Racing Rules of Sailing

Rules 5, 6, 7 and new Rule 8. Rule 84

A submission from the Chairman of the Racing Rules Committee

Purpose or Objective

For Proposal 1 and 2. To combine existing rules 5 [Anti-Doping], 6 [Betting and Anti-Corruption], 7 [Disciplinary Code] and new rule 8 [Ethics Code] into one rule. To ensure officials are governed by the rules in the conduct and judging of the event, not just racing.

For Proposal 3 and 4. To make RRS 84 a fundamental rule to require Organizing Authorities and Officials to comply with the RRS and appropriate World Sailing Codes in the conduct of events

Proposal 1

Combine current rules 5, 6 and 7 as follows:

5 ANTI-DOPING WORLD SAILING CODES

5.1 (a) Anti-Doping Code


5 ANTI-DOPING

A competitor shall comply with the World Anti-Doping Code, the rules of the World Anti-Doping Agency, and World Sailing Regulation 21, Anti-Doping Code. An alleged or actual breach of this rule shall be dealt with under Regulation 21. It shall not be grounds for a protest and rule 63.1 does not apply.

(b) Betting and Anti-Corruption Code

Each competitor, boat owner and support person shall comply with World Sailing Regulation 37, Betting and Anti-Corruption Code

6 BETTING AND ANTI-CORRUPTION

Each competitor, boat owner and support person shall comply with World Sailing Regulation 37, Betting and Anti-Corruption Code. An alleged or actual breach of this rule shall be dealt with under Regulation 37. It shall not be grounds for a protest and rule 62.1 does not apply.

(c) Disciplinary Code
Each competitor, boat owner and support person shall comply with World Sailing Regulation 35, Disciplinary, Appeals and Review Code (referred to as ‘Disciplinary Code’ elsewhere).

7 DISCIPLINARY CODE
Each competitor, boat owner and support person shall comply with World Sailing Regulation 35, Disciplinary, Appeals and Review Code (referred to as ‘Disciplinary Code’ elsewhere). An alleged or actual breach of this rule shall be dealt with under Regulation 35. It shall not be grounds for a protest and rule 63.1 does not apply.

5.2 An alleged or actual breach of this rule shall be dealt with in accordance with the Code concerned and shall not be grounds for a protest. Rule 63.1 does not apply.

Proposal 2a – If proposal 1 is approved

Add new rule 5.1(d)

(d) Code of Ethics
Each competitor, boat owner and support person shall comply with World Sailing Regulation XX, Code of Ethics.

5.2 (a) An alleged or actual breach of rule 5.1(a), 5.1(b) or 5.1(c) shall be dealt with in accordance with the code concerned and shall not be grounds for a protest. Rule 63.1 does not apply.

5.2 (b) An alleged or actual breach of rule 5.1(d) shall be dealt with in accordance with rule 69, Misconduct. If the protest committee decides that rule 69 does not apply, then it may report the allegation to be dealt with in accordance with the Code of Ethics.

5.2 An alleged or actual breach of this rule shall be dealt with in accordance with the Code concerned and shall not be grounds for a protest. Rule 63.1 does not apply.

Proposal 2b – If proposal 1 is rejected

Add new rule 8

8 CODE of ETHICS
Each competitor, boat owner and support person shall comply with World Sailing Regulation XX, Code of Ethics. An alleged or actual breach of this rule shall be dealt with in accordance with rule 69, Misconduct. If the protest committee decides that rule 69 does not apply, then it may report the allegation to be dealt with in accordance with the code.
Reasons

1. Most of the words in current rules 5, 6 and 7 are repetitive.

2. As more Codes are brought into the rules there is a need to preserve rule numbers to avoid a major re-write.

3. New rule 5.1(d) or (8) implements a Board decision to include the Code of Ethics within the RRS. However, a breach of the Code of Ethics by a competitor, support person or boat owner will most likely also be misconduct as defined in RRS 69. It is important to avoid a situation where a breach of this code is not dealt with by the event protest committee and the further provisions of RRS 69.

