Racing Rules of Sailing

Discretionary Penalties

A submission from the Chairman of the Racing Rules Committee

Purpose or Objective

To bring the widely used concept of discretionary penalties into the main rule book.

Proposal 1

Amend Terminology as follows:

**Terminology**  A term used in the sense . . . Other words and terms are used in the sense ordinarily understood in nautical or general use. **The notation DP at the beginning of a rule means that a discretionary penalty applies, which may be less than disqualification.**

Proposal 2

Amend rule 64.1 as follows:

64  DECISIONS
64.1  Penalties and Exoneration

When the protest committee decides that a boat that is a party to a protest hearing has broken a rule and is not exonerated, it shall disqualify her unless some other penalty applies. **The notation DP at the beginning of a rule means that a discretionary penalty applies, which may be less than disqualification.** A penalty shall be imposed whether or not the applicable rule was mentioned in the protest. If a boat has broken a rule when not racing, her penalty shall apply to the race sailed nearest in time to that of the incident.

Proposal 3

If Proposal 1 or Proposal 2 are approved, make the following amendments:

41  OUTSIDE HELP

A boat shall not receive help from any outside source, except (a) **DP** help for a crew member who is ill, injured or in danger; (b) after a collision, help from the crew of the other vessel to get clear;
(c) help in the form of information freely available to all boats;
(d) unsolicited information from a disinterested source, which may be
another boat in the same race.
However, a boat that gains a significant advantage in the race from help
received under rule 41(a) may be protested and penalized, any penalty may
be less than disqualification.

55 TRASH DISPOSAL
[DP] A competitor shall not intentionally put trash in the water.

APPENDIX L

11.3 [DP] Boats whose warning signal has not been made shall avoid the starting
area during the starting sequence for other races.

16.6 Breaches of instructions 11.3, 18, 21, 23, 24, 25, 26 and 27 will not be
grounds for a protest by a boat. This changes rule 60.1(a). These breaches may be less than disqualification if the protest committee so decides.

18 [DP] SAFETY REGULATIONS

21 [DP] EVENT ADVERTISING

23 [DP] SUPPORT BOATS

24 [DP] TRASH DISPOSAL

25 [DP] HAUL-OUT RESTRICTIONS

26 [DP] DIVING EQUIPMENT AND PLASTIC POOLS

27 [DP] RADIO COMMUNICATION

Current Position

As above.

Reasons

1. Discretionary penalties are increasingly being used at events for breaches of rules that have
little or no effect on the competition. Many events are adopting the wording and application of
discretionary penalties that are used in the ISAF Sailing World Cup. The IJSC has been
promoting a Discretionary Penalty policy for protest committees to apply 'DP' fairly and
consistently across events.
2. For the 2017 rule book, ISAF has approved a change in rule 55 to add 'The penalty for a breach of this rule may be less than disqualification.' To judges and sailors who are familiar with ISAF's Descretionary Penalty system, this means 'DP' applies to RRS 55.

3. The notion of discretionary penalties is already in the rule book even if it is not explicitly stated. Rule 64.1 tells us that when the protest committee decides that a boat has broken a rule, 'it shall disqualify her unless some other penalty applies.' If rule 55, or any rule in the SI or NoR had '[DP] in front if it, the other penalty would apply and rule A11 tells us to score the boat DPI.

4. This proposal brings the Racing Rules of Sailing in line with current practice.