-13

Definition Clear Astern and Clear Ahead; Overlap

A submission from US Sailing

### Purpose or Objective

To simplify and clarify a complex sentence that experienced sailors report is difficult to understand.

### Proposal

**Clear Astern and Clear Ahead; Overlap** One boat is *clear astern* of another when her hull and equipment in normal position are behind a line abeam from the aftermost point of the other boat's hull and equipment in normal position. The other boat is *clear ahead*. They *overlap* when neither is *clear astern*. However, they also *overlap* when a boat between them *overlaps* both. These terms always apply to boats on the same *tack*. **The terms** ~~They do not~~ apply to boats on opposite *tacks* **only when** ~~unless~~ rule 18 applies **between them** or **when** both boats are sailing more than ninety degrees from the true wind.

### Current Position

As above.

### Reasons

1. The proposed rewording of the last sentence makes the sentence easier to read by eliminating the double negative construction used in the last sentence of the current definition.
2. Rule 18 will often apply to a pair of boats other than the pair referred to in the definition. The intent of the last sentence is that the three defined terms, Clear Astern, Clear Ahead and Overlap, should only apply to two boats on opposite tacks when rule 18 applies between those two boats and not when rule 18 applies between any other pair of boats. With the addition of 'between them', the last sentence will be consistent with the intent. A similar use of 'between them' can be found in rule 20.2(e).

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## Submission 107-13

Rule 61.1(a)(3)

A submission from the Chairman of the Racing Rules Committee

### Purpose or Objective

To correct an ambiguity in rule 61.1(a)(3).

### Proposal

- (3) if the incident was an error by the other boat in sailing the course, she need not hail or display a red flag but she shall inform the other boat before ~~that boat finishes~~ or at the first reasonable opportunity after that boat ~~she~~ finishes;

### Current Position

As above.

### Reason

The penultimate word in rule 61.1(a)(3), 'she', is ambiguous because it is not clear whether it refers to the boat intending to protest or the other boat. The proposed wording change removes the ambiguity.

## Submission 111-13

Rule 86.1(b)

A submission from the Chairman of the Racing Rules Committee

### Purpose or Objective

To allow the Notice of Race to properly change a racing rule.

### Proposal

1. Change rule 86.1(b) as follows:

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**86 CHANGES TO THE RACING RULES**

**86.1** A racing rule shall not be changed unless permitted in the rule itself or as follows:

(a) Prescriptions of a national authority may change a racing rule, but not the Definitions; a rule in the Introduction; Sportsmanship and the Rules; Part 1, 2 or 7; rule 42, 43, 69, 70, 71, 75, 76.3, 79 or 80; a rule of an appendix that changes one of these rules; Appendix H or N; or ISAF Regulation 19, 20, 21 or 22.

(b) Sailing instructions or the notice of race may change a racing rule by referring specifically to it and stating the change, but not rules 76.1 or 76.2, Appendix R, or a rule listed in rule 86.1(a).

2. Change rule J1.2(1) to incorporate the principles contained in rule J2.2(3).

**Current Position**

As above.

**Reasons**

1. Rule changes that are needed by competitors to decide if they should enter the event or are needed well in advance for adequate preparation must be included in the Notice of Race. Consequently, notice of the future change is included in the notice of race and the actual change occurs in the sailing instructions. This adds unnecessary complexity to managing these documents.
2. By the definition *Rule*, the notice of race and the sailing instructions have equal standing. Including (a) the intention to change a rule and (b) the actual change of the rule in two separate documents with different wording can lead to differences of interpretation which rule 63.7 cannot resolve.
3. Many current event documents contain invalid '*rules*', as rule changes included in the Notice of Race that are not repeated in the Sailing Instructions. While it is easy to criticise the authors for poor drafting, this situation remains unhelpful for competitors and officials. Disputes will be avoided by this submission and that is for the benefit of all enjoying the sport.
4. In general, duplication between documents should be avoided where ever possible. This reduces the chances of conflicting rules and simplifies the documents that govern our sport.
5. The RRC has a working party established that is reviewing the current Appendices J, K, L and LE to bring them into line with current practice, to make them more user friendly to the authors of event documentation and to make them easier for competitors by making them clearer, simpler and more consistent from event to event. This submission is important to give direction for this work.

## Submission 127-14

### Rule 6, Introduction and Definition Rule

A submission from the Chairman of the Racing Rules Committee

#### Purpose or Objective

To propose a new fundamental rule to make what is currently Appendix 5 of the Regulations (the Betting and Anti-Corruption Code) apply during all races and at all events.

#### Proposal

Please consider these changes to be of clear necessity and pressing importance and make them effective on 1 January 2015 (see Regulation 28.1.2).

1. Add the following new rule in Part 1, Fundamental Rules:

#### **6 BETTING AND ANTI-CORRUPTION**

**Each competitor and boat owner shall comply with ISAF Regulation XX [insert number when known], Betting and Anti-Corruption Code. An alleged or actual breach of this rule shall be dealt with under Regulation XX. It shall not be grounds for a protest and rule 63.1 does not apply. However, any person may report an alleged breach on the ISAF Betting and Anti-Corruption Hotline [insert phone number when known].**

2. Change the first sentence of ISAF Codes in the Introduction as follows:

The ISAF Eligibility, Advertising, Anti-Doping, ~~and~~ Sailor Classification, **and Betting and Anti-Corruption** Codes (Regulations 19, 20, 21, ~~and~~ 22 **and XX**) are referred to in the definition *Rule* but are not included in this book because they can be changed at any time.

3. Change the definition Rule (b) as follows:

**Rule** (b) ISAF Regulation 19, Eligibility Code; Regulation 20, Advertising Code; Regulation 21, Anti-Doping Code; ~~and~~ Regulation 22, Sailor Classification Code; **and Regulation XX, Betting and Anti-Corruption Code.**

4. Change rule 86.1(a) as follows:

(a) Prescriptions of a national authority may change a racing rule, but not the Definitions; a rule in the Introduction; Sportsmanship and the Rules; Part 1, 2 or 7; rule 42, 43, 69, 70, 71, 75, 76.3, 79 or 80; a rule of an appendix that changes one of these rules; Appendix H or N; or ISAF Regulation 19, 20, 21, ~~or~~ 22 **or XX.**

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#### Current Position

As above. However, proposed rule 6 is a new rule.

#### Reasons

1. To provide an appropriate rule that states that competitors and boat owners shall comply with the Betting and Anti-Corruption Code.
2. To inform readers of the racing rules of the existence of ISAF Betting and Anti-Corruption Hotline and the number they may phone to make a report on the hotline.
3. The changes in the Introduction, in the definition Rule and in rule 86.1 are housekeeping changes made necessary by the addition of proposed rule 6.

## Submission 128-14

### Preamble to RRS Part 2

A submission from the Royal Yachting Association

#### Purpose or Objective

To enable a boat that causes injury or serious damage to be penalized under rule 14 at all times when the RRS applies between the boats.

#### Proposal

Amend the Preamble of Part 2 as follows:

*The rules of Part 2 apply between boats that are sailing in or near the racing area and intend to race, are racing, or have been racing. However, a boat not racing shall not be penalized for breaking one of these rules, except rule 24.1 **or under rule 14 when she has caused injury or serious damage.***

*When a boat sailing under these rules meets a vessel that is not, she shall comply with the International Regulations for Preventing Collisions at Sea (IRPCAS) or government right-of-way rules. If the sailing instructions so state, the rules of Part 2 are replaced by the right-of-way rules of the IRPCAS or by government right-of-way rules.*

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Current Position

As above

Reasons

There are an increasing number of incidents in the racing area when a boat subject to the RRS breaks a rule and causes injury or serious damage but cannot be penalized under the current rules. This change will allow a boat to be penalized before the first start of the day, after a general recall and between races.

The change adds consistency to the rule as it has long been possible to penalize a boat for breaking a rule of the IRPCAS in an incident with a boat not subject to the RRS.

## Submission 132-14

### Rule 21

A submission from the Royal Yachting Association

#### Purpose or Objective

To extend the scope of rule 21 to include exoneration for all incidents when room or mark-room is not given.

#### Proposal

1. Amend rule 21 as follows:

**21 EXONERATION**

When a boat is sailing within the *room* or *mark-room* to which she is entitled ~~under a rule of Section C~~, she shall be exonerated if, in an incident with a boat required to give her that *room* or *mark-room*,

- (a) she breaks a rule of Section A, rule 15 or rule 16, or
- (b) she is compelled to break rule 31.

2. Relocate rule 21 by making it the first rule in Part 2 Section D.

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### Current Position

As above

### Reasons

1. When a boat is sailing within the room or mark-room to which she is entitled, rule 21 now exonerates her if, in essence, she breaks a Part 2 rule because the other boat has not given her the room or mark-room required by a Section C rule. It will provide greater clarity and consistency to generalise rule 21 to include exoneration for all instances of a boat entitled to room or mark-room.
2. This proposal enables exoneration when the other boat has not given the room required by rule 15 or 16 and when no Section C rule applies. At present in these incidents, it is only possible to exonerate the keep clear boat under rule 64.1(a) after a hearing. For example, a boat that breaks rule 11 because she has not been given room by a right-of-way leeward boat has a problem with the Sportsmanship Principle which requires her to promptly take a penalty.
3. The requirement to give room or mark-room exists only in the rules of Part 2, and changes to them in some appendices, so simply deleting the words shown provides the required scope. Rule 14 relates only to avoiding contact and does not require the giving of room; there should never be exoneration for breaking rule 14, except as stated in rule 14(b), and this is not changed by the proposal.

## **Submission 135-14**

Rules 30.3, 30.4, A5, A11, D2.1, L11.5

A submission from the Chairman of the Racing Rules Committee

### Purpose or Objective

To add a new starting penalty in rule 30 that is commonly included in sailing instructions.

### Proposal

1. Change the number of current rule 30.3 to:

**30.34 Black Flag Rule.**

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2. Insert new rule 30.3:

**30.3 U Flag Rule**

**If flag U has been displayed, no part of a boat's hull, crew or equipment shall be in the triangle formed by the ends of the starting line and the first mark during the last minute before her starting signal. If a boat breaks this rule and is identified, she shall be disqualified without a hearing but not if the race is restarted or resailed.**

3. In rule 26, change the list of visual preparatory signals to:  
P, I, Z, Z with I, U, or black flag
4. Change the last sentence of rule 29.1 to:  
If rule 30.3 or 30.4 applies this rule does not.
5. In rule 36 change the two references to rule 30.3 to rule 30.4.
6. In rule 63.1, change 'rules 30.2, 30.3, 69, A5 and P2' to  
'rules 30.2, 30.3, 30.4, 69, A5 and P2'.
7. In rule A5, change 'rule 30.2 or 30.3' to  
'rule 30.2, 30.3 or 30.4'.
8. Amend rule A11 as follows:
- |                   |   |
|-------------------|---|
| <b><u>UFD</u></b> | <b><u>Disqualification under rule 30.3</u></b>        |
| BFD               | Disqualification under rule 30. <del>3</del> <u>4</u> |
9. In rule D2.1, change 'flag U' to 'flag J' in the second sentence.
10. Delete rule L 11.5 and renumber rule L11 accordingly.

Current Position

As above.

Reasons

1. The 'U flag penalty' as shown in Appendix L 11.5 is increasingly used at events around the world. Because this sailing instruction is so widely used, it should be included in rule 30 with the rest of the starting penalties.
2. Race officials at major ISAF events have used a version of the U flag penalty similar to Appendix L 11.5, but have questioned the need for including "or postponed or abandoned" in L 11.5's second sentence. As used in this proposal, and in the rules that use the term, 'restarted' does not necessarily mean that a prior starting signal must have been made for the race to be restarted. In these cases, 'restarted' is not used with the meaning from the definition Start. 'Restarted' means the race committee will begin again

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to get a race started after the previous attempt was interrupted, whether that interruption occurred before or after the starting signal. The same wording is used in rule 36 with the same meaning. For this reason, “or postponed or abandoned” is unnecessary.

3. Since flag U will be in the rule book for all racing, rule D2.1 should be changed so that a different signal than flag U will be used to signal the race will be umpired. Flag J is suggested because that flag has been used to denote ‘judge’ or ‘judges’ but any other unused signal could be used.

## Submission 137-14

Rule 32.2(b)

A submission from the Deutscher Segler-Verband

Purpose or Objective

To clarify RSS 32.2(b)

Proposal

(b) at a line boats are required to cross ~~at the end of each lap~~ **by the sailing instructions**, that line

Current Position

As above

Reasons

1. The phrase in the current rule “end of each lap” is not defined. Neither a “lap”, nor the “beginning of a lap” nor the “end of a lap” is defined in the RRS. With the requirement to define such a line in the sailing instructions, preferable in the description of the course to be sailed, every competitor can identify this line with its place and dimension (length). In addition this wording clarifies that a finish cannot be taken at any line, that boats have to cross unavoidable, e.g. a line from one shore to the other on a lake, without noticing that the boats have finished “by accident”.
2. It should also be clear that the requirement to cross the line is stated in the sailing instructions and that the line is not only set by geographical conditions.

