

Racing Rules of Sailing

New Case

A submission from Sail Canada

Purpose or Objective

To provide a clear statement of the requirement for an organizing authority to be a member of World Sailing, or a MNA or an affiliated club in order to provide a party to a protest with the right of appeal.

Proposal

Adopt a new Case for RRS 2017 – 2020 as follows:

CASE XXX

Rule 89.1 Races shall be organized by an organizing authority which shall be:

- a) World Sailing;**
- b) A member national authority of World Sailing;**
- c) An affiliated club;**
- d) An affiliated organization other than a club...**

An organization is affiliated if it affiliated to the national authority of the venue; otherwise the organization is unaffiliated.

70.3 Appeals An appeal under rule 70.1 or a request by a protest committee under rule 70.2 shall be sent to the national authority under which the organization authority is associated under rule 89.1.

When the organizing authority of a race is not affiliated to World Sailing or to a member national authority then parties to protests do not have access to the appeal process.

When considering participation in an event competitors are advised to confirm that the organizing authority of the race or event is affiliated to a national authority or to World Sailing.

Facts Found

Boat A appealed the results of a protest for an incident with Boat B under the Racing Rules of Sailing Part 2 in a race organized by a yacht club that was not a member of the member national authority of World Sailing.

Decision

Rule 89.1 defines those bodies authorized to organize racing under the Racing Rules of Sailing. Since the club that organized the race was not a member of the national authority, it was not affiliated with World Sailing. It therefore was not a valid organizing authority under Rule 89.1. Consequently, decisions made by the event's protest committee were not eligible to be appealed to the national authority under RRS 70.

When Boat A entered in the race organized by the unaffiliated club, she, perhaps unwittingly, participated in what was, in effect, an event that was not authorized under the Racing Rules of Sailing. Her expectation that the procedures of Rule 70 were available to her were misplaced because neither the organizing authority nor the race itself satisfied the requirements of Rule 89.1.

The Appeals Committee must, therefore decline to hear the appeal because the race was not conducted as required by rule 89.1.

Current Position

None

Reasons

1. There is no published case that provides this direction to Appeals Committees.
2. This case provides further incentive for clubs that use the Racing Rules of Sailing to be members of their Member National Authority of World Sailing