Racing Rules of Sailing

Rules 21 and 64.1(a)

A submission from US Sailing

Purpose

To relocate rule 64.1(a) in a more appropriate place in the rulebook, and, if Option 1 is approved, to simplify the wording of current rules 21 and 64.1(a).

Proposal – Option 1

21 EXONERATION

A boat shall be exonerated when

(a) she is compelled to break a rule as a consequence of another boat’s breach of a rule;

(b) she is sailing within the room or mark-room to which she is entitled, and she shall be exonerated if, in an incident with a boat required to give her that room or mark-room, (a) she breaks a rule of Section A, rule 15 or rule 16, or (b) she is compelled to break rule 31; or

(c) rule 14(b) applies.

64 DECISIONS

64.1 Penalties and Exoneration

When the protest committee decides that a boat that is a party to a protest hearing has broken a rule and is not exonerated, it shall disqualify her unless some other penalty applies. A penalty shall be imposed whether or not the applicable rule was mentioned in the protest. If a boat has broken a rule when not racing, her penalty shall apply to the race sailed nearest in time to that of the incident. However,

(a) when as a consequence of breaking a rule a boat has compelled another boat to break a rule, the other boat shall be exonerated.

(åb) if a boat has taken an applicable penalty, she shall not be further penalized under this rule unless the penalty for a rule she broke is a disqualification that is not excludable from her series score.

(åb) if the race is restarted or resailed, rule 36 applies.
Clean version of proposed Rule 21 in Option 1:

21 EXONERATION
A boat shall be exonerated when
(a) she is compelled to break a rule as a consequence of another boat’s breach of a rule;
(b) she is sailing within the room or mark-room to which she is entitled, and, in an incident with a boat required to give her that room or mark-room, she breaks a rule of Section A, rule 15 or rule 16, or she is compelled to break rule 31; or
(c) rule 14(b) applies.

Proposal – Option 2

21 EXONERATION
(a) When as a consequence of breaking a rule a boat has compelled another boat to break a rule, the other boat shall be exonerated.
(b) When a boat is sailing within the room or mark-room to which she is entitled, she shall be exonerated if, in an incident with a boat required to give her that room or mark-room, (a) she breaks a rule of Section A, rule 15 or rule 16, or (b) she is compelled to break rule 31.
(c) See rule 14(b).

64 DECISIONS

64.1 Penalties and Exoneration
When the protest committee decides that a boat that is a party to a protest hearing has broken a rule and is not exonerated, it shall disqualify her unless some other penalty applies. A penalty shall be imposed whether or not the applicable rule was mentioned in the protest. If a boat has broken a rule when not racing, her penalty shall apply to the race sailed nearest in time to that of the incident. However,
(a) when as a consequence of breaking a rule a boat has compelled another boat to break a rule, the other boat shall be exonerated.
(b) if a boat has taken an applicable penalty, she shall not be further penalized under this rule unless the penalty for a rule she broke is a disqualification that is not excludable from her series score.
(c) if the race is restarted or resailed, rule 36 applies.

Current Position
As above.
Reason

1. **Reason for making rule 64.1(a) part of rule 21:** Rule 64.1(a) provides exoneration for a boat that is compelled to break a rule as a consequence of a breach of a rule by another boat. However, rule 64.1 directs protest committees to take certain actions at the end of protest hearings, so the principle of rule 64.1(a) does not, strictly speaking, apply on the water. Nonetheless, competitors, judges and umpires commonly speak and act as if a boat compelled to break a rule is exonerated, even in the absence of a protest hearing.

   It is easy find examples of incidents in which a boat breaks a rule of Part 2 or rule 31 and is exonerated under rule 64.1(a), but not under either rule 21 or rule 14(b), for that breach. Examples include the incidents discussed in Cases 3, 28, 30, 51 and 140. Therefore, rule 64.1(a) should be located together with rules 21 and 14(b). Rule 21, with its simple and appropriate title ‘Exoneration’, is the logical rule in which all three rules that exonerate a boat should be located.

2. **Reason for not moving the wording of current rule 14(b) into rule 21:** Ideally, all the rules that exonerate a boat would be in a single rule. But, if rule 14(b) were moved into rule 21, it would be necessary to repeat in rule 21 the special conditions for exoneration under rule 14. It is simpler and clearer to include just a reference to rule 14 in rule 21 and to leave rule 14(b) as part of rule 14.

3. **Discussion of Options 1 and 2:** Option 1 simplifies the wording of current rules 64.1(a) and 21 and makes proposed rule 21 easier to read. Option 2 moves rule 64.1(a) into rule 21 without making any changes in the wording. US Sailing urges World Sailing to support Option 1; it has included Option 2 just in case the World Sailing Racing Rules Committee likes the idea of moving rule 64.1(a) into rule 21, but does not like the new wording proposed in Option 1.

4. **Two other submissions from US Sailing deal with exoneration. One of these proposes a change in the Basic Principle, Sportsmanship and the Rules, and the other proposes changes in current rules 21(a) and (b).**