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## Submission 138-14

### Rule 33

A submission from Yachting New Zealand

#### Purpose or Objective

To enable both the compass direction and the direction of the change to be made when signalling a change of course.

#### Proposal

Amend rule 33(a) as follows:

#### 33 CHANGING THE NEXT LEG OF THE COURSE

The race committee may change a leg of the course that begins at a rounding mark or at a gate by changing the position of the next mark (or the finishing line) and signalling all boats before they begin the leg. The next mark need not be in position at that time.

(a) If the direction of the leg will be changed, the signal shall be the display of flag C with repetitive sounds ~~and either~~ **with**

- (1) the new compass bearing **and/or**
- (2) a green triangle for a change to starboard or a red rectangle for a change to port.

#### Current Position

As above.

The current rule only allows either the compass direction or the direction of change to be displayed.

#### Reasons

1. In classes where sailors can choose to use a compass some sailors choose to sail with a compass and some choose to sail without a compass. By only being able to signal the change by one method race management chooses which group of sailors to advantage. By being able to display both the compass direction and the direction of the change both groups of sailors are equally advantaged.
2. Furthermore In a situation where a change is made at a mark for two classes at the same time, one where the change would be displayed by the compass direction and one would

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be displayed by the direction of change, under the current wording of the rule only one method can be used which could disadvantage one class.

## Submission 139-14

### Rule 36

A submission from the Royal Yachting Association

#### Purpose or Objective

Provide that a penalty under rule 14 when a boat has caused injury or serious damage in a race shall apply to any restart or resail of the race.

#### Proposal

Amend rule 36 as follows:

#### **36 RACES RESTARTED OR RESAILED**

If a race is restarted or resailed, a breach of a rule in the original race, **or in any previous restart or resail of that race**, shall not

- (a) prohibit a boat from competing unless she has broken rule 30.3;
- (b) cause a boat to be penalized except under rule 30.2, 30.3, 69 **or under rule 14 when she has caused injury or serious damage**.

#### Current Position

As above.

#### Reasons

The submission comprises two proposed changes

1. The current rule refers only to a breach of a rule in the 'original race'. The change to the first sentence clarifies that the rule applies also to any previous start of the race. For example, there may be several attempts to start a race under a black flag.
2. Currently a boat that breaks rule 14 and causes injury or serious damage can compete and score her place in the restarted or resailed race whereas her damaged opponent is unlikely to be able to compete, although she may claim redress. It is surely wrong that a boat that causes serious damage is treated more leniently than a boat that breaks rule 30.2 or 30.3.

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A boat can only be penalized in the restarted or resailed race after a protest and a decision that she broke rule 14 and caused injury or serious damage.

## Submission 140-14

Part 4 Preamble, Rule C2.12, Appendix L 4.3

A submission from the Chairman of the Racing Rules Committee

### Purpose or Objective

To add a common exception to the Part 4 preamble and reduce the exceptions to the Part 4 preamble in various other rules.

### Proposal

1. Change the Part 4 Preamble as follows:

*Part 4 rules apply only to boats racing. ~~However, rule 55 applies at all times when boats are on the water unless the rule states otherwise.~~*

2. Amend rule 55 as follows:

#### **55 TRASH DISPOSAL**

A competitor shall not intentionally put trash in the water. **This rule applies at all times while afloat.**

3. Amend rule C2.12 as follows:

~~Add to the preamble of Part 4: Rule 42 shall also apply between and preparatory signals~~ **from the warning and until the boat stops racing.**

4. Change L4.3 as follows:

L4.3 When flag Y is displayed ashore, rule 40 applies at all times while afloat. ~~This changes the Part 4 preamble.~~

### Current Position

As shown above.

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### Reasons

1. The preamble to Part 4 is changed when a Part 4 rule should apply when a boat is not racing. This is often the case when extending rule 40 to periods leading up to the start of a race and returning to shore after the race.
2. Moving the exception to rule 55 from the preamble to the rule itself makes it easier for readers to understand the full meaning of the rule.

## **Submission 141-14**

### Rule 49.2

A submission from the Chairman of the Racing Rules Committee

### Purpose or Objective

To eliminate a possible conflict caused by the new wording of OSR 3.14.2

### Proposal

Amend rule 49.2 as follows:

- 49.2 When lifelines are required by the class rules or the sailing instructions, ~~they shall be taut, and~~ competitors shall not position any part of their torsos outside them, except briefly to perform a necessary task. On boats equipped with upper and lower lifelines, a competitor sitting on the deck facing outboard with his waist inside the lower lifeline may have the upper part of his body outside the upper lifeline. **Unless the class rules or any other rule applicable specify a maximum deflection, lifelines shall be taut.** If the class rules do not specify the material or minimum diameter of lifelines, they shall comply with the corresponding specifications in the ISAF Offshore Special Regulations.

### Current Position

As above

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## Reasons

1. In Nov 2014 OSR 3.14.2 was reworded. The current wording has eliminated the word ‘taut’ and replaced it with a fixed maximum deflection. However, not everybody agrees that this maximum is ‘taut’ as per the general use of the word.

Offshore Special Regulation 3.14.2 – Pulpits, Stanchions and Lifelines.  
Wording Effective 1 January 2014:

*“Lifeline deflection shall not exceed the following:*

- a) *When a deflecting force of 40N is applied to a lifeline midway between supports of an upper or single lifeline, the lifeline shall not deflect more than 50mm. This measurement shall be taken at the widest span between supports that are aft of the mast.*
  - b) *When a deflecting force of 40N is applied midway between supports of an intermediate lifeline of all spans that are aft of the mast, deflection shall not exceed 120mm from a straight line between the stanchions.”*
2. The Q&A panel identified this situation as a potential conflict, since the OSR do not overrule the RRS and it is possible to find a situation where a boat may, at the same time, comply with the OSR and fail to comply with the RRS.
  3. The change would clarify that if OSR, class rules or the SIs specify a deflection, the concept ‘taut’ is overridden.

## Submission 142-14

### Rule 55

A submission from the Chairman of Racing Rules Committee

#### Purpose or Objective

To provide for discretionary penalties for RRS 55, Trash Disposal

#### Proposal

Change rule 55 to:

A competitor shall not intentionally put trash in the water. **Penalties for a breach of this rule shall be at the discretion of the protest committee.**

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Current Position

See above.

Reason

The majority of sailing instructions include the provision for discretionary penalties for this rule as recommended by a number of MNAs. ISAF includes this provision for the Sailing World Cup. Including the provision in the rule avoids the need for sailing instructions to do so.

## Submission 144-14

Rule 61.1(a)(4)

A submission from the Chairman of the Racing Rules Committee

Purpose or Objective

To make rule 61.1(a)(4) more consistent with its intent by rewording it so that it applies in more situations in which it is appropriate and fair, and so that it does not apply in situations in which it is not needed.

Proposal

Amend rule 61.1(a)(4) as follows:

- (4) [However,] if **as a result of** the incident **a member of either crew is in danger, or there is injury or serious damage** ~~results in damage or injury~~ that is obvious to the **boat intending** ~~boats involved and one of them intends~~ to protest, the requirements of this rule do not apply to her, but she shall attempt to inform the other boat within the time limit of rule 61.3.

Clean Copy of the Proposal

- (4) [However,] if as a result of the incident a member of either crew is in danger, or there is injury or serious damage that is obvious to the boat intending to protest, the requirements of this rule do not apply to her, but she shall attempt to inform the other boat within the time limit of rule 61.3.

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## Current Position

As above.

## Reasons

1. Current rule 61.1(a)(4) was added to rule 61.1(a) in 2005. Since then it has gradually become clear that the current rule applies in some situations in which it is not needed, and that it should apply in some other situations in which it currently does not apply. The proposal is intended to correct those faults.
2. Here is an example of a situation in which the current rule applies when it should not. (In all these examples Boats A and B, both over 6 metres long, are racing.) There is an incident with contact between A and B that results in minor damage that is obvious to both boats. The damage does not affect their ability to continue to compete in the race. A intends to protest. There is no good reason to waive the requirements for A to hail 'Protest' and display a red flag, but under the current rule those requirements are waived. Under the proposed rule they are not waived.
3. Here is an example of a situation in which the current rule ought to apply, but does not. There is contact that results in injury to a member of the crew of A. There is no damage or injury to B, and B's crew is unaware of the injury to A's crew member. The person in charge of A intends to protest, but he first cares for the injured crew member. After he has done that, the race is over. Under the current rule, A was required to hail 'Protest' and display a red flag at the first reasonable opportunity, so a protest by her could be invalid. However, under the proposal, rule 61.1(a)(4) would apply to A and the only requirement on A would be to attempt to inform B within the protest time limit, and that time limit could be extended.
4. Here's another example in which the rule ought to apply. There is an incident involving A and B in which a crew member of B falls overboard and becomes separated from B. The water is very cold. A intends to protest, but she is in a better position than B to help the person in the water. Acting as required by rule 1, A's crew pulls the B's crew member out of the water. This certainly is a situation in which A should not have to concern herself with hailing 'Protest' and displaying a red flag. Under the current rule, A is required to hail and display her flag, but under the proposed rule, she is only required to attempt to inform B within the protest time limit.

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## Submission 148-14

### Rule 62.1

A submission from US Sailing

#### Purpose

To correct an unintended flaw in rule 62.1.

#### Proposal

Amend rule 62.1 as follows:

**62.1** A request for redress or a protest committee's decision to consider redress shall be based on a claim or possibility that a boat's score **or place** in a race or series has been or may be, through no fault of her own, made significantly worse by *[no further changes]*.

#### Current Position

As above.

#### Reason

A boat's place in a race or series could be made significantly worse by action that does not change her score but changes the scores of other boats. Also, a boat's place in a series could be made worse because the race committee made an error in breaking a series-score tie. The current language could be interpreted to mean that, if a boat's score does not change, her score cannot be 'worse', and therefore she is not entitled to redress. The intent is that redress should be possible when a boat's position relative to other boats is negatively impacted whether or not her own score actually changes. The proposal conforms rule 62.1 to current practice and the intent of the rule.

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## Submission 149-14

### Rule 63.3(a)

A submission from US Sailing

#### Purpose or Objective

To align rule 63.3(a) with current protest committee practice by making it clear that one person has the right to represent a party at a hearing.

#### Proposal

Amend rule 63.3 as follows:

#### 63.3 Right to Be Present

- (a) **A representative of each party** ~~The parties~~ to the hearing ~~has, or a representative of each, have~~ the right to be present throughout the hearing of all the evidence. When a *protest* claims a breach of a rule of Part 2, 3 or 4, the representatives of boats shall have been on board at the time of the incident, unless there is good reason for the protest committee to rule otherwise. Any witness, other than a member of the protest committee, shall be excluded except when giving evidence.

#### Current Position

As above.

#### Reasons

This proposal aligns rule 63.3(a) with current practice. In a protest hearing, the usual procedure is to permit only one person to represent each party throughout the hearing of all the evidence. This is consistent with the third recommendation in Appendix M, paragraph M2.1.

A party to a hearing is typically a boat that has protested, a boat that has been protested or a boat seeking redress or for which redress is being considered. A boat is 'a sailboat and the crew on board.' Obviously a sailboat cannot serve as a 'representative' to a protest hearing. And if all 'crew on board' could attend a hearing, in many cases a boat would choose to be represented by more than one person. Under the proposal, when the party is a boat, one person, chosen to be the representative of the boat, has the right to be present throughout the hearing of all the evidence.

A party to a hearing can also be a race committee or other body described in rule 62.1(a). Under the proposal, when a committee is a party to a hearing one of its members has the right to be present throughout the hearing of all the evidence.

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The proposal makes it clear that a party, whether it is a boat or a committee, cannot claim for itself the right to have more than one representative present throughout the hearing of all the evidence. However, by beginning the proposed rule with ‘A representative of each *party*...’ instead of ‘One representative of each *party*...’, the proposal allows the protest committee the freedom, in special circumstances, to grant one or more parties to a hearing the right to be represented by more than one person. Note that the current rule also allows protest committees this freedom.

## Submission 151-14

### Rule 63.7

A submission from US Sailing

#### Purpose or Objective

To extend the range of application of rule 63.7 to all decisions that the protest committee at an event is called upon to make and to any conflict arising between two or more rules in the notice of race, the sailing instructions or any of the ‘other documents that govern the event’.

Two proposals are shown, and the Racing Rules Committee is invited to choose between them. The only difference between them is that the phrase ‘two or more’ precedes ‘*rules*’ in the first sentence of the Proposal 1, but the phrase is omitted in Proposal 2. The two proposals have identical meaning in English, but the proposers were unsure which wording would be clearest in translations.

#### Proposal 1

Amend rule 63.7 as follows:

#### 63.7 **Conflict Between Rules ~~the Notice of Race and the Sailing Instructions~~**

If there is a conflict between **two or more rules** ~~a rule in the notice of race and one in the sailing instructions~~ that must be resolved before the protest committee **makes a decision** ~~can decide a protest or request for redress~~, the committee shall apply the rule that it believes will provide the fairest result for all boats affected. **Rule 63.7 applies only if the conflict is between rules in the notice of race, the sailing instructions, or any of the other documents that govern the event under item (g) of the definition *Rule*.**

Clean copy of the rule if Proposal 1 is accepted

#### 63.7 **Conflict Between Rules**

If there is a conflict between two or more *rules* that must be resolved before the protest committee makes a decision, the committee shall apply the rule that it believes will provide the fairest result for all boats affected. Rule 63.7 applies only if the

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conflict is between rules in the notice of race, the sailing instructions or any of the other documents that govern the event under item (g) of the definition *Rule*.

