Racing Rules of Sailing

New Case: Rule 69 reports to MNAs or ISAF

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

Purpose or Objective

To clarify when it is appropriate to send a report of a breach of rule 69 to an MNA or ISAF.

Proposal

Insert a new case as follows:

**CASE XXX**

Rule 69.2[xx], Reporting Breaches of Rule 69.

*It is appropriate to report a breach of rule 69 to an MNA or ISAF when the case may constitute gross misconduct and further sanction beyond the jurisdiction of the protest committee may be appropriate.*

Situation

The protest committee has found that a competitor or support person has committed misconduct and imposed a penalty under rule 69.

**Question 1**

When should the protest committee report the breach to an MNA or to ISAF?

**Answer 1**

Rule 69.2xx requires a report to an MNA or to ISAF when the penalty applied is greater than DNE for one race, if the person has been excluded from the venue or in other cases ‘when appropriate’. It would be ‘appropriate’ to report in the following circumstances, as examples.

1. In a single race event the protest committee believes that the penalty for the breach would have been more than DNE for one race if it were in a multiple race event. This might be because of the seriousness of a single breach or a number of lesser breaches.

2. A support person is found in breach of rule 69 and would have been excluded from the venue, but the event is now into its last day and exclusion from the venue would be ineffective.

3. The protest committee has good reason to believe that the person who has breached rule 69 has previously been penalized for a breach of rule 69.1(a).

**Question 2**

Should the report be sent to the MNA or ISAF?
**Answer 2**

The report is only sent to ISAF when the breach occurs at specific international events as listed in ISAF Regulation 35, Disciplinary Code. Otherwise the report is to be sent to the MNA of the person(s) found to have breached rule 69 (not to the MNA of the boat owner or venue).

**Current Position**

There is no current case.

**Reasons**

1. This explanation is best presented in a Case as it is not appropriate to put examples into the RRS.

2. It is very important for the sport that appropriate disciplinary action is taken for the more serious breaches of rule 69.