Racing Rules of Sailing

New rule D1.3(b), rules D2.2(b) & (c), and D2.3(e)

A submission from the Chairman of the Racing Rules Committee

Purpose or Objective

To clarify the procedures when a boat takes a penalty voluntarily.

Proposal

The proposed changes below are interdependent and should be considered as a single proposal.

Add new rule D1.3(b)

D1.3 Penalties and Exoneration

(a) Rule 44.1 is changed to:

A boat may take a One-Turn Penalty when she may have broken one or more rules of Part 2, or rule 31 or 42, in an incident while racing. However, when she may have broken a rule of Part 2 and rule 31 in the same incident she need not take the penalty for breaking rule 31.

(b) When a boat clearly indicates that she will take a penalty under rule 44.1, she shall take that penalty.

(c) A boat may take a penalty by retiring, in which case she shall notify the race committee as soon as possible and 6 points shall be added to her score.

(d) There shall be no penalty for breaking a rule of Part 2 when the incident is between boats on the same team and there is no contact.

(e) Rule 64.1(a) is changed so that the provision for exonerating a boat may be applied by the umpires without a hearing, and it takes precedence over any conflicting instruction of this appendix.

Change rules D2.2 and D2.3 as follows:

D2.2 Protests by Boats

When a boat protests under a rule of Part 2 or under rule 31 or 42 for an incident in the racing area, she is not entitled to a hearing and the following applies:

(a) She shall hail ‘Protest’ and conspicuously display a red flag at the first reasonable opportunity for each.

(b) The boats shall be given time to respond. A boat involved in the incident may respond by promptly taking an appropriate penalty or clearly indicating that she will do so as soon as possible. If no boat takes a penalty or clearly indicates that she will do so, an umpire shall decide whether to penalize any boat.

(c) If no boat takes a penalty, an umpire shall decide whether to penalize any boat.
(c) If more than one boat broke a rule of Part 2 and was not exonerated, an umpire may penalize any boat that broke a rule and did not take an appropriate penalty.

(d) An umpire shall signal a decision in compliance with rule D2.4.

(e) A boat penalized by an umpire shall take a Two-Turns Penalty.

D2.3 Penalties Initiated by an Umpire

An umpire may penalize a boat without a protest by another boat, or report the incident to the protest committee, or both, when the boat

(a) breaks rule 31 or 42 and does not take a penalty;

(b) breaks a rule of Part 2 and makes contact with another boat on her team or with a boat in another race, and no boat takes a penalty;

(c) breaks a rule and her team gains an advantage despite her, or another boat on her team, taking a penalty;

(d) breaks rule 14 and there is damage or injury;

(e) clearly indicates that she will take a One-Turn Penalty, and then fails to do so;

(f) fails to take a penalty signalled by an umpire;

(g) commits a breach of sportsmanship.

The umpire shall signal a decision in compliance with rule D2.4. A boat penalized by an umpire shall take a Two-Turns Penalty except that, when an umpire hails or signals a number of turns, the boat shall take that number of One-Turn Penalties.

Current Position

As above, as approved to end of 2018.

Reasons

1. Rule D2.3(e) was added in 2013. Previously, when a boat indicated by her words or actions that she would take a penalty and then failed to do so, some umpires penalized her for a breach of sportsmanship. This was never satisfactory as many umpires quite reasonably thought that such a failure was not a breach of sportsmanship. Also there are occasions when a boat sailing to take a penalty may inadvertently not comply with rule 44.2 or may take a penalty for tactical reasons. However, even with current rule D2.3(e), there are several outstanding questions which have resulted in inconsistent umpire decisions.

2. One of the main criticisms of the existing rule D2.3(e) is that it tries to penalize a boat that has not broken a rule and, arguably, creates a rule for boats within a rule about umpire procedures. The proposed new rule D1.3(b) resolves this problem and is independent of any consideration of sportsmanship.

3. It is a principle of team racing that, so far as possible, it should be self-policing and the umpires should not be involved if the competitors resolve the incident between themselves. Therefore if one boat says that she will take a penalty, or acts to do so, the incident is closed
except that the umpires must ensure that any penalty complies with rule 44.2. New rule D1.3(b) together with the revised rule D2.3(e) specifically address this point.

4. The addition of "of Part 2" is a housekeeping change to ensure consistency with the first sentence of rule D2.2(a). Penalties for any breach of rules 31 or 42 may be imposed by umpires without a protest in accordance with rule D2.3(a).