

APPENDICES, SECTION II

HKSF APPENDICES

Appendix HK1 – HKSF Prescriptions

Rule	Prescription
Introduction	<p>Effective date</p> <p>The HKSF prescribes that these rules become effective in Hong Kong on 1 January 2009.</p>
68	<p>Damages</p> <ol style="list-style-type: none">1 No claim for damages arising from breaches of these rules or the sailing instructions shall be adjudicated upon by any race committee or appeal authority, but shall be subject to the jurisdiction of the courts.2 A boat which acknowledges infringing a rule by retiring or taking a penalty does not thereby admit liability for damage.3 The findings of fact and decisions of protest committees shall be relevant only to the purposes of the ISAF Racing Rules of Sailing and shall not be referred to in any proceedings for damages without the written consent of the protest committee.4 Notwithstanding 3 above, any owner of a boat may be liable for damages arising from a breach of these rules and may be subject to limitations under the Merchant Shipping Ordinance or related ordinances or regulations of the laws of Hong Kong.
69.2	<p>Allegations of Gross Misconduct – Action by National Authority or Initial Action by the ISAF</p> <ol style="list-style-type: none">1 When HKSF receives a report alleging a gross breach of a rule, good manners or sportsmanship, or has brought the sport into disrepute under rule 69.2 or a report required under rule 69.1(c) or 69.1(e), there shall be an investigation comprising of a panel consisting of not less than three members of the Council, who shall be officers of the federation or members of the Racing Rules and Appeals Committee, to consider the case.2 Such investigation, may exercise the full powers of the Council, including holding a hearing, and any action shall be reported to the Council at its next meeting after the decision is reached.

- 3 When this investigation conducts a hearing in a case that has been the subject of an appeal under rule 70 and finds facts that differ from the facts found by the protest committee, it may direct that the Racing Rules and Appeals Committee reopen the appeal and reconsider its decision.

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70.5	<p>Right of Appeal</p> <p>An organizing authority shall obtain approval from the HKSF for the denial of appeal in accordance with rule 70.5. The letter of approval shall be available for inspection during the event.</p>
78	<p>Compliance with Class Rules; Certificates</p> <p>The race committee may inspect or measure any boat at any time.</p>
88.2	<p>If an Organizing Authority wishes to change any of the HKSF prescriptions for an event, HKSF approval is required for such changes.</p>
91(b)	<p>International Jury</p> <p>An organizing authority shall apply no later than 4 weeks before the regatta for approval from the HKSF for the constitution of an international jury. The letter of approval shall be available for inspection during the event.</p>

Appendix G – IDENTIFICATION ON SAILS

- G2 All boats falling within the category of “Other Boats” shall carry HKG national letters and the sail number allocated either by HKSF or a Member Club under its Sail Number Policy, in accordance with the requirement of rule G1.3 – Positioning.

Boats with non-conforming identification on sails between 1 January and 31 May 2009 may retain their original sail number but shall from 1 June 2009 conform with the HKSF Sail Number Policy

“Other Boats” for the purpose of rule G2 means any boats that are not ISAF International Class Boats or boats of a Recognized Class (where a “Recognized Class” can have a similar definition to that of a “Class” as defined in ISAF Regulation 20, Advertising Code, regulation 20.10(b)).

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ISAF Regulation 20, Advertising Code

Regulation

Prescription

20.8.2

In accordance with Regulation 20.8.2, a fee is to be paid to HKSF for advertising in accordance with Regulation 20.3.1.2. The HKSF will make an annual charge for allowing such advertising, and will issue a licence as evidence that the fee has been paid.