Racing Rules of Sailing

Rule 62

A submission from the Chairman of the Racing Rules Committee

Purpose or Objective

To enable a boat to request redress when there is the possibility that an action of the race committee, protest committee or organizing authority may make the boat’s scores in a race yet to be sailed significantly worse.

Proposal

62 REDRESS

62.1 A request for redress or a protest committee’s decision to consider redress shall be based on a claim or possibility that a boat’s score in a race or series has been or may be, through no fault of her own, made significantly worse by

(a) an improper action or omission of the race committee, protest committee or organizing authority, but not by a protest committee decision when the boat was a party to the hearing;

(b) injury or physical damage because of the action of a boat that was breaking a rule of Part 2 or of a vessel not racing that was required to keep clear;

(c) giving help (except to herself or her crew) in compliance with rule 1.1; or

(d) a boat against which a penalty has been imposed under rule 2 or disciplinary action has been taken under rule 69.1(b).

62.2 A The request based on an incident in the racing area shall be in writing and be delivered to the race office no later than the protest time limit or two hours after the incident, whichever is later. Other requests shall be delivered as soon as reasonably possible after learning of the grounds for making the request. The protest committee shall extend the time if there is good reason to do so. No red flag is required.

Current Position

As above.

Reasons

Before the first race of an event, or between races during an event, it is quite possible for the race committee, the protest committee or the organizing authority to act in a way that may possibly significantly worsen a boat’s score in a race that is yet to be sailed. Examples are easy to come by.
A rule in the notice of race or the sailing instructions, or an amendment to either of those documents, may have been written ambiguously or may not be consistent with the racing rules, the class rules or another document governing the event. After boats had prepared, entered and travelled to an event, a rule in the notice of race may have been changed in a way that was disadvantageous or unfair to one or more of the boats entered. [In the 2010 America’s Cup, several such improper actions or omissions occurred.] If such an event occurs before the first race of an event, then in the interest of fair competition, redress for such actions or omissions should be given before the first race. If such an event occurs between races, then it may be appropriate to conduct a redress hearing before additional races are sailed. It is frequently easy for the protest committee to redress such actions or omissions by directing the organizing authority or the race committee, as appropriate, to change one or more rules in the notice of race or the sailing instructions. The proposed changes would enable requests for redress in such situations to be made prospectively, and this would help to make competition fairer.