4. While required for the introduction of the Ethics Code, Rule 84 is amended as a separate proposal because many rules apply when not just racing but throughout an event. For instance, the protest committee must be governed by the rules when dealing with a case of misconduct occurring at the event but not while racing.

5. Note: These rules in the RRS apply only to competitors, support persons or boat owners. This is because the RRS, has no provision for dealing with breaches of codes by other persons such as officials and organizers. Such breaches are dealt with by the codes themselves or other mechanisms such as World Sailing Regulations, MNA or even Club procedures. However, by including the Code of Ethics in the RRS, attention of organisers and officials will be brought to it.

6. The Code of Ethics currently covers ground that is also covered by RRS 69 Misconduct and other Codes – ‘Anti Doping and Betting and Anti Corruption’ It is important to be clear which body is responsible for deciding any breach and applying sanctions. The proposal makes the protest committee the first port of call as far as breaches by competitors, support persons or boat owners are concerned. If they decide the allegation is one of misconduct, then the matter is dealt with by them and any body they may report to under RRS 69. However, if they decide the issue is not misconduct under RRS 69, then they report the matter to the appropriate body defined in the code. It is important that the Code of Ethics is written to be consistent with this approach.

Proposal 3

Change rule 84 to read:

84 GOVERNING RULES

The organizing authority, race committee, technical committee, protest committee and other race officials shall be governed by the rules in the conduct and judging of races the event.

Current Position

As above

Reasons

7. The change of ‘races’ to ‘event’ is because the rules govern events, not just races.
Proposal 4

Move rule 84 to rule 6 – assumes that rule 6 becomes vacant as a result of proposal 1.

84 6 GOVERNING RULES GOVERNING ORGANIZING AUTHORITIES AND OFFICIALS

6.1 The organizing authority, race committee, technical committee, protest committee and other race officials shall be governed by the rules in the conduct and judging of the event.

6.2 The organizing authority for the event, each person acting on behalf of the organizing authority for the event, and all members of the race committee, the protest committee, the technical committee and other race officials, shall comply with World Sailing Regulation XX, Code of Ethics, and any other requirements of the World Sailing Regulations relevant to the event.

Current Position

As above

Proposal 5

If Proposals 1, 2a, 3 and 4 are approved, reorganise the rules in Part 1 to put like rules together as follows:

Rule 1 – Safety (no change)
Rule 2 – Fair Sailing (no change)
Rule 3 – Decision to Race (current rule 4)
Rule 4 – Acceptance of the Rules (current rule 3)
Rule 5 – Rules Governing OA and Officials (current rule 84 as amended)
Rule 6 – World Sailing Codes (current rules 5, 6 and 7 and new Ethics Code)

Proposal 6

Include the appropriate World Sailing Regulations in Online Documents under Rules 5 and 6.

Reasons

1. The current rule 84 is very similar to rule 3 and is fundamental to the conduct of events. While it may be obvious that OA and officials must conduct events in accordance with the rules, sometimes it is helpful to state the obvious.

2. There are been incidents in the past when it has not been possible to bring OA or officials to account. This change makes it clear that the same standards are required of them as of competitors, support persons and boat owners.
3. An example would be an entry refused by an OA that is based on unacceptable discrimination. The entrant would request redress and that would be heard by the protest committee. They may refer to the Code of Ethics to find that the OA have acted improperly and give redress, requiring the OA to accept the entry. The protest committee may then report the actions of the OA as specified in the Code of Ethics.

4. This change will bring to the attention of OA and officials that they should make themselves acquainted with World Sailing Regulation.

5. In Proposal 4, RRS 6.2, 'The Organizing Authority of the event' is included as a body, in order that it becomes possible to sanction that body as a whole and not just the individuals representing it. This concept is not applicable to committees.

6. ‘Any specific requirements of other World Sailing Regulations might for example be:
   a. Providing facilities as required by the Anti-Doping Code.
   b. Limiting advertising by the OA to the areas specified in the Advertising Code.

7. Renumbering the rules as proposed keeps like rules together and in a logical sequence.

8. As ‘rules’ referred to, but not published in the RRS they should be listed as online docs.

9. There is no need to renumber other rules as rule 84 starts Part 7.