

### **Racing Rules of Sailing**

#### New Rules 8 and 65.3 – Urgent Rule Implementation

A submission from the Chairman of Racing Rules Committee

#### **Purpose or Objective**

To provide for data protection legislation in the RRS and so avoid the need for every event organiser to do so.

#### **Proposal 1**

Add new fundamental rule 8:

**8 The prescriptions of the national authority or the notice of race for an event may contain information for the attention of competitors concerning the use of their personal information. It is the responsibility of competitors to make themselves aware of any such information.**

#### **Proposal 2**

Add new rule 65.3:

**65.3 The protest committee may publish the information set out in rule 65.1 unless it decides there is good reason not to do so.**

#### **Proposal 3**

As provided for in Regulation 28.1.2, these rule changes are urgent and are to be made effective from 1 January 2019.

*Note: If Proposal 3 is supported by at least 75% of Racing Rules Committee then this recommendation will be made to the Board for approval as required by Regulation 28.1.2.*

#### **Current Position**

None

#### **Reasons**

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1. The protection of personal data is an important issue. There is increasing legislation on this subject and particularly in Europe the General Data Protection Regulations (GDPR) are in force. It is likely that other countries will follow suit if they have not already done so.
  2. The process of applying the Racing Rules requires the acquisition, storage and use of personal data and this submission aims to make that clear to all persons subject to the RRS.
  3. This proposal will establish in the RRS a clear statement with regard to Data Protection and provide MNAs with the means to avoid undue burden to comply with data protection legislation.
  4. In particular, the GDPR permits the acquisition, use and storage of data provided that is clear in the contract between the personal data and the organisation concerned. Proposed RRS 8 establishes that contract.
  5. Another common method to permit this data use is through personal consent. However, this is not appropriate as it requires that consent to be given at the time of the data collection and that would enable a party to a protest to block the progress of the case.
  6. There have been suggestions that a statement on the protest form is required. However, the RRS do not require, and nor should they require, that a particular form is used for submitting a request for any form of hearing.
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