

## ISAF Racing Rules Question and Answer Service



### **Q&A 2010-007**

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#### Situation:

In the provisions for all racing in a country, a national authority states in the chapter about appeals:

'No appeals are possible for races under Yardstick or another appropriate rating system if the protests and the decisions made by the protest committee are related to the relevant rating formula or the relevant rating system.'

Note: Neither an International Jury nor rule 86.3 is mentioned, nor are those races, races as mentioned in rules 70.5(b) or 70.5(c).

#### Question:

Does rule 86.3 make this a valid prescription to rule 70 for an event where the right to appeal is not denied by some other rule?

#### Answer:

It is unclear whether this provision is a prescription of the national authority. If it is, it does not concern the development or testing of a proposed rule, and therefore it does not fulfil the requirement of rule 86.3. Nor is it a valid general prescription, since rule 86.1(a) says that a prescription cannot change rule 70.

If this provision is not a prescription but is contained in another document governing the event according to the notice of race and/or the sailing instructions, it is changing a rule contrary to rule 86.1(a) that says the only method by which a national authority may change a rule is by a prescription.

In either case, therefore, the provision does not validly deny the right of appeal.