Racing Rules of Sailing

Rule 90.3

A submission from the Chairman of the Racing Rules Committee

Purpose or Objective

To clarify that the race committee are required to enact scoring decisions by protest committees and national authorities.

To bring finality to event results in most circumstances, implementing a previous decision by Racing Rules Committee.

Proposal

Add new rule 90.3(d) and (e)

90.3 Scoring

(d) The race committee shall implement scoring changes directed by the protest committee or national authority as a result of decisions made in accordance with Part 5.

(e) Notwithstanding the provisions in rule 90.3(a), (b), (c) and (d), there shall be no changes to race or series scores resulting from action, including the correction or errors, initiated more than 24 hours after:

(i) the protest time limit of last race of the series (including a single race series),

(ii) being informed of a protest committee decision after the last race of the series.

However, in exception, changes to scores shall be made resulting from action under rules 5, 6 or 69 or by a national authority acting under rule 70. The sailing instructions may change ‘24 hours’ to a different appropriate time.

Current Position

None
Reasons

1. Current Case 66 addresses the scoring of protest committee decisions, but relies on rule 84 stating that the race committee has no jurisdiction over a protest committee. However, the race committee is responsible for scoring the event. This addition is useful clarification.

2. Adding this rule 90.3(d) enables proposed new 90.3(e) to be effective as it can override the rule when the final time limit runs out.

3. This implements a recent decision of Racing Rules Committee that some final time limit is needed. As more and more races are shown through television and online media, the current rules would make a protest, weeks, months or even years after the event if the protestor could satisfy the protest committee that sight of the images was the first time they were aware of the alleged breach or grounds for redress.

4. Selecting 24 hours is consistent with the time permitted for requesting a re-opening in rule 66, but the SI may change this and it might be appropriate to do so when rule 66 is changed in the SI for the last day of a series. Including the option for SI to change the rule is required as the rule is in Part 7 and rule 86 would otherwise prohibit such a change.

5. There was a quite recent incident when a study of historical race records discovered a scoring error many, many years later. This changed the winner of an International Class World Championship. The competitors could have spotted the scoring error themselves at the time and requested redress, but under 90.3(c), the race committee were required to make the change as it was noticed when their own records were examined.

6. The change does not affect hearings conducted after the event, provided the case was initiated within the ‘final’ time limit.

7. This change would not prevent the conduct of a hearing at a later time, even though no scoring change may result. This may be justified when damage is discovered later. The protest committee may still conduct a hearing and determine if any rules have been broken, but no scoring change can result. This enables the protest committee to provide a useful service to competitors in these circumstances.

8. There has been an argument that the ‘final time limit’ should be the prize giving, but that is a very indeterminate time and it is not uncommon to have a prize giving soon after racing followed up by a more formal prize giving later.