Racing Rules of Sailing

Rule 62

A submission from the Chairman of the Race Officials Committee

Purpose or Objective

To add requirements to the contents of a request for redress similar to the requirements in rule 61.2 to a protest.

Proposal – Alternate 1

62.2 Request Contents

A request shall be in writing and identify

(a) the requestor;

(b) the incident;

(c) where and when the incident occurred;

(d) which of the clauses in rule 62.1(a) to 62(d) that applies;

(e) how the score was or may be worsened;

(f) why it was through no fault of her own; and

(g) the name of the requestor’s representative.

However, if requirements (b), (c) and (d) are met, requirement (a) and (g) may be met at any time before the hearing, and requirements (e) and (f) may be met before or during the hearing.

62.23 Request Time Limit

A request shall be in writing and identify the reason for making it. If the request is based on an incident in the racing area, it shall be delivered to the race office within 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 reasons for making the request. The protest committee shall extend the time if there is good reason to do so. No red flag is required.

Proposal – Alternate 2

62.2 Request Contents

A request shall be in writing and identify
(a) the requestor;
(b) the incident;
(c) where and when the incident occurred;
(d) which of the clauses in rule 62.1(a) to 62(d) that applies;
(e) how the score was or may be worsened;
(f) why it was through no fault of her own; and
(g) the name of the requestor’s representative.

However, if requirements (b), (c), (d) and (e) are met, requirement (a) and (g) may be met at any time before the hearing, and requirement (f) may be met before or during the hearing.

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Current Position

As above.

Reasons

1. Rule 61.2 specifies in detail what the requirements are to the contents of a protest and when the different requirements have to be met. There is not a similar requirement to a request for redress as rule 62.2 only requires “the reason” to be identified.

2. There is considerable disagreement between IJs on the interpretation of “the reason” which had led some international juries to rule a request for redress invalid because “the reason” was not properly identified. Other international juries have accepted requests for redress with similar contents as valid.

3. This proposal removes this source of inconsistency by specifying in detail what the contents of a request for redress should be and when the various requirements have to be met.

4. There are two alternate proposals. The only difference is that with Alternate 1, requirement (e) can be met before or during the hearing, while with Alternate 2, requirement (e) has to be met in the request.