#### Proposal 2

Amend rule 63.7 as follows:

#### 63.7 **Conflict Between Rules ~~the Notice of Race and the Sailing Instructions~~**

If there is a conflict between rules ~~a rule in the notice of race and one in the sailing instructions~~ that must be resolved before the protest committee makes a decision ~~can decide a protest or request for redress~~, the committee shall apply the rule that it believes will provide the fairest result for all boats affected. Rule 63.7 applies only if the conflict is between rules in the notice of race, the sailing instructions, or any of the other documents that govern the event under item (g) of the definition *Rule*.

Clean copy of the rule if Proposal 2 is accepted

#### 63.7 **Conflict Between Rules**

If there is a conflict between *rules* that must be resolved before the protest committee makes a decision, the committee shall apply the rule that it believes will provide the fairest result for all boats affected. Rule 63.7 applies only if the conflict is between rules in the notice of race, the sailing instructions or any of the other documents that govern the event under item (g) of the definition *Rule*.

#### Current Position

As above.

#### Reasons

It is common to find a conflict between a rule in the notice of race and one in the sailing instructions, and rule 63.7 has been helpful in resolving such conflicts when they arise in the hearing of a protest or of a request for redress. However, it is also common that there are conflicts between two or more of the rules in the notice of race or in the sailing instructions, or between the notice of race or sailing instructions and other documents governing the event. It seems logical and helpful to expand the range of application of rule 63.7 so that it applies to that broader set of potential conflicts. The proposed rule does that.

Current rule 63.7 can be used to resolve a conflict only when resolution of that conflict is necessary in order to decide a protest or request for redress. However, a protest committee is often asked to decide matters referred to it by the organizing authority or the race committee. Indeed, when an international jury serves as the protest committee for an event, rule N2.2 explicitly requires the jury to decide matters referred to it by the organizing authority or the race committee. One of the matters that is often referred to a protest committee for resolution is a conflict between rules. It seems logical to extend the range of applicability of rule 63.7 so that it

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applies when the resolution of a conflict between rules is referred to the protest committee, and the proposed rule 63.7 does that.

The proposal does not extend rule 63.7 to cover conflicts between rules when one or more of the rules in conflict is a racing rule, a rule in an ISAF code, a prescription or a class rule. When such a conflict arises, it is not appropriate to apply a general ‘fairness’ criterion – instead, the applicable rules in the RRS and ISAF cases should be used to resolve the conflict.

Note that in the proposed new second sentence for rule 63.7 the words ‘Rule 63.7’ are used. Normally, when a racing rule refers to itself the words ‘this rule’ are used. However, if the words ‘this rule’ were used at the beginning of the new second sentence it would be unclear whether those words were referring to rule 63.7 or to ‘the rule that [the protest committee] believes will provide the fairest result for all boats affected.’

## Submission 152-14

Rule 64.3(c)

A submission from the Royal Yachting Association

Purpose or Objective

To clarify the rule and also make it apply when a penalty is less than disqualification.

Proposal

Amend rule 64.3 as follows:

### 64.3 Decisions on Protests Concerning Class Rules

- (c) When a boat ~~disqualified~~ **penalized** under a class rule states in writing that she intends to appeal, she may compete in subsequent races without changes to the boat. ~~However, but shall be disqualified~~ if she fails to appeal or the appeal is decided against her, **she shall be disqualified without a further hearing from all subsequent races in which she competed.**

Current Position

As above

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Reason

The current rule is clumsy because it purports to disqualify the boat twice and it does not clearly state whether her disqualification applies in the subsequent races. The proposed change in the first line from 'disqualified' to 'penalized' makes the rule applicable for penalties less than disqualification when permitted by class rules, sailing instructions or any other rule. The revised second sentence is for clarification and does not change the intent of the current rule.

## Submission 153-14

Rule 66, Appendix L16.7

A submission from the Chairman of the Racing Rules Committee

Purpose or Objective

To move a common and often used concept in the sailing instructions to the main body of the rule book.

Proposal

1. Change RRS 66 to:

**66 REOPENING A HEARING**

The protest committee may reopen a hearing when it decides that it may have made a significant error, or when significant new evidence becomes available within a reasonable time. It shall reopen a hearing when required by the national authority under rule 71.2 or R5. A *party* to the hearing may ask for a reopening no later than 24 hours after being informed of the decision. **On the last scheduled day of racing the request shall be delivered**

**(a) within the protest time limit if the requesting party was informed of the decision on the previous day;**

**(b) no later than 30 minutes after the party was informed of the decision on that day.**

When a hearing is reopened, a majority of the members of the protest committee shall, if possible, be members of the original protest committee.

2. Delete rule L16.7

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### Current Position

As shown above.

### Reason

Appendix L 16.7 is almost universally applied at events, either as written, or modified to apply to one day events. This proposal will make the requirement universal and in the main body of rules. Sailing instructions will be shortened and simplified.

## **Submission 156-14**

Rules 78.2, A5 and J2.2(19) and Appendices L and LE

A submission from the Chairman of the Racing Rules Committee

### Purpose or Objective

To make it clear that a boat that does not prove that she has a valid measurement certificate has broken rule 78.2. Also, to simplify the process for penalizing such a boat.

### Proposal

1. Amend rule 78.2 as follows:

- 78.2** When a *rule* requires a valid certificate to be produced or its existence verified before a boat *races*, and this cannot be done, the boat may *race* provided that the race committee receives a statement signed by the person in charge that the boat has a valid certificate. **The boat shall produce the certificate or arrange for its existence to be verified by the race committee before the scheduled time of the warning signal for the first race on the last day of the event. The race committee shall extend the time if there is good reason to do so. The penalty for breaking this rule is disqualification without a hearing.** ~~If the certificate is not produced or verified before the end of the event, the boat shall be disqualified from all races of the event.~~

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2. Amend rule A5 as follows:

**A5 SCORES DETERMINED BY THE RACE COMMITTEE**

A boat that did not ~~start~~, or finish or comply with rule 30.2, ~~or 30.3~~ or 78.2, ~~or finish~~, or that retires or takes a penalty under rule 44.3(a) ~~or retires~~, shall be scored accordingly by the race committee without a hearing. Only the protest committee may take other scoring actions that worsen a boat's score.

3. Add to rule J2.2 (and renumber current rules J2.2(19) – (40) accordingly):

**(19) any change in the time limit in rule 78.2 for a boat to produce a valid certificate, or arrange for its existence to be verified;**

4. Add the following new instruction to Appendix L and, with an appropriate instruction number, to Appendix LE:

*Insert the time.*            **15.3**    The time limit in rule 78.2 for a boat to produce a valid certificate, or arrange for its existence to be verified, is \_\_\_\_\_. This changes rule 78.2.

Current Position

As above. However, rule J2.2(19) and instruction 15.3 are new.

Reasons

Most racing rules that apply to a boat state that the boat 'shall' or 'shall not' do something. The intention of rule 78.2 is that, when a boat has given a signed statement to the race committee stating that she has a valid certificate, she shall produce the certificate or arrange for its existence to be verified before the end of the event. However, the rule does not explicitly state that she 'shall' do so. The proposal corrects this deficiency.

Under current rule rules 60, 78.2 and A5, a boat that fails to produce her certificate or arrange for its existence to be verified before the end of the event cannot be penalized without a protest and a hearing. However, neither the race committee nor the protest committee are required to protest her, and it is unlikely that other boats in the race will know that she has broken rule 78.2. Therefore, there is no guarantee that the boat will be penalized. Under the proposal the race committee is required to penalize the boat for this breach and may do so without a hearing.

Penalizing such a boat without a protest or a hearing seems appropriate because, by failing to produce her certificate or arrange for its existence to be verified, she breaks rule 78.2 and she will be aware that she has done so. Therefore, a hearing would serve no purpose.

The proposal changes the time limit in the rule from 'the end of the event' to 'the scheduled time of the warning signal for the first race on the last day of the event'. This removes an ambiguity

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as to when an event ends, and it allows time for a boat penalized for breaking rule 78.2 to request redress if she believes she did, indeed, comply with rule 78.2 within the time limit.

The proposed time limit will not be appropriate for all events. For example, in an event in which boats compete in an elimination series followed by a final series, a more appropriate time limit may be the scheduled time of the warning signal for the first race on the last day of the elimination series. Also, when all the races in an event are scheduled for one day, a more appropriate time limit may be the end of protest time on that day. Rule 86.1 permits the sailing instructions to change rule 78.2, and the proposed additions to rule J2.2 and Appendix L will point out to the race committee that, when writing the sailing instructions, it should consider whether or not a change in the rule 78.2 time limit is appropriate.

In addition, the proposal gives the race committee the right to extend the time limit if there is good reason to do so. This enables the race committee to deal in a fair way with unusual circumstances. For example, it is conceivable that the person responsible for issuing a boat's certificate was in hospital and unable to deliver certificates in the weeks before and during the event.

The list in rule A5's first sentence has been reordered to make the sentence easier to read.

## Submission 162-14

### Rule 91

A submission from the Chairman of the Racing Rules Committee

#### Purpose

To make a change in rule 91 that is needed because of the addition in 2013 of a new sentence at the end of rule 71.2.

#### Proposal

Amend rule 91 as follows:

#### **91 PROTEST COMMITTEE**

A protest committee shall be

- (a) a committee appointed by the organizing authority or race committee; ~~or~~
- (b) an international jury appointed by the organizing authority or as prescribed in the ISAF regulations. It shall be composed as required by rule N1 and have the authority and responsibilities stated in rule N2. A national authority may prescribe that its approval is required for the appointment of international juries for races within its jurisdiction, except ISAF events or when international juries are appointed by the ISAF under rule 89.2(b); ~~or~~
- (c) a committee appointed by the national authority under rule 71.2.**

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#### Current Position

As above.

#### Reasons

1. The last sentence of rule 71.2 states, 'When the national authority decides that there shall be a new hearing, it may appoint the protest committee.' It was added to rule 71.2 in 2013. The sentence allows the national authority to appoint the protest committee when the national authority decides, following an appeal, to return a protest or request for redress for a new hearing. Current rule 91 does not permit the appointment of a protest committee by a national authority. Under the proposal, rule 91 would permit such an appointment.
2. Note that there is another submission from the Chairman of the Racing Rules Committee proposing changes in rule 71. If that submission is accepted, it would be necessary to make two small changes in proposed rule 91(c): change 'national authority' to 'appeals committee' and change '71.2' to '71.3'.

## **Submission 156-15**

### Introduction, Terminology

A submission from the Chairman of the Racing Rules Committee

#### Purpose

To make it easier for readers to find and use the meanings given in the Terminology paragraph in the Introduction.

#### Proposal 1

Delete the Terminology paragraph in the Introduction and replace it with the following:

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## Terminology

Each of these terms is used in *The Racing Rules of Sailing* with the meaning given in this table.

Boat	A sailboat and the crew on board.
Change to a <i>rule</i>	Any change to a <i>rule</i> , including an addition to it or the deletion of all or part of it.
Hail	Words spoken loudly enough that a boat to which they are directed can reasonably be expected to hear them.
National authority	An ISAF member national authority.
Race committee	The committee appointed under rule 89.2(b) and any other person or committee performing a race committee function.
Racing rule	A rule in <i>The Racing Rules of Sailing</i> .
Vessel	Any boat or ship.

Other words and terms are used in the sense ordinarily understood in nautical or general use.

## Proposal 2

Change the preamble to Definitions as follows:

*A term used as stated below is shown in italic type or, in preambles, in bold italic type. **The meaning of several other terms is given in Terminology in the Introduction.***

## Current Position

**Terminology** A term used in the sense stated in the Definitions is printed in italics or, in preambles, in bold italics (for example, *racing* and ***racing***). ‘Racing rule’ means a rule in *The Racing Rules of Sailing*. ‘Boat’ means a sailboat and the crew on board; ‘vessel’ means any boat or ship. ‘Race committee’ includes any person or committee performing a race committee function. A ‘change’ to a *rule* includes an addition to it or deletion of all or part of it. ‘National authority’ means an ISAF member national authority. Other words and terms are used in the sense ordinarily understood in nautical or general use.

## Reason

The display of the meanings in Terminology in a table and the reference to that table in the preamble to Definitions will make it more likely that readers will become aware of those meanings and also make the Terminology paragraph easier to use.

Note: The entry for ‘hail’ should be removed from the table above if Proposal 3 in the submission proposing changes in rule 20 and Terminology is not approved.

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## Submission 169-15

### New Rule 7

A submission from the Chairman of the Racing Rules Committee

#### Purpose

To establish a necessary link between proposed new ISAF Regulation 35, Disciplinary Code, and *The Racing Rules of Sailing*.

