

### Racing Rules of Sailing

Definition Support Person, Definition Party, Rules 3, 60.3(d) and 64.4

A submission from the Chairmen of the Constitution Committee, Racing Rules Committee and  
Race Officials Committee

#### Purpose or Objective

To bring support persons into the jurisdiction of the Racing Rules of Sailing

#### Proposal 1

1. Insert new Definition:

**Support person**      **Any person who;**

- (a) **provides, or may provide, physical or advisory support to a competitor, including any coach, trainer, manager, team staff, medic, paramedic or any other person working with, treating or assisting a competitor in or preparing for the competition, or**
- (b) **is the parent or guardian of a competitor.**

2. Amend the Definition of Party as follows:

*Party* A party to a hearing is

...

- (e) **a support person subject to a hearing under rule 60.3(d)**

3. Delete rule 3 and replace as follows:

#### **3**      **ACCEPTANCE OF THE RULES**

- 3.1**      (a) **A competitor and boat owner agree to accept the rules by participating, intending to participate or having participated in a race conducted under these rules.**
  - (b) **A support person, by providing support, or a parent or guardian by permitting their child to enter a race, agrees to accept the rules.**
  - 3.2**      **A competitor and boat owner agree on behalf of their support persons that such support persons are bound by the rules.**
  - 3.3**      **Acceptance of the rules includes agreement**
    - (a) **to be governed by the rules;**
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- (b) to accept the penalties imposed and other action taken under the *rules*, subject to the appeal and review procedures provided in them, as the final determination of any matter arising under the *rules*;**
- (c) with respect to any such determination, not to resort to any court of law or tribunal not provided for in the *rules*; and**
- (d) for a competitor and boat owner, to ensure that their support persons are aware of the *rules*.**

4. Add new rule 60.3(d) as follows:

60.3 A protest committee may

...

- (d) call a hearing to consider whether a *support person* has broken a *rule*, based on its own observation or a information received from any source, including evidence taken during a hearing.**

5. Add new rule 64.4 as follows:

**64.4 When the protest committee decide that a *support person* who is a *party* to the hearing has broken a *rule*, it may act as follows:**

- (a) issue a warning, or**
- (b) remove any privileges or benefits, or**
- (c) take other action within its jurisdiction as provided by the *rules*.**

#### Current Position

There is no definition of Support Persons. Support Persons are not included in the definition of Party. There is no current rule 60.3(d) or 64.4.

#### Reasons

1. The Executive Committee tasked the Rule 69 Working Party to review rule 69 and other linked rules. The concepts of including support persons within rule 69 were presented and accepted in November 2014.
  2. To achieve jurisdiction over support persons a number of rule changes are required. Firstly a definition of Support Person and then to amend RRS 3 to make Support Persons subject to the rules.
  3. The Sailing Instructions often include rules that apply to support persons. An example is the permitted positioning of coach boats and the requirements for coach boats. This submission will make it practical to enforce these rules by including Support Persons in the definition of Party, changing rule 60 to enable a protest committee to call a hearing and adding rule 64.4 to authorise specific penalties to be imposed should a breach of the rules be found.
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4. While subject to a separate submission that is dependent on this submission being approved, the new proposed RRS 69 (Misconduct) includes misconduct by support persons. Again, jurisdiction is required to enforce this.
5. Establishing jurisdiction over competitors is established through their entry to the event. This proposal achieves jurisdiction over support persons by requiring the competitors to act as an agent. This is common to many sports.
6. By providing for hearings and penalties for breaches by support persons the need to use rule 69 for relatively minor breaches of the rules is avoided. This will make it easier for protest committees to act.

### Proposal 2

Add to rule 3:

**3.4 The person in charge of each boat shall ensure that all competitors in the crew and the boat's owner are aware of their responsibilities under this rule.**

### Current Position

See rule 3. There is no obligation for the person in charge to make the boat's crew aware of their responsibilities under the rule.

### Reasons

1. This is a separate and independent submission but is included here as the concept is linked to that in the main submission.
  2. Adopting this rule would require the person in charge to take positive action to make crew members aware of their responsibilities to comply with the rules. Currently, as many crew members race without ever reading the Notice of Race, they can argue ignorance of the rules and a requirement to comply with them. This submission eliminates that argument.
  3. This is particularly important when a crew member is individually charged with misconduct.
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