

## World Sailing Regulations

### Race Official Performance - Regulation 32

A submission from the Chairman of Race Officials Committee

#### Purpose or Objective

To clarify the composition of disciplinary investigation panels and that allegations about the performance of a race official may be extended during an investigation, provided that the race official in question is informed and provided the opportunity to answer any extended allegation.

#### Proposal

- 32.7 Where formal action is to be taken, the Chairman of the Race Officials Committee shall appoint a panel of three people to investigate the report. The panel shall include **at least** two members who will be members of the Race Officials Committee or its sub-committees and may include one member of other World Sailing committees, sub-committees, commissions or the Judicial Board, if appropriate.
- 32.8 The panel shall investigate the report and make a recommendation in accordance with Regulation 32.9. **The panel may extend the allegations based on information discovered during the investigation.** The Race Official concerned shall be informed of the investigation at its inception **and in case the allegations are extended,** and be supplied with the report and all relevant documents. He shall be entitled to answer the **initial and any extended** allegations in writing **within a reasonable time set by the panel.** If sanctions are recommended they shall be specified. The Chairmen of the Race Officials Committee and all its Sub-committees shall review the recommendation and decide either to confirm it or that the sanction to be imposed shall be less than that recommended.

#### Current Position

As above.

#### Reasons

1. Regulation 32.7 needs a change because the numbers only add up when an external member is appointed. Thus the 'may' in the second sentence is redundant; and that was not intended.
  2. In relation to Regulation 32.8, it has been argued that an investigation panel could not consider any evidence beyond the initial allegations. However, these allegations are only based on the report received, so they may be incomplete and, therefore, the panel may discover further performance problems, and these should be investigated as well. If this procedure is not adopted, there would need to be a thorough investigation before the allegations are written.
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3. The modification of Regulation 32.8 maintains due process for the race official in question as he is informed if the allegations are extended and he is entitled to answer the extended allegations.