#### Proposal

Add the following new racing rule to Part 1, Fundamental Rules in *The Racing Rules of Sailing*:

#### **7 ISAF DISCIPLINARY CODE**

**Each competitor, boat owner and support person shall comply with ISAF Regulation 35, Disciplinary Code. An alleged or actual breach of this rule shall be dealt with under Regulation 35. It shall not be grounds for a protest and rule 63.1 does not apply.**

#### Consequential changes:

Make the appropriate changes in Online Rules Documents, ISAF Codes in the Introduction, and in the Definition Rule (b).

#### Current Position

Proposed rule 7 is new.

#### Reason

This is a housekeeping change that is necessary if the submission proposing a new ISAF Regulation 35, Disciplinary Code, is accepted.

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## Submission 172-15

### Rule 18.2(c)

A submission from the Chairman of the Racing Rules Committee

#### Purpose

To provide answers to questions about rules 18.2(b) and 18.2(c) that are often asked by competitors and race officials.

#### Proposal

Change the last paragraph of rule 18.2(c) as follows:

However, ~~when~~ ~~if~~ the boat entitled to *mark-room* **has been given that room, or if she** passes head to wind or leaves the *zone*, ~~rules rule~~ 18.2(b) **and 18.2(c) cease** ~~ceases~~ to apply.

#### Current Position

As above.

#### Reasons

Two questions about rule 18.2(b) and 18.2(c) are frequently asked:

‘If a boat is entitled to mark-room under rule 18.2(b) or 18.2(c) and she has received that room while still in the zone, do those rules still apply?’

‘If a boat in the zone becomes entitled to room under rule 18.2(c)(2), when does she cease to be entitled to that room?’

The proposed addition to the last sentence of rule 18.2(c) answers both those questions.

In 2013 the Q&A Panel was asked to answer a question about an incident involving two catamarans at a windward offset mark. In order to answer the question, the panel was, in essence, forced to answer both of the above questions. Their answer is in current Q&A B 005. At the time that the Q&A Panel answered that question, members of the Q&A Panel suggested that a change be made in rule 18.2(c). The change they suggested was very nearly the same as that proposed in this submission.

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## Submission 173-15

### Rule 18.3

A submission from the Chairman of the Racing Rules Committee

#### Purpose

To simplify and clarify rule 18.3 and limit its application to those situations for which it is intended.

#### Proposal

##### 18.3 Tacking in the Zone

If a boat in the zone ~~of a mark to be left to port~~ passes head to wind ~~from port to starboard tack~~ and is then ~~on the same tack as a boat that is fetching the mark, rule 18.2 does not thereafter apply between them. The boat that changed tack she (a)~~ shall not cause ~~a the other~~ boat **that has been on starboard tack since entering the zone** to sail above close-hauled to avoid contact ~~or prevent the other boat from passing the mark on the required side, and (b) she shall give mark-room if that the other~~ boat becomes overlapped inside her. **When this rule applies between boats, rule 18.2 does not.**

#### Current Position

As above.

#### Reason

Some complexity in the application of the current rule 18.3 was highlighted in Case 133. Rule 18.3's purpose is to help an orderly rounding of port-hand windward marks by limiting the rights of boats that approach on port and tack onto starboard in the zone. The rule should be restricted to this. The proposed amended rule:

1. Makes the rule (which is an exception to the normal 18.2) apply only when necessary:
  - At windward marks to be left to port. It is unnecessary and has undesirable consequences at starboard marks.
  - Between a boat that tacks in the zone and one that does not. This removes the complexity with two boats that tack in the zone shown in Case 133.
2. Includes only the tacking boat in the initial 'when it applies' clause to make the purpose and application clearer.

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3. Is simpler. The statement about rule 18.2 not applying (necessary so that rule 18.2(e) does not apply) is moved to the end. The redundant phrase 'or prevent her from rounding the mark' is removed.

## Submission 174-15

### Rule 19.1

A submission from the Chairman of the Racing Rules Committee

#### Purpose or Objective

To remove an unintended, unforeseen and unnecessary complication involving rules 19.2(b) and 18.2 that has caused questions from competitors and judges during the last year.

#### Proposal

##### 19.1 When Rule 19 Applies

Rule 19 applies between two boats at an *obstruction* except ~~when it is also~~

- (a) when the obstruction is a *mark* the boats are required to leave on the same side, or
- (b) when the obstruction is a third boat that is overlapped with each of the other boats and rule 18.2 applies between her and each of them.

However, at a continuing *obstruction*, rule 19 always applies and rule 18 does not.

#### Current Position

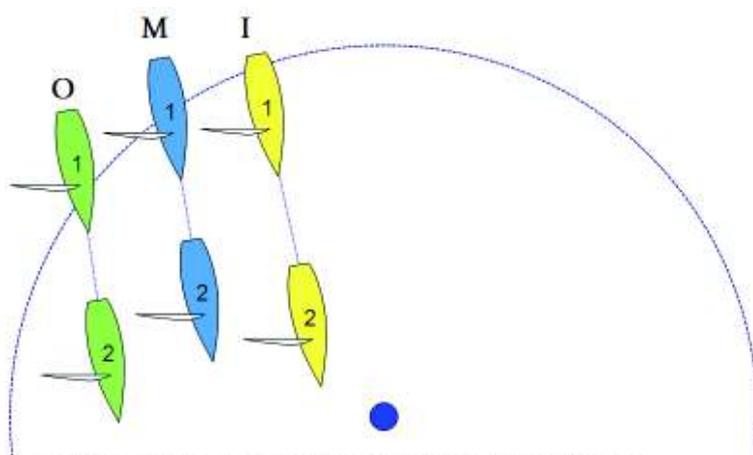
As above.

#### Reason

After the start when three boats approach a mark, rule 18 is intended to apply and it reliably produces fair and orderly roundings. When two overlapped boats pass an obstruction, including an obstruction that is a boat racing, rule 19.2(b) is intended to apply and it too produces fair and orderly outcomes.

Over the past year, competitors and judges have noticed that there are several problematic situations in which both rule 19.2(b) and rule 18.2 apply at the same time. In all of them, there is no need for rule 19.2(b), and it complicates the analysis of the situations and may result in unfair outcomes that were unintended when the Section C rules were written.

The diagram below shows one example of such a problematic situation. This is a situation that occurs frequently in fleet racing. Rule 18.2 covers the situation adequately. There is no need for rule 19.2(b) to apply and it can lead to unintended consequences. For example, if O does not give I sufficient space for I to give M room as required by rule 19.2(b), then, to avoid penalization under rule 19.2(b), I must pass the mark on the wrong side. If I fails to do so, no current rule will exonerate her for breaking rule 19.2(b). Under proposed rule 19.1(b), however, rule 19.2(b) would not apply and, therefore I would not be required to pass the mark on the wrong side. Rule 18.2(b) would apply and I would be exonerated under rule 21 if she broke either rule 11 with respect to M or rule 31 by touching the mark.



The mark is a leeward mark to be left to port with the next leg to windward.  
 Under the current rules:  
 (1) Rule 18.2(b) requires M to give mark-room to I.  
 (2) Rule 18.2(b) requires O to give mark-room to M and I.  
 (3) Rule 19.2(b) requires I to give room to M to pass between her and O.

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## Submission 175-15

### Rule 20 and Terminology

A submission from the Chairman of the Racing Rules Committee

#### Purpose

To clarify rule 20 and the meaning of 'hail' as used in rules 20 and 61.1.

#### Proposal 1

##### 20.1 Hailing

A boat may hail for *room* to tack and avoid a boat on the same *tack*. **However, she shall not hail unless**, ~~but only if the hailing boat is~~

- (a) **she is** approaching an *obstruction* and will soon need to make a substantial course change to avoid it safely, and
- (b) **she is** sailing close-hauled or above.

**In addition** ~~However~~, she shall not hail if the *obstruction* is a *mark* and a boat that is *fetching* it would be required to change course as a result of the hail.

#### Proposal 2

##### 20.2 Responding

- (a) After a boat hails, she shall give ~~a the~~ hailed boat time to respond.
- (b) **A The** hailed boat shall respond even if the hail breaks rule 20.1.
- (c) **A The** hailed boat shall respond either by tacking as soon as possible, or by immediately replying 'You tack' and then giving the hailing boat *room* to tack and avoid her.
- (d) When ~~a the~~ hailed boat responds, the hailing boat shall tack as soon as possible.
- (e) From the time a boat hails until she has tacked and avoided ~~a the~~ hailed boat, rule 18.2 does not apply between them.

##### 20.3 Passing On a Hail to an Additional Boat

When a boat has been hailed for *room* to tack and she intends to respond by tacking, she may hail another boat on the same *tack* for *room* to tack and avoid her. She may hail even if her hail does not meet the conditions of rule 20.1. Rule 20.2 applies between her and ~~a the~~ boat she hails.

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Proposal 3

In the Introduction, add a sentence to Terminology as follows:

**Terminology** A term used in the sense stated in the Definitions is printed in italics or, in preambles, in bold italics (for example, *racing* and ***racing***). ‘Racing rule’ means a rule in *The Racing Rules of Sailing*. ‘Boat’ means a sailboat and the crew on board; ‘vessel’ means any boat or ship. **A ‘hail’ consists of words spoken loudly enough that a boat to which the hail is directed can reasonably be expected to hear it.** ‘Race committee’ includes any person or committee performing a race committee function. A ‘change’ to a *rule* includes an addition to it or deletion of all or part of it. ‘National authority’ means an ISAF member national authority. Other words and terms are used in the sense ordinarily understood in nautical or general use.

Current Position

Rule 20 was changed in Palma in November 2014. If no further changes are made, rule 20 for the 2017-2020 RRS will be:

**20 ROOM TO TACK AT AN OBSTRUCTION**

**20.1 Hailing**

A boat may hail for *room* to tack and avoid a boat on the same *tack*, but only if the hailing boat is

- (a) approaching an *obstruction* and will soon need to make a substantial course change to avoid it safely, and
- (b) sailing close-hauled or above.

However, she shall not hail if the *obstruction* is a *mark* and a boat that is *fetching* it would be required to change course as a result of the hail.

**20.2 Responding**

- (a) After a boat hails, she shall give the hailed boat time to respond.
- (b) The hailed boat shall respond even if the hail breaks rule 20.1.
- (c) The hailed boat shall respond either by tacking as soon as possible, or by immediately replying ‘You tack’ and then giving the hailing boat *room* to tack and avoid her.
- (d) When the hailed boat responds, the hailing boat shall tack as soon as possible.
- (e) From the time a boat hails until she has tacked and avoided the hailed boat, rule 18.2 does not apply between them.

**20.3 Passing On a Hail to an Additional Boat**

When a boat has been hailed for *room* to tack and she intends to respond by tacking, she may hail another boat on the same *tack* for *room* to tack and avoid her. She may hail even if her hail does not meet the conditions of rule 20.1. Rule 20.2 applies between her and the boat she hails.

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## Reasons

Proposal 1: To improve the wording of the 2017 version of rule 20.1 approved in 2014 to make it completely clear that a boat that hails for room to tack when she is not in compliance with 20.1(a) and (b) does, indeed, break rule 20.1.

The proposed wording for rule 20.1 is similar to that used in rule 18.1. Using the same wording with the same meaning in two or more rules helps to make those rules easier to understand and easier to translate.

Proposal 2: These small changes help to make it clear that a boat's hail for room to tack can obligate more than one boat to respond under rule 20.2.

Proposal 3: To make it clear that a hail needs to be loud enough to be heard in the existing conditions.

## Submission 177-15

### Rule 22

A submission from the Chairman of the Racing Rules Committee

## Purpose

To clarify that a boat crabbing to windward must keep clear of other boats.

## Proposal

### 22 **STARTING ERRORS; TAKING PENALTIES; BACKING A SAIL** ~~MOVING ASTERN~~

**22.3** A boat moving astern, or to windward, through the water by backing a sail shall *keep clear* of one that is not.

## Current Position

As above.

## Reason

In November 2014 Submission 203-14 was withdrawn and Q&A M002 (2013-11), on which it was based, was retained pending new submissions to clarify the rules about boats crabbing to windward. This proposal and one for a new Definition *Change Course* are the result.

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## Submission 178-15

### Rule 24.2

A submission from the Chairman of the Racing Rules Committee

#### Purpose

To make the wording of rule 24.2 consistent with the rule's intent.

#### Proposal

**24.2** Except when sailing her *proper course*, a boat shall not **act to** interfere with a boat taking a penalty or sailing on another leg.

#### Current Position

As above.

#### Reason

Before the starting signal a right-of-way boat may inadvertently and unknowingly interfere with a boat taking a penalty as a result of an incident with a third boat. The proposed change clarifies that the rule is broken only when a boat clearly sails to prevent another boat, that is subject to rule 22.2, from completing a penalty.

## Submission 182-15

### Rule 25.3

A submission from the Chairman of the Racing Rules Committee

#### Purpose

To remove an ambiguity that can occur as a result of the wording of current rule 25.3.

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Proposal

**25.3** **When the race committee is required to display a flag as a visual signal, it may use** ~~A race committee may display a visual signal by using either~~ a flag or other object of a similar appearance.

