Racing Rules of Sailing

Definition Party, Rule 69.2(e) and 69.2(h(2)

A submission from the Chairman of the Racing Rules Committee

Purpose or Objective

To correct items in rule 69 when a boat may be penalized.

Proposal

1. Change rule 69.2(e) as follows:

“(e) If the protest committee decides to call a hearing, it shall promptly inform the person and the boat in writing of the alleged breach procedures in rules 63.2, 63.3(a), 63.4, and 63.6, 65.1, 65.2 and 66 except that: ....”

2. Change rule 69.2(h)(2) as follows:

(h) When the protest committee decides that a competitor or boat owner has broken rule 69.1(a), it may take one or more of the following actions

   (1) issue a warning;
   (2) change their boat’s score in one or more races, including disqualification(s) that may or may not be excluded from her series score if notice was given to the boat under rule 69.2(e) or the competitor is the person in charge or the owner of the boat;
   (3) exclude the person from the event or venue or remove any privileges or benefits; and
   (4) take any other action within its jurisdiction as provided by the rules.

3. Change the definition of Party by adding the following words to (e):

   (e) a support person subject to a hearing under rule 60.3(d) or 69; any boat of a competitor under rule 69.2(h)(2); any boat that person supports; a person appointed to present an allegation under rule 60.3(d).

Current Position

As above

Reasons

1. As the boat is at risk of being penalised for a breach of rule 69 by one of her crew, she has the right to be informed of the allegation.
2. It fixes a problem that a boat’s score is made worse without a hearing, where the competitor might be one crew member out of a large number on a keel boat and the interests of the competitor and the boat might not be aligned. The rule change limits the circumstances where the score of a boat can be made worse under rule 69 to those where the boat was given notice of a hearing and had an opportunity to lead evidence and make representations to the protest committee.