Racing Rules of Sailing

Rule 70.3

A submission from US Sailing

Purpose or Objective

To avoid a problem when an international jury is no longer properly constituted, or when the sailing instructions fail to identify the applicable national authority for appeals, for a race that passes through the waters of more than one national authority.

Proposal

Change rule 70.3 as follows:

70.3 An appeal under rule 70.1 or a request by a protest committee under rule 70.2 shall be sent to the national authority with which the organizing authority is associated under rule 89.1. However, if boats will pass through the waters of more than one national authority while racing, an appeal or request shall be sent to the national authority where the finishing line is located, unless the sailing instructions identify another national authority shall identify the national authority to which appeals or requests are required to be sent.

Current Position

As above.

Reasons

1. For point to point races starting in the waters of one national authority and finishing in the waters of another national authority, rule 70.3 requires the race committee to identify the national authority that would decide an appeal. The second sentence in rule 70.3 is mandatory, but the race committee is unlikely to state the appeal authority in races where an international jury is appointed. However, that leaves a hole if the international jury loses a judge or is otherwise no longer properly constituted under Appendix N.

2. It is also possible for the race committee running a race between the waters of two different national authorities to inadvertently miss the mandatory requirement embedded in rule 70.3.

3. In either situation, a boat wanting to appeal a decision does not know which national authority applies when the sailing instructions are silent on where to send the appeal. It could be argued that the boat could send the appeal to both national authorities, or that the boat cannot appeal the decision of the protest committee at all.
4. For these reasons, a default national authority should be stated in the rules. This proposal accomplishes that objective and does not change the game from the way it would be played if the race committee complied with current rule 70.3.