Current Position

As above.

Reason

Current rule 25.3 may result in ambiguity when a rule calls specifically for a flag to be displayed (see, for example, rule 29.1). The proposed rule avoids the ambiguity.

## Submission 185-15

### Rule 30.1

A submission from the Chairman of the Racing Rules Committee

Purpose

To clarify the penalty for breaking the I Flag Rule and to make it easier for race officers to implement the rule.

Proposal

**30.1 I Flag Rule**

If flag I has been displayed, and any part of a boat's hull, crew or equipment is on the course side of the starting line or one of its extensions during the last minute before her starting signal, she shall ~~thereafter sail from the course side~~ across an extension to the pre-start side before *starting*.

Current Position

As above.

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Reason

Members of the ISAF Q&A Panel have different interpretations of this rule in some circumstances. This proposal clarifies that the penalty must be to sail, at least in part, across an extension towards the pre-start side. In addition, the proposed rule implies that the race committee need not identify a boat this is on an extension of the starting line one minute before her starting signal.

## Submission 192-15

### Rule 32.1

A submission from the Chairman of the Racing Rules Committee

Purpose

To make a housekeeping change that removes an illogical statement from the first sentence of rule 32.1.

Proposal

**32.1** After the starting signal, the race committee may shorten the course (display flag S with two sounds) or *abandon* the race (display flag N, N over H, or N over A, with three sounds), ~~as appropriate,~~

~~(a) because of an error in the starting procedure,~~

~~(a)~~ because of foul weather,

~~(b)~~ because of insufficient wind making it unlikely that any boat will *finish* within the time limit,

~~(c)~~ because a *mark* is missing or out of position, or

~~(d)~~ for any other reason directly affecting the safety or fairness of the competition.

**In addition, the race committee** may shorten the course so that other scheduled races can be sailed **or abandon the race because of an error in the starting procedure.** However, after one boat has sailed the course and *finished* within the time limit, if any, the race committee shall not *abandon* the race without considering the consequences for all boats in the race or series.

Current Position

As above.

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Reasons

The current rule permits the race committee to shorten the course because of an error in the starting procedure. Obviously, that is not an appropriate action for a race committee to take. The proposed rule permits a race committee to abandon a race because of an error in the starting procedure, which is logical, and it does not permit the committee to shorten the course because of an error in the starting procedure, which is neither logical nor desirable.

## Submission 194-15

### Rule 40

A submission from the Chairman of the Racing Rules Committee

Purpose or Objective

To add to rule 40 a frequently used sailing instruction requiring personal flotation devices to be worn at all times when afloat.

Proposal

1. Amend rule 40 as follows:

**40 PERSONAL FLOTATION DEVICES**

When flag Y is displayed with one sound before or with the warning signal, competitors shall wear personal flotation devices, except briefly while changing or adjusting clothing or personal equipment. **When flag Y is displayed ashore, this rule applies at all times while afloat.** Wet suits and dry suits are not personal flotation devices.

2. Amend Race Signal Y as follows:

**Y Ashore:** Wear a personal flotation device **at all times while afloat.**

**Afloat:** Wear a personal flotation device while *racing*.

3. Delete rule L4.3.

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#### Current Position

As above.

#### Reasons

It is a very common practice for sailing instructions to include the words in Appendix L4.3 requiring competitors to wear personal flotation devices at all times when afloat. This proposal incorporates the instruction into the relevant rule as the default use of flag Y when it is displayed ashore.

*Note the Preamble to Part 4 has been amended by approved submission 140-14 (proposal 1) so that, from January 2015, it will state:*

*Part 4 rules apply only to boats  **racing**  unless the rule states otherwise.*

## Submission 197-15

### Rule 44.3(c)

A submission from the Royal Yachting Association

#### Purpose or Objective

To clarify the rule and to correct a possible inconsistency.

#### Proposal

##### 44.3 Scoring Penalty

- (c) The race score for a boat that takes a Scoring Penalty shall be the score she would have received without that penalty, made worse by the number of places stated in the sailing instructions. ~~However, she shall not be scored worse than Did Not Finish.~~ When the sailing instructions do not state the number of places, the number shall be the whole number (rounding 0.5 upward) nearest to 20% of the number of boats ~~entered~~ **that came to the starting area**. The scores of other boats shall not be changed; therefore, two boats may receive the same score. **However, the penalty shall not cause the boat's score to be worse than the score for Did Not Finish.**

No change to any other part of rule 44.3.

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Current Position

As above.

Reasons

The rule states "number of boats entered" but not whether this refers to the race or series. The rule also states the boat shall not be scored worse than Did Not Finish but these words appear to relate only to the first sentence of the rule. For races scored in accordance with rule A9, the possible alternative interpretations on these points can be significant.

Using a default penalty of 20% of the boats that came to the starting area provides the same penalty relative to the size of the fleet for races scored under either rule A4.2 or rule A9.

Moving the current second sentence to the end of the paragraph ensures this limitation on the penalty to no worse than DNF applies whether or not the penalty is stated in the sailing instructions.

## Submission 199-15

### Rule 61.2 and the Protest Form

A submission from the Chairman of the Racing Rules Committee

Purpose

To change rule 61.2 so that fewer protests are found to be invalid because the protestor failed to state correctly where and when the incident occurred. Also, to modify the Protest Form in light of the changes in rule 61.2.

Proposal 1

Change rule 61.2 as follows:

**61.2 Protest Contents**

A *protest* shall be in writing and identify

- (a) the protestor and protestee;
- (b) the incident, ~~including where and when it occurred;~~
- (c) **where and when the incident occurred;**
- (~~d~~e) any *rule* the protestor believes was broken; and
- (~~e~~) the name of the protestor's representative.

However, if requirement (b) is met, requirement (a) may be met at any time before the hearing, and requirements ~~(d)~~ and ~~(e)~~ may be met before or during the hearing. **Requirement (c) may also be met before or during the hearing, provided the protestee is allowed reasonable time to prepare for the hearing.**

Current Position for Proposal 1

As above.

Proposal 2

On the first page of the Protest Form, delete items 1 and 5 and replace them with:

1. EVENT ..... Race: 1st  2nd  3rd  .....th  race on ...../...../ 20 .....

5. INCIDENT

Lap: 1st  2nd  3rd  .....th. Leg ..... Where on leg?  
.....

Rules alleged to have been broken ..... Witnesses .....

Current Position for Proposal 2

1. EVENT ..... Organizing authority ..... Date ..... Race no. ....

5. INCIDENT

Time and place of incident .....

Rules alleged to have been broken ..... Witnesses .....

Reasons

Protests are often found to be invalid because the protestor fails to state correctly where and when the incident occurred. This is most likely to occur at events where several races are held each day over several days. The changes proposed in rule 61.2 will require protestors to identify the incident, but give them the opportunity to correct an error in identifying where and when the incident occurred. When the protestor corrects her statement as to when and where the incident occurred, the hearing may have to be temporarily adjourned to permit the protestee reasonable time to prepare for the hearing. The benefit of reducing the number of protests found invalid on what most competitors and judges view as a technicality outweighs the small cost of occasionally having to adjourn a hearing to permit a protestee to prepare.

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## Submission 200-15

### New Rule 64.3(c)

A submission from the Chairman of the Racing Rules Committee

#### Purpose or Objective

When a protest committee has penalized a boat that has broken a class rule, permit the protest committee to also penalize her in earlier races in the same event.

#### Proposal

1. Add new rule 64.3(c)  
**(c) When a boat is penalized under a class rule and the protest committee decides that the boat also broke the same rule in earlier races in the same event, the penalty may be imposed for all such races. No further protest is necessary.**
2. Renumber rules 64.3(c) and (d) as 64.3(d) and (e).

#### Current Position

None.

#### Reasons

At present a boat can only be penalized for breaking a class rule following a valid protest. If such a protest is lodged only when the breach was observed (for example) in the third race in a series, and the protest committee decides the boat gained an advantage from her breach in races one and two, it should be possible to also penalise the boat in these earlier races.

A breach of a class rule by a boat is often measurement related, and it is usually difficult for a competitor to see that the boat is breaking the rule. The breach may only become apparent during the course of an event when for example a boat demonstrates a significant speed advantage in a particular set of conditions. It is unreasonable that, as currently, a competitor has no recourse to resolve this for earlier races.

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Additionally, a breach may come to light during post-race equipment inspection. As it is unrealistic for a race committee to inspect all boats after every race, a boat found to have broken a rule after a number of races may also have had an advantage in the earlier races.

## **Submission 201-15**

Rule 69, Appendices M & N

A submission from the Chairmen of the Constitution Committee, Race Officials Committee and Racing Rules Committee

### Purpose or Objective

To update RRS 69 to remedy shortcomings based on experience since the current version was introduced, and in response to the undertaking to CAS to review the processes.

The rule should be updated to achieve the following:

- (i) remove the concept of “Gross” misconduct as distinct to misconduct from this rule;
- (ii) to reintroduce a rule of misconduct by supporters, coaches and similar;
- (iii) to maintain the concept of increasing penalties determined by the severity of the misconduct;
- (iv) to establish a higher threshold before the decision of a protest committee should be notified to a national authority or ISAF; and
- (v) to remove from the rule the procedures to be followed by ISAF, which will be set out in a new or amended Regulation generally.

To improve the guidance to protest committees acting under rule 69.

To update RRS Appendix N (International Juries) in line with the new RRS 69 and to improve the guidance for the conduct of hearings.

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Proposal 1

Delete rule 69 and replace as follows:

## **SECTION C**

### **MISCONDUCT**

#### **69 MISCONDUCT**

##### **69.1 Obligation not to Commit Misconduct; Resolution**

**(a) Misconduct is:**

- (1) conduct that is a breach of good manners, a breach of good sportsmanship or unethical behaviour;**
- (2) conduct that may bring the sport into disrepute; or**
- (3) a breach of a rule that is deliberate, repeated or otherwise more than a misjudgement.**

**(b) A competitor, boat owner or support person shall not commit an act of misconduct or bring the sport into disrepute.**

**(c) An allegation of a breach of rule 69.1(a) shall be resolved in accordance with the provisions of rule 69. It shall not be grounds for a protest and rule 63.1 does not apply.**

##### **69.2 Action by a Protest Committee**

**(a) A protest committee acting under this rule shall have at least three members.**

**(b) When a protest committee, from its own observation, including evidence taken during a hearing or information received from any source, believes that a person may have broken rule 69.1(b), it shall decide whether or not to call a hearing.**

**(c) If the protest committee decides to call a hearing, it shall promptly inform the person in writing of the alleged breach and of the time and place of the hearing and follow the procedures in rules 63.2, 63.3(a), 63.4 and 63.6 except that:**

- (1) unless appointed by ISAF, a person may be appointed by the protest committee to present the allegation and have the same rights, as would a party to a protest; and**
- (2) a person against whom an allegation has been made under this rule shall be entitled to be present throughout the hearing and to have an advisor, supporter or representative with him.**

- 
- (d) If the person is unable to attend the hearing and**
- (1) does provide good reason, the protest committee shall reschedule it; or**
  - (2) does not provide good reason and does not come to it, the protest committee may conduct it without the person present.**
- (e) The standard of proof to be applied is the test of the comfortable satisfaction of the protest committee, bearing in mind the seriousness of the alleged misconduct. However, if the standard of proof in this rule conflicts with the laws of a country, the national authority may, with the approval of ISAF, change it with a prescription to this rule.**
- (f) If the allegation or any part of the allegation is upheld, the protest committee may take one or more of the following actions**
- (1) issue a warning;**
  - (2) in the case of a breach by a competitor or boat owner (unless rule 69.2(g) applies), change their boat's score in one or more races, including disqualification(s) that may or may not be excluded from her series score;**
  - (3) exclude the person from the event or venue or remove any privileges or benefits; and**
  - (4) take any other action within its jurisdiction.**
- (g) A competitor may be penalized under rule 69.2(f) for the misconduct of a *support person*. However, a penalty may only be imposed on a competitor for the misconduct of a *support person* if**
- (1) the competitor may have gained a competitive advantage as a result of the misconduct; or**
  - (2) the *support person* has committed a further act of misconduct after the competitor has been warned by the protest committee; or**
  - (3) the protest committee decides that such a penalty is necessary to prevent future misconduct of the *support person*.**
- (h) If the protest committee**
- (1) imposes a penalty greater than one DNE;**
  - (2) excludes the person from the event or venue; or**
  - (3) in any other case if it considers it appropriate,**
- it shall report its findings, including the facts found, its conclusions and decision to the national authority of the person or, for specific international events listed in the ISAF Regulations, to ISAF. If the protest committee has acted under rule 69.2(d)(2), the report shall also include that fact and the reasons for it.**

- 
- (i) **If the protest committee decides not to conduct the hearing without the person present, or if the protest committee has left the event and a report alleging a breach of rule 69.1(b) is received, the race committee or organizing authority may appoint the same or a new protest committee to proceed under this rule. If it is impractical for the protest committee to conduct a hearing, it shall collect all available information and, if the allegation seems justified, make a report to the national authority of the person or, for specific international events listed in ISAF Regulations, to ISAF**

**69.3 Action by a National Authority and ISAF**

**The disciplinary powers, procedures and responsibilities of national authorities and ISAF that apply are specified in ISAF Regulation 35, Disciplinary Code. National authorities and ISAF may impose further penalties, including suspension of eligibility, under that Code.**

This submission, prepared by the Rule 69 Working Party, requires the submission 202-15 to add a definition of support person and new rule 3 to be approved.

