

Racing Rules of Sailing

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 1

If Submissions 201-15 and 202-15 are approved, it is proposed to implement changes to the following rules with effect from 1 January 2016 pursuant to Regulation 28.1.2:

1. From Submission 202-15 Proposal 1:
 - Definition: Support Person
 - Definition: Party
 - Rule 3 – Acceptance of the Rules
 - Rule 60.3(d) – Hearings concerned support persons
 - Rule 64.4 – Penalties for support persons
2. From Submission 202-15 Proposal 2:
 - Add new rule 3.4
3. From Submission 201-15 – Proposals 1, 2 and 3:
 - Rule 69 – Misconduct
 - Changes to Appendix M
 - Changes to Appendix N

Current Position

Not applicable.

Reasons

1. A number of quite fundamental deficiencies in the current disciplinary processes have been identified. It is a matter of clear necessity and pressing importance that these deficiencies are corrected as soon as possible.
2. The rules listed in this submission are a part of a package that corrects these deficiencies. It was not appropriate to include a proposal to adopt individual submissions urgently because they fit together. For example, the proposed new rule 69 is dependant on the proposed new rule 3 being approved.
3. A part of that package includes the revised Regulation 35, which, if adopted, would become effective immediately following the ISAF Conference 2015. It is important that the regulations and the racing rules are consistent with each other.
4. It is important that support persons are brought into the rules framework as soon as possible. This submission achieves that while taking into account the views expressed in November 2014.

Proposal 2

If Proposal 1 is not accepted as of clear necessity and pressing importance, then Council is asked to consider a more limited option of 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.
