Racing Rules of Sailing

New Case

A submission from the Chairman of the Racing Rules Committee

Purpose or Objective

To implement a decision made in 2018 to produce a case to help protest committees decide when either a DNE or DSQ is appropriate for a breach of rule 2, Sportsmanship.

Proposal

CASE XXX

Rule 2, Fair Sailing

Generally the penalty for a breach of rule 2 is disqualification that is not discardable. However, the penalty may be just disqualification when the protest committee decides that is more appropriate.

Question 1

When is the appropriate penalty for a breach of rule 2 a disqualification that is not discardable (DNE) and when is the appropriate penalty just disqualification (DSQ).

Answer 1

Generally the penalty for a breach of rule 2 is DNE. However, there are circumstances when this penalty is too harsh and may even dissuade a protest committee from upholding an alleged breach. However, the protest committee must have good reason to use DSQ. Examples of when DSQ is appropriate are:

(a) Behaviour that is a breach of rule 2 while racing that would be a breach of rule 69 when not racing, but the penalty under rule 69 might be as low as a warning. This could apply to a limited use of inappropriate language.

(b) When the protest committee are satisfied that the competitor, who may be new to the sport, did not understand the standards required by rule 2 and this was the first such breach.

Current Position

This is a new case.
Reasons

This case arose from a submission to delete the option of DSQ from rule 2. That submission was rejected but it was noted that guidance for protest committees in the form of a case would be useful.