A consequential submission regarding RRS 60 will be made separately.

Current Position

See current rule 69.

Reasons

1. The behaviour of coaches and parents has been the cause of considerable problems. The Rule 69 Working Party was tasked to resolve this. Changes in concept were presented in November 2014. This submission achieved that aim while taking into account views expressed last November and the current rule 69 does not provide means to handle these problems.
2. There has been considerable difficulty in determining what is and is not “gross” in the context of misconduct. Misconduct is misconduct, and if it is minor or severe the penalty will reflect that.
3. A general definition of misconduct is helpful in the RRS as there are many different views around the world as to what constitutes misconduct.
4. A Case has also been prepared and is submitted as submission 272-15. Depending on this proposal, the Case will require editing.
5. As the procedures for Rule 69 hearings are different from those of other hearings they should be clearly set out, both for the help of the committee and to avoid procedural error.
6. It should also be clear that when a protest committee appoints one of its members or any other person to act as the presenter of any case against a competitor, that individual has the same rights as a party to a protest.

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7. It should be clear as to when a protest committees report should be forwarded to ISAF or MNA
  8. It should also be clear what happens if either a competitor cannot attend a hearing or if the report prompting a hearing is only received after the event.
  9. The proposed revised RRS 69 increases the threshold for reporting a breach of RRS 69 to ISAF or MNA to avoid reporting minor penalties. The grounds for this change are to avoid discouraging protest committees from taking action and to avoid MNAs/ISAF needing to handle inappropriate cases.
  10. These changes were supported in principle by Council in November 2014.

Proposal 2

Amend rule M5 as follows:

**M5** ~~CROSS MISCONDUCT~~ (rule 69)

- M5.1** An action under this rule is not a *protest*, but the protest committee gives its allegations in writing to the competitor before the hearing. The hearing is conducted under ~~the same~~ rules similar to those governing a protest hearing as other hearings but the protest committee must have at least three members (rule 69.2(~~ab~~)). Use the greatest care to protect the competitor's rights.
- M5.2** A competitor or a boat cannot protest under rule 69, but the protest form of a competitor who tries to do so may be accepted as a report to the protest committee, which can then decide whether or not to call a hearing.
- M5.3** Unless ISAF has appointed a person for the role, the protest committee may appoint a person to present the allegation. This person might be a race official, the person making the allegation or other appropriate person. When no reasonable alternative person is available, a person who was appointed as a member of the protest committee may present the allegation.
- M5.4** When the protest committee needs more information to make the decision to call a hearing as required by rule 69.2(c), it should consider appointing a person or persons other than protest committee members to conduct an investigation.
- M5.5** When an investigator is appointed, all information they gather, favourable or unfavourable, shall be disclosed to the protest committee, and if the protest committee decides to call a hearing, to the parties.
- M5.63** When it is desirable to call a hearing under rule 69 as a result of a Part 2 incident, it is important to hear any boat-vs.-boat *protest* in the normal way, deciding which boat, if any, broke which *rule*, before proceeding against the competitor under ~~this~~ rule **69**.
- M5.74** Although action under rule 69 is taken against a competitor, not a boat, a boat may also be penalized (rule 69.2(~~ef~~)).

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~~**M5.5** The protest committee may warn the competitor (rule 69.2(e)(1)), in which case no report is to be made (rule 69.2(d)). When a penalty is imposed and a report is made as required by rule 69.2(d) or 69.2(f), it may be helpful to recommend whether or not further action should be taken.~~

**M5.8** **When a protest committee upholds a rule 69 allegation it will need to consider if it is appropriate to report to either an MNA or ISAF. Guidance on when to report may be found in the ISAF Case Book. When the protest committee does make a report it may recommend whether or not further action should be taken.**

**M5.9** **Unless the right of appeal is denied in accordance with rule 70.5, the parties to a rule 69 hearing may appeal the decision of the protest committee.**

**M5.10** **Further guidance for protest committees for cases of misconduct may be found on the ISAF website.**

#### Reasons

1. These changes to Appendix M will help protest committees to conduct rule 69 matters in an appropriate manner and will also give any person subject to action under rule 69 confidence that the matter will be managed in an appropriate manner.
2. Following these guidelines will reduce the risk of procedural criticism should the case be appealed.
3. While this submission has been prepared by the Rule 69 Working Party to be consistent with the proposed changes to rule 69, Proposal 2 is a separate proposal as it is not dependent on Proposal 1 being approved. There is nothing in the current rule 69 that prohibit these procedural clarifications, except that reporting to national authorities or ISAF is different.

#### Proposal 3

1. To move rule N3.2 to N1.6 and renumber N1.6 and N1.7 appropriately.
2. Add new rule N4:

#### **N4 MISCONDUCT (Rule 69)**

**N4.1 ISAF Regulation 35, Disciplinary Code contains procedures that apply to specific international events with regard to the appointment of a person to conduct any investigation. These procedures override any conflicting provision of this appendix.**

**N4.2 A person shall be responsible for presenting to the hearing panel any allegations of misconduct under rule 69. This person shall not be a member of the hearing panel but may be a member of the jury. Such person shall be required to make full disclosure of all material that may come into their possession in the course of their investigation to the person subject to allegations of a breach of rule 69.**

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**N4.3 A hearing panel, to the extent it is practically possible, shall not act as an investigator of any allegations made under rule 69 prior to the hearing. At any hearing the panel shall be entitled to ask any investigative questions it may see fit.**

**N4.4 If the panel decides to call a hearing, all material disclosed to the panel in order for them to make that decision must be disclosed to the person subject to the allegations before the hearing begins.**

Reasons

1. Placing the current rule N3.2 into N1.6 brings all of the rules governing the requirements for constituting an international jury into one section.
2. An international jury conducting a hearing under rule 69 is subject to more stringent procedures than a non-international jury as an international jury decision is not subject to appeal. The more stringent procedures introduce a greater segregation of duties.

## **Submission 202-15**

Definition Support Person, Definition Party, Rules 3, 60.3(d) and 64.4

A submission from the Chairmen of the Constitution Committee, Racing Rules Committee and Race Officials Committee

Purpose or Objective

To bring support persons into the jurisdiction of the Racing Rules of Sailing

Proposal 1

1. Insert new Definition:

*Support person* Any person who;

- (a) provides, or may provide, physical or advisory support to a competitor, including any coach, trainer, manager, team staff, medic, paramedic or any other person working with, treating or assisting a competitor in or preparing for the competition, or
- (b) is the parent or guardian of a competitor.

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2. Amend the Definition of Party as follows:

*Party* A party to a hearing is

...

**(e) a support person subject to a hearing under rule 60.3(d)**

3. Delete rule 3 and replace as follows:

### **3 ACCEPTANCE OF THE RULES**

**3.1 (a) A competitor and boat owner agree to accept the *rules* by participating, intending to participate or having participated in a race conducted under these rules.**

**(b) A *support person*, by providing support, or a parent or guardian by permitting their child to enter a race, agrees to accept the *rules*.**

**3.2 A competitor and boat owner agree on behalf of their *support persons* that such *support persons* are bound by the *rules*.**

**3.3 Acceptance of the *rules* includes agreement**

**(a) to be governed by the *rules*;**

**(b) to accept the penalties imposed and other action taken under the *rules*, subject to the appeal and review procedures provided in them, as the final determination of any matter arising under the *rules*;**

**(c) with respect to any such determination, not to resort to any court of law or tribunal not provided for in the *rules*; and**

**(d) for a competitor and boat owner, to ensure that their support persons are aware of the *rules*.**

4. Add new rule 60.3(d) as follows:

60.3 A protest committee may

...

**(d) call a hearing to consider whether a *support person* has broken a *rule*, based on its own observation or information received from any source, including evidence taken during a hearing.**

5. Add new rule 64.4 as follows:

**64.4 When the protest committee decide that a *support person* who is a *party* to the hearing has broken a *rule*, it may act as follows:**

**(a) issue a warning, or**

**(b) remove any privileges or benefits, or**

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(c) **take other action within its jurisdiction as provided by the *rules*.**

#### Current Position

There is no definition of Support Persons. Support Persons are not included in the definition of Party. There is no current rule 60.3(d) or 64.4.

#### Reasons

1. The Executive Committee tasked the Rule 69 Working Party to review rule 69 and other linked rules. The concepts of including support persons within rule 69 were presented and accepted in November 2014.
2. To achieve jurisdiction over support persons a number of rule changes are required. Firstly a definition of Support Person and then to amend RRS 3 to make Support Persons subject to the rules.
3. The Sailing Instructions often include rules that apply to support persons. An example is the permitted positioning of coach boats and the requirements for coach boats. This submission will make it practical to enforce these rules by including Support Persons in the definition of Party, changing rule 60 to enable a protest committee to call a hearing and adding rule 64.4 to authorise specific penalties to be imposed should a breach of the rules be found.
4. While subject to a separate submission that is dependent on this submission being approved, the new proposed RRS 69 (Misconduct) includes misconduct by support persons. Again, jurisdiction is required to enforce this.
5. Establishing jurisdiction over competitors is established through their entry to the event. This proposal achieves jurisdiction over support persons by requiring the competitors to act as an agent. This is common to many sports.
6. By providing for hearings and penalties for breaches by support persons the need to use rule 69 for relatively minor breaches of the rules is avoided. This will make it easier for protest committees to act.

#### Proposal 2

Add to rule 3:

3.4 The person in charge of each boat shall ensure that all competitors in the crew and the boat's owner are aware of their responsibilities under this rule.

#### Current Position

See rule 3. There is no obligation for the person in charge to make the boat's crew aware of their responsibilities under the rule.

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## Reasons

1. This is a separate and independent submission but is included here as the concept is linked to that in the main submission.
2. Adopting this rule would require the person in charge to take positive action to make crew members aware of their responsibilities to comply with the rules. Currently, as many crew members race without ever reading the Notice of Race, they can argue ignorance of the rules and a requirement to comply with them. This submission eliminates that argument.
3. This is particularly important when a crew member is individually charged with misconduct.

## **Submission 203-15**

Definition of Interested Party and Conflict of Interest, Rule 63.4, Consequential Changes to Other Rules, Appendix M and Appendix N

A submission from the Chairmen of the Constitution Committee, Racing Rules Committee and Race Officials Committee

### Purpose or Objective

To bring the Racing Rules of Sailing up to date with the current best practices regarding Conflicts of Interest and to be consistent with the new definition of Conflict of Interest approved in November 2014.

### Proposal 1

1. Delete the Definition Interested Party and replace with new Definition Conflict of Interest

Option 1 – a modified version of existing definition:

*Conflict of Interest* A person has a conflict of interest if they may gain or lose as a result of a decision to which they contribute, or if they have a close personal interest in that decision.

Option 2 – from ISAF Regulations:

*Conflict of Interest* A conflict of interest exists when a race official has, or reasonably appears to have, a personal or financial interest which could affect the ability of the official to be impartial.

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2. Delete rule 63.4 and replace with:

63.4 Conflict of Interest

(a) A protest committee member shall declare any possible *conflict of interest* as soon as he is aware of it. A party to the hearing who believes a member of the protest committee has a *conflict of interest* shall object as soon as possible. A *conflict of interest* declared by a protest committee member shall be included in the written information provided under rule 65.2.

(b) A member of a protest committee with a *conflict of interest* shall not be a member of the committee for a hearing, unless all parties consent or the protest committee first decides that the *conflict of interest* is not [material or significant]\*. When deciding whether a *conflict of interest* is [material or significant]\* it shall consider the level of the conflict, the importance to each party and the overall perception of fairness.

Option to add (c):

(c) Except for international or major events, or as prescribed by an MNA, the protest committee may allow a member who may have a *conflict of interest* to take part to the hearing. When deciding to do so, the protest committee shall consider whether the *conflict of interest* is [material or significant]\*, the level of the conflict, the importance to each party and the overall perception of fairness.

\* Note: Committees and Council are to decide which of 'material', 'significant' or 'material or significant' is the best option.

3. Make the following consequential amendments to rules 60.2, 60.3, 71.1, rule E1.1 and the Protest Form

60.2 A race committee may

(a) protest a boat, but not as a result of information arising from a request for redress or invalid *protest*, or from a report from an ~~interested party~~ **a person with a conflict of interest** other than the representative of the boat herself.

60.3 A protest committee may

(a) protest a boat, but not as a result of information arising from a request for redress or an invalid protest, or from a report from an ~~interested party~~ **a person with a conflict of interest** other than the representative of the boat herself. However, it may protest a boat:

71.1 ~~No interested party~~ **A person with a conflict of interest** or member of the protest committee shall not take any part in the discussion or decision on an appeal or a request for confirmation or correction.

