

Racing Rules of Sailing

New Case - When rule 69 reports should be sent to an MNA or World Sailing

A submission from the Chairmen of Constitution Committee, Race Officials Committee and Racing Rules Committee

Purpose or Objective

To clarify when it is appropriate to send a report of a breach of rule 69 to an MNA or World Sailing.

Proposal

Insert a new case as follows:

CASE XXX

Rule 69.2(j), Reporting Breaches of Rule 69.

It is appropriate to report a breach of rule 69 to an MNA or World Sailing when the case may constitute gross misconduct and further sanction beyond the jurisdiction of the protest committee may be appropriate.

Situation

The protest committee has found that a competitor or support person has committed misconduct and imposed a penalty under rule 69.

Question 1

When should the protest committee report the breach to an MNA or to World Sailing?

Answer 1

Rule 69.2(j) requires a report to an MNA or to World Sailing when the penalty applied is greater than DNE for one race, if the person has been excluded from the venue or in other cases ‘when appropriate’. It would be ‘appropriate’ to report in the following circumstances, as examples.

- (1) In a single race event the protest committee believes that the penalty for the breach would have been more than DNE for one race if it were in a multiple race event. This might be because of the seriousness of a single breach or a number of lesser breaches.
 - (2) A support person is found in breach of rule 69 and would have been excluded from the venue, but the event is now into its last day and exclusion from the venue would be ineffective.
 - (3) The protest committee has good reason to believe that the person who has breached rule 69 has previously been penalized for a breach of rule 69.1(a) and especially if the breach is similar.
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- (4) The breach has an impact on events beyond the jurisdiction of the protest committee. For example, selection or qualification for another event and the breach has adversely affected the selection or qualification of another competitor.

Question 2

Should the report be sent to the MNA or World Sailing?

Answer 2

The report is only sent to World Sailing when the breach occurs at specific international events as listed in World Sailing Regulation 35, Disciplinary Code. Otherwise the report is to be sent to the MNA of the person(s) found to have breached rule 69 (not necessarily to the MNA of the boat owner or venue).

Reasons

1. This explanation is best presented in a Case as it is not appropriate to put examples into the RRS.
 2. It is very important for the sport that appropriate disciplinary action is taken for the more serious breaches of rule 69.
 3. New rule 69 creates a level below which reports are not necessary. This deliberately avoids MNAs and World Sailing needing to deal with minor breaches. However, the rule should not discourage reports when further action is appropriate.
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