

## Racing Rules of Sailing

### Rule 36 - Exception to Rule 64.1(a)

A submission from the Federacion Venezolana de Vela (MNA)

#### Purpose or Objective

To simplify and clarify the Racing Rules of Sailing.

#### Proposal

##### **64.1 Penalties and Exoneration**

- (a) When the protest committee decides that a boat that is a *party* to a protest hearing has broken a *rule*, it shall disqualify her unless some other penalty applies. **A boat shall not be disqualified if the race is restarted or resailed in accordance with rule 36.** A penalty shall be imposed whether or not the applicable *rule* was mentioned on the *protest*.

#### Current Position

As above

#### Reasons

1. A group of 20 IJ's were asked the following question: "If the SIs do not provide for any type of alternative penalties, a boat named as a party of a valid protest hearing that while "Racing" (according to the definitions) is found to have broken a rule of part 2 and does not take a penalty as described in RRS 44.1 & 44.2, may be given a penalty other than a DSQ or no penalty at all?". Everyone of the judges asked answered that the boat that has been found to have broken the rule must be disqualified according to RRS 64.1(a) and although the answer is essentially right, RRS 36 provides for an exception. It is not a contradiction in the rules, but instead it is an exception.
  2. Through out the RRS book exceptions to a rule appear right after the description of the rule, on the same part and section of the book. The last part of rule 36 is an exception to rule 64.1(a) and therefore may be overlooked because rule 36 is in part 3 - Conduct of a Race under the title "Races Restarted or Resailed", and rule 64.1(a) is in part 5 - Protest, Redress, Hearings, Misconduct and Appeals, under the title "Decisions - Penalties and Exonerations".
  3. As an analogy, if for example the following question was asked, "can a boat scull during the start of a race?" their most probable answer would have been "No, except as described in RRS 42.3(d) & (e)". This question would have been answered correctly do to the right or logical placement of the rule within the book.
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