E1.1 Definitions

Add to the definition ~~Interested Party~~ *Conflict of Interest*: ~~'but not a competitor when acting as an observer'~~. An observer does not have a *conflict of interest* solely by being a competitor

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#### Protest Form

~~No objection about interested party.~~ Any conflict of interest has been declared and no objection raised.

#### Current Position

As above.

#### Reasons

1. There is no change of concept from the submission to change rule 63.4 in November 2014 but some concerns were raised at that time.
2. A 'hard line' rule on conflict of interest is not practical at all events, especially for club events that depend on volunteer members and others who frequently have some degree of conflict. The submission reflects the reality and as is therefore a significant improvement over the current rule. The new rule will also cause protest committees to address the issue of conflict more frequently.
3. The current ISAF Conflict of Interest Guidance that applies to ISAF Race Officials recognises the need for some flexibility to suit different events. This submission is consistent with that guidance.
4. The proposal introduces the concept of the parties being able to consent to the protest committee members, having been fully informed of the conflict.
5. The protest committee may also decide that a conflict is not material, depending on the level of conflict and the level of the event. A Case will be drafted to help interpret 'material' as it would be too cumbersome to include all the considerations in the rule itself. Some of the concepts from the currently approved Conflicts of Interest Guidance administered by a working party of the ROC will be used to ensure consistency.
6. The definition of Conflict of Interest, is not limited to protest committee members but applies to all race officials.
7. There is no doubt that this area is extremely difficult to be definitive. Except for very clear cut situations, almost every situation is different. The Rule 69 Working Party, who prepared this submission, firmly believe that the submission is far more aligned to the real situation than the current rule.
8. The consequential changes introduce a new definition: Conflict of Interest.
9. In 71.1 a higher, less flexible standard is applied to those deciding an appeal that might otherwise be permitted in the proposed rule 63.4. There is no change in standard from the current RRS.

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10. The change to the protest form also accommodates the proposed change in rule 63.4(b) that requires any conflict to be declared but permits the parties to consent to the conflict of interest.

#### Proposal 2

1. Amend rule 86.1(a) as follows:
- (a) Prescriptions of a national authority may change a racing rule, but not the Definitions; a rule in the Introduction; Sportsmanship and the Rules; Part 1, 2 or 7; rule 42, 43, **63.3, 63.4**, 69, 70, 71, 75, 76.3, 79 or 80; a rule of an appendix that changes one of these rules; Appendix H or N; or ISAF Regulation 19, 20, 21 or 22.

#### Current Position

As above.

#### Reasons

1. Rules 63.3 and 63.4 contain fundamental principles of fairness when conducting hearings. It is not appropriate for these to be changed, except through RRS Appendices.
2. Should Proposal 1 not be accepted, this proposal remains valid to ensure the current rules cannot be changed by sailing instructions.

#### Proposal 3

1. Delete the second point of rule M2.1.
2. Add new rule M2.3:

#### M2.3 CONFLICTS OF INTEREST

- Ensure that all protest committee members declare any possible *conflicts of interest*. At major events this will often be a formal written declaration made before the event starts that will be kept with the protest committee records.
- At the start of any hearing, check that the *parties* are aware of any *conflicts of interest* of protest committee members. Ask the *parties* if they consent to the members. If a *party* does not object as soon as possible after a *conflict of interest* has been declared, the protest committee should record this and proceed.
- If a party objects to a member, the remainder of the protest committee members need to assess if the *conflict of interest* is material. The assessment will consider the level of the event, the level of the conflict and the perception of fairness. It may be acceptable to balance

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conflicts between protest committee members. This may need reference to further guidance to be found [insert link]. Record the decision and the grounds for that decision.

- If a *party* does not object as soon as possible after a *conflict of interest* has been declared, the protest committee may take this as consent to proceed and should record this.
- In cases of doubt it may be preferable to proceed with a smaller protest committee. Except for hearings under rule 69, there is no minimum number of protest committee members required.
- When redress is requested under rule 62.1(a), a member of the race committee should not be a member of the protest committee.

3. Amend rule N3.3 as follows:

**N3.3** Members shall not be regarded as ~~interested parties~~ **having a material conflict of interest** (see rule 63.4) by reason of their nationality **or club membership or similar. When otherwise considering material conflict of interest as required by rule 63.4, considerable weight must be given to the fact that decisions of an international jury cannot be appealed and this may affect the perception of fairness and reduce the level of conflict that is material. In case of doubt, the decision should err on the side of caution and the case should proceed as permitted by N3.2**

Reasons

1. If the changes in Proposal 1 are accepted, protest committees will need guidance to ensure the new rules are applied consistently. This is achieved through changes to Appendix M
2. The change to Appendix N recognises that a higher standard is required when there is no appeal from the decision of an International jury. It also recognises that event with international juries have greater resources to be able to avoid minor conflicts of interest.

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## Submission 204-15

### Rule 2

A submission from the Chairmen of Constitution Committee, Racing Rules Committee and Race Officials Committee

#### Purpose or Objective

To create some flexibility for penalties under rule 2.

#### Proposal

Amend rule 2 as follows:

#### 2 FAIR SAILING

A boat and her owner shall compete in compliance with recognized principles of sportsmanship and fair play. A boat may be penalized under this rule only if it is clearly established that these principles have been violated. ~~A disqualification under this rule shall not be excluded from the boat's series score.~~ **The penalty may be disqualification that is not excludable, disqualification or less than disqualification, or she may be warned.**

#### Current Position

As above.

#### Reasons

1. Breaches of Fair Sailing, even when a clear violation of the principles of sportsmanship and fair play vary considerably. It is appropriate that a protest committee is able to impose a penalty to match the breach. Examination of the Case Book that gives a number of examples of breaches of rule 2 demonstrates this variation.
2. The current single option of DNE can inhibit a protest committee from upholding an allegation as that penalty is too severe.
3. It is quite common that some behaviour is less than that expected in our sport. However, this can often be managed by upholding a protest and then issuing a warning. This is especially true of young competitors or those new to our sport. We want to change the behaviour and quite often a severe penalty does not achieve that.

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## Submission 205-15

### New Rule 64.4

A submission from the Chairmen of Constitution Committee, Racing Rules Committee and Race Officials Committee

#### Purpose

To ensure that the sanctions and penalties available to the protest committee will discourage support persons from breaking rules.

#### Proposal

Add new rule 64.4 as follows:

#### **64.4 Decisions on Protests Concerning Support Persons**

- (a) When the protest committee decides that a support person who is a party to a hearing has broken a rule, it may**
- (1) issue a warning, or**
  - (2) remove any privileges or benefits, or**
  - (3) take other action within its jurisdiction as provided by the rules.**
- (b) A competitor may be penalized for a breach of a rule by a support person by changing the boat's score in a single race up to and including DSQ if**
- (1) the competitor may have gained a competitive advantage as the result of the breach by the support person,**
  - (2) the support person commits a further breach after the competitor has been warned by the protest committee that a penalty may be imposed, or**
  - (3) the protest committee decides that such a penalty is necessary to prevent future breaches by the support person.**

#### Current Position

The proposed rule is new.

#### Reasons

1. There have been many examples of support persons (which includes parents and guardians) behaving in a manner that is detrimental to the sport. While many of these behaviours constitute misconduct and, should other submissions be approved, will be liable to action under

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rule 69, this is often perceived as a last resort. If support persons know that competitors may be penalised as a result of their breaches, they are much less likely to do so.

2. Many people in the sport, not just officials, believe that this is the only effective way to resolve this problem.

## Submission 206-15

### Rule 60

A submission from the Chairmen of Constitution Committee, Racing Rules Committee and Race Officials Committee

#### Purpose or Objective

To clarify that rules 5, 6 and 69 currently are not subject to protest and to provide for any similar future rules.

#### Proposal

Adopt either Alternative 1, Alternative 2 or Alternative 3 below.

#### Alternative 1

Amend rules 60.1(a), 60.2(a), 60.3(a) as follows:

**60.1** A boat may

(a) protest another boat, but not for an alleged breach of a rule of Part 2 or rule 31 unless she was involved in or saw the incident, or **for an alleged breach of a rule that prohibits a protest**, or

**60.2** A race committee may

(a) protest a boat, but not as a result of information arising from a request for redress or an invalid *protest*, or from a report from an *interested party* other than the representative of the boat herself, **or for an alleged breach of a rule that prohibits a protest**, or

**60.3** A protest committee may

(a) protest a boat, but not as a result of information arising from a request for redress or an invalid *protest*, or from a report from an *interested party* other than the representative of the boat herself, or **for an alleged breach of a rule that prohibits a protest**. However, it may protest a boat

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Alternative 2

Add new rule 60.4:

**60.4 However, neither a boat nor a race committee nor a protest committee may protest for an alleged breach of a rule that prohibits a protest.**

Alternative 3

Add new rule 60.4:

**60.4 However, neither a boat nor a race committee nor a protest committee may protest for an alleged breach of rule 5, 6 or 69.**

Current Position

For Alternative 1, as above. For Alternatives 2 and 3, none – proposed rule 60.4 is new.

Reasons

1. There is a deficiency in the current rule that creates a conflict between this rule and rules 5 and 6 regarding the right of protest.
2. In the new proposed rule 69, the right to protest is specifically denied and this proposal further clarifies that action under rule 69 is not a protest. This is important as a protest committee is otherwise required by rule 63.1 to hear the allegation, which may not warrant such action.
3. All three alternatives make it clear that neither a boat nor the race committee nor the protest committee may protest under rule 5, 6 or 69.
4. Alternatives 1 and 2 are worded so that a sailing instruction that frequently denies the right of protest by a boat, such as in current RRS Appendix L 16.6 will no longer be required to change this rule to be valid. This is important as it is not good for sailing instructions to change procedural rules.
5. Alternatives 1 and 2 will also permit future rules that do not permit protests to be introduced without the need to change rule 60. However, Alternatives 1 and 2 have the disadvantage that they will add a new extra step for anyone making a protest. That is, whenever a boat, a race committee or a protest committee protests, it will have to check that a protest is permitted by the rule it alleges to have been broken. Alternative 3 will not require that extra step.

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## Submission 207-15

### Rule 69 – Proposals for urgent implementation

A submission from the Chairmen of the Constitution Committee and Race Officials Committee

#### Purpose or Objective

To enable some of the submissions developed by the Rule 69 Working Party to be implemented on 1 January 2016.

#### Proposal

Council is asked to consider implementing the deletion of current rule 69.3 and 69.4 and add the new rule 69.3 on 1 January 2016 as a matter of clear necessity and pressing importance pursuant to Regulation 28.1.2:

1. Delete rules 69.3 and 69.4.
2. Insert new rule 69.3:

#### **69.3 Action by a National Authority and ISAF**

**The disciplinary powers, procedures and responsibilities of national authorities and ISAF that apply are specified in ISAF Regulation 35, Disciplinary Code. National authorities and ISAF may impose further penalties, including suspension of eligibility, under that Code.**

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## Submission 210-15

### Rule 71.2

A submission from US Sailing

#### Purpose

To change rule 71.2 in order to remove a previously unnoticed, and probably unintended, inconsistency between rules 71.2 and rule 70.1(a).

#### Proposal

**71.2** The national authority may uphold, change or reverse ~~a the~~ protest committee's decision; declare ~~a the protest~~ or request for redress invalid; ~~or return the protest or request for the hearing to be reopened, or for a new hearing and decision.~~ **order that a hearing be reopened; or order that a new hearing be held** by the same or a different protest committee. When the national authority decides that there shall be a new hearing, it may appoint the protest committee.

#### Current Position

As above.

#### Reasons

Rule 70.1(a) allows a party to a hearing to appeal any protest committee decision, provided that the right of appeal has not been denied under rule 70.5. This includes a decision on rule 69. However, in the third line of current rule 71.2 only protests and requests for redress are listed, and therefore the current rule effectively prohibits a national authority from taking any action on a rule 69 decision other than upholding, changing or reversing the decision. For example, if a protest committee commits a procedural error during a rule 69 hearing, the national authority cannot order the protest committee to conduct a new hearing. Also, the protest committee cannot order that a rule 69 hearing be reopened. The proposal removes these restrictions by simply removing that reference to a 'protest or request'. By doing this, the proposal brings rule 71.2 into conformity with rule 70.1(a).

Other changes are for clarity; ease of reading and to remove unnecessary words.

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## Submission 211-15

### Rule 78.1

A submission from the Chairman of the Racing Rules Committee

#### Purpose

To make it clear when rule 78.1 applies.

#### Proposal

1. Amend rule 78.1 as follows:

**78.1 While a boat is racing and at other times specified in the notice of race or sailing instructions, her** ~~A boat's~~ owner and any other person in charge shall ensure that the boat is maintained to comply with her class rules and that her measurement or rating certificate, if any, remains valid.

2. Add the following at appropriate locations in Appendix K, Appendix L and Appendix LE

*Insert the date(s) and  
time(s).*

**X**

A boat shall comply with rule 78.1 on \_\_\_\_\_ at  
\_\_\_\_\_.

#### Current Position

As above.

#### Reasons

It is not clear when current rule 78.1 applies. After studying the rule, some knowledgeable persons have formed the opinion that it applies at all times during an event. Others have interpreted it to mean that it applies only while a boat is racing. The rule should be clarified so that (1) it is clear whether or not the rule applies between races while the boat is being repaired, and (2) it is clear whether or not a boat may be penalized if she is presented for equipment inspection prior to, during or after an event and found not to comply with her class rules.

The proposed change in rule 78.1 clarifies when the rule applies and enables the notice of race or the sailing instructions to specify times when a boat is not racing, yet must nonetheless comply with her class rules. This can be helpful if there are required equipment inspections for which a boat must be presented before the first race, between races or after the last race.

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## Submission 212-15

### Rule 78.2

A submission from the Chairman of the Racing Rules Committee

#### Purpose

To correct a technical flaw in rule 78.2.

#### Proposal

**78.2** When a *rule* requires a valid certificate to be produced or its existence verified before a boat *races*, and this cannot be done, the boat may *race* provided that the race committee receives a statement signed by the person in charge that the ~~boat has a~~ valid certificate exists. The boat shall produce the certificate or arrange for its existence to be verified by the race committee. The penalty for breaking this rule is disqualification without a hearing from all races of the event.

#### Current Position

The current position shown above is rule 78.2 as approved in November 2014 for the 2017-2020 edition of the RRS.

#### Reason

In the RRS, the word 'boat' means 'a sailboat and her crew on board'. The certificate referred to in rule 78.2 is a certificate issued for the boat excluding her crew. The proposal makes it clear that the certificate referred to in rule 78.2 is not a certificate that is related in any way to the crew.

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## Submission 213-15

New rule 85, rule 89.2 and related changes

A submission from US Sailing

### Purpose or Objective

To locate the rules governing rule changes, that are currently in widely separated sections of the rulebook, together in Part 7, to more logically organize those rules, and to eliminate duplication.

### Proposal

Change the number of current rule 85 to 84 and add the following new rule 85:

#### **85 CHANGES TO RULES**

**85.1 A change to a rule shall refer specifically to the rule and state the change. A change to a rule includes an addition to it or deletion of all or part of it.**

**85.2 A change to one of the following types of rules may be made only as shown below.**

**Type of rule**

**Racing rule**

**Rule in an ISAF code**

**Prescription of the national authority**

**Class rule**

**Rule in the notice of race**

**Rule in the sailing instructions**

**Rule in any other document governing the**

**event**

**Change only if permitted by**

**Rule 86**

**A rule in the code**

**Rule 88.2**

**Rule 87**

**Rule 89.2(b)**

**Rule 90.2(c)**

**A rule in the document itself**

Change rule 89.2 as follows:

#### **89.2 Notice of Race; Appointment of Race Officials**

- (a) The organizing authority shall publish a notice of race that conforms to rule J1.  
~~The notice of race may be changed provided adequate notice is given.~~
- (b) **The notice of race may be changed provided adequate notice is given.**
- (c) The organizing authority shall appoint a race committee and, when appropriate, appoint a protest committee and umpires. However, the race committee, an international jury and umpires may be appointed by the ISAF as provided in the ISAF regulations.

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Make the following related changes:

**86 CHANGES TO THE RACING RULES**

**86.1** A racing rule shall not be changed unless permitted in the rule itself or as follows:

- (a) *[no changes]*
- (b) Sailing instructions may change a racing rule ~~by referring specifically to it and stating the change~~, but not rules 76.1 or 76.2, Appendix R, or a rule listed in rule 86.1(a).
- (c) Class rules may change only racing rules 42, 49, 50, 51, 52, 53 and 54. ~~Such changes shall refer specifically to the rule and state the change.~~

**88 NATIONAL PRESCRIPTIONS**

**88.1 Prescriptions that Apply**

*[no change]*

**88.2 Changes to Prescriptions**

*[no change]*

**90.2 Sailing Instructions**

- (a) *[no change]*
- (b) *[no change]*
- (c) **The sailing instructions may be changed provided the change is** ~~Changes to the sailing instructions shall be~~ in writing and posted on the official notice board before the time stated in the sailing instructions or, on the water, communicated to each boat before her warning signal. Oral changes may be given only on the water, and only if the procedure is stated in the sailing instructions.

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INTRODUCTION

**Terminology** A term used in the sense stated in the Definitions is printed in italics or, in preambles, in bold italics (for example, *racing* and ***racing***). ‘Racing rule’ means a rule in *The Racing Rules of Sailing*. ‘Boat’ means a sailboat and the crew on board; ‘vessel’ means any boat or ship. ‘Race committee’ includes any person or committee performing a race committee function. ~~A ‘change’ to a rule includes an addition to it or deletion of all or part of it.~~ ‘National authority’ means an ISAF member national authority. Other words and terms are used in the sense ordinarily understood in nautical or general use.

~~**Changes to the Rules** The prescriptions of a national authority, class rules or the sailing instructions may change a racing rule only as permitted in rule 86.~~

~~**Changes to National Authority Prescriptions** A national authority may restrict changes to its prescriptions as provided in rule 88.2.~~

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#### Current Position

As above.

#### Reasons

This proposal broadens the good practice of only changing a rule by ‘referring specifically to it and stating the change.’ Currently, this is only required when a racing rule is changed. The proposal makes that practice required when a change is made to a prescription, a class rule, a rule in the notice of race or a rule in the sailing instructions, as well as to a racing rule. To avoid repeating the requirement several times in Part 7, the proposal moves the clause to a new rule 85.1, which is worded so that it covers all rule changes.

New rule 85.2 provides a table designed to make life simpler for a race official who wishes to change a rule. There is a row in the table for or each of the seven types of rule listed in the definition *Rule*, and the second column of the table shows where to find the rule that applies to a change to each type of rule.

The change in rule 89.2 makes it easier to find the rule about changes in the notice of race.

If the proposal is accepted, all the rules involving rule changes will be close together in the rules of Part 7, and all references in the Introduction to rule changes will be removed. As a result, the rules related to rule changes will be easier to find and better organized, and duplication of some statements will be eliminated.

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## Submission 216-15

Rules 62.1(a), 85, 89.2(b), new Rule 92, New Rule 60.4, Change of Definition Party, Protest, 60.2, 61.1(b), 61.3, H2, J2.2(9), K Header, K7.2, L20 and RRS 43.1(c) and 78.3

A submission from the Chairman of the Race Officials Committee, the Hellenic Sailing Federation, the International 29er Class Association, the International 420 Class Association, the International 470 Class Association, the International Cadet Class Association and the International Lightning Class Association.

### Purpose or Objective

The purpose of this multi-part submission is to officially define a measurement committee and to use the term “measurement committee” to replace all other terms in use in the RRS for persons in charge of any form of equipment inspection or event measurement.

To define the independent power of a measurement committee to protest a boat and to remove the obligation to report a breach of measurement rules in writing to the race committee.

To align relevant rules in the appendices to a new proposed definition “measurement committee” in the RRS 92.

### Proposal 1

Add new rule in Part 7, Organization:

#### 92 EQUIPMENT INSPECTION / MEASUREMENT COMMITTEE

An equipment inspection / measurement committee shall be a committee of at least one member, appointed by the organizing authority or race committee, except when appointed by the ISAF under rule 89.2(b), to carry out equipment inspection / event measurement as required by the notice of race and the sailing instructions.

### Current Position

There is no rule defining a committee in charge of equipment control at events. In practice, in most high level international events and in many national events there is such a committee in place.

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Proposal 2

If Proposal 1 is approved:

1 Amend rule 85 as follows:

The organizing authority, race committee, **equipment inspection / measurement committee** and protest committee shall be governed by the *rules* in the conduct and judging of races.

2 Amend rule 89.2(b) as follows:

The organizing authority shall appoint a race committee and, when appropriate, appoint **an equipment inspection / measurement committee**, a protest committee and umpires. However, the race committee, **an equipment inspection / measurement committee**, an international jury and umpires may be appointed by the ISAF as provided in the ISAF regulations.

3 Amend rule H2 as follows:

When the weight recorded exceeds the amount permitted, the competitor may rearrange the items on the rack and the equipment inspector or **event** measurer **in charge** shall again soak and weigh them. This procedure may be repeated a second time if the weight still exceeds the amount permitted.

4 Amend rule J2.2(9) as follows:

(9) procedures for equipment inspection or **event** measurement;

5 Amend the instructions for the head of the NOR in Appendix K as follows:

*On separate lines, insert the full name of the regatta, the inclusive dates from **event** measurement or the practice race until the final race or closing ceremony, the name of the organizing authority, and the city and country.*

6 Amend rule K7.2 as follows:

7.2 **Event** Measurement and inspection

7 Amend the instructions for the header of the SI in Appendix L as follows:

*On separate lines, insert the full name of the regatta, the inclusive dates from **event** measurement or the practice race until the final race or closing ceremony, the name of the organizing authority, and the city and country.*

8 Amend rule L20 as follows:

A boat or equipment may be inspected at any time for compliance with the class rules and sailing instructions. On the water, a boat can be instructed by **a** race committee equipment inspector **inspection** or measurer **measurement committee member** to proceed immediately to a designated area for inspection.

Current Position

As above.

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Proposal 3

If Proposal 1 is approved:

1. Add the following new rule in Part 5, Protests, Redress, Hearings, Misconduct and Appeals:

**60.4 An equipment inspection / measurement committee may**

**(a) protest a boat, but not as a result of information arising from a request for redress or an invalid protest, or from a report from an interested party other than the representative of the boat herself. However, it shall protest a boat**

**(1) if it decides that a boat has broken a rule of Part 4 but not rules 41, 42, 44 and 46, or**

**(2) if it decides that a boat or personal equipment does not comply with the class rules;**

**(b) request redress for a boat; or**

**(c) report to the protest committee requesting action under rule**

**69.2(a)**

2. Amend the definition of Party as follows:

(b) for a request for redress: a boat requesting redress or for which redress is requested, a race committee acting under rule 60.2(b) **or an equipment inspection / measurement committee acting under rule 60.4(b)**;

3. Amend the definition of Protest as follows:

An allegation made under rule 61.2 by a boat, a race committee, **an equipment inspection / measurement committee** or a protest committee that a boat has broken a *rule*.

4. Delete rule 43.1(c).

5. Amend rule 60.2 as follows:

60.2 A race committee may

(a) protest a boat, but not as a result of information arising from a request for redress or an invalid protest, or from a report from an interested party other than the representative of the boat herself;

(b) request redress for a boat; or

(c) report to the protest committee requesting action under rule 69.2(a).

~~However, when the race committee receives a report required by rule 43.1(e) or 78.3, it shall protest the boat.~~

6. Amend rule 61.1(b) as follows:

If the race committee, **equipment inspection / measurement committee** or protest committee intends to protest a boat concerning an incident the committee observed in the racing area, it shall inform her after the race within the time limit of rule 61.3. In other

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cases the committee shall inform the boat of its intention to protest as soon as reasonably possible.

7 Amend rule 61.3 as follows:

A protest by a boat, or by the race committee, **equipment inspection / measurement committee** or protest committee about an incident the committee observed in the racing area, shall be delivered to the race office within the time limit stated in the sailing instructions. If none is stated, the time limit is two hours after the last boat in the race finishes. Other race committee, **equipment inspection / measurement committee** or protest committee protests shall be delivered to the race office no later than two hours after the committee receives the relevant information. The protest committee shall extend the time if there is good reason to do so.

8 Delete rule 78.3.

Current Position

As above.

Reasons

1. To define appointment and tasks of a committee consisting of race officials in charge of equipment controls at an event in the RRS, as is the case for all other race officials in race committee, protest committee and umpire team. Like the other committees such a committee should be appointed by the organizing authority, the race committee or by the ISAF as provided in the ISAF Regulations. This definition will bring the RRS in line with current practice, where such a committee is usually in place at least in major events.
2. To define a committee instead of a person in charge of event measurement as this task is hardly ever performed by an individual. This is equivalent to the allocation of the task of conducting races to a race committee or the task of dealing with protests and redress to a protest committee.
3. If the task of equipment inspection or event measurement is uniquely allocated to a measurement committee the power to protest a boat that is not in compliance with the class rules or has broken a rule of part 4 can be transferred from the race committee to this measurement committee. In most real life cases until now, the race committee appoints the event measurer as the RC representative in the protest hearing.
4. As the obligation to protest a boat that is not in compliance with the class rules or that has broken rule 43.1(a) or (b), is defined in proposed rule 60.4, both rule 43.1(c) and rule 78.3 can be deleted
5. The change in rule 60.2 is a housekeeping change made necessary by the addition of proposed rule 60.4.
6. The changes in rule 85 and rule 89.2(b) are necessary changes to add the measurement committee to the list of committees with race officials as mentioned in these rules.

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7. The changes in the definitions “Party” and “Protest” and rule 61.1(b) and rule 61.3 are necessary changes to add the measurement committee to the list of committees with the power to protest a boat and request redress.
  8. Note: In a related submission it is proposed that the current ERS definitions “equipment inspection” and “equipment inspector” shall be changed to “event measurement” and “event measurer” respectively. If this is approved, then all references in the current submission to “equipment inspection” and “equipment inspector” must be deleted as part of housekeeping.

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