

ISAF Sailing World Cup DISCRETIONARY PENALTIES GUIDELINES

When the International Jury has discretion to decide the appropriate penalty for a breach, the penalties may range from zero points through to disqualification. In determining the penalty, the International Jury will observe the following guidelines.

Penalties are divided into 4 bands:

- Band 1 – 0 -10% (mid point 5%)
- Band 2 – 10-30% (mid point 20%)
- Band 3 – 30-70 (mid point 50%)
- Band 4 – DSQ/DNE

Start by using the chart below to find which band applies. Use the appropriate paragraph of the Notice of Race or Sailing Instructions or other document that applies to find the penalty band. The chart shows the 'starting penalty' band. Consider the 'starting penalty' to be at the mid-point of the band.

Next, ask these questions to determine if there is cause to increase or decrease the band or to maximise or minimise the penalty within the band. A change to a higher or lower band should be done only in exceptional circumstances. If the breach is deliberate or flagrant, consider a jury protest under RRS 2.

1. Did the breach compromise the safety of competitors or race organizers?
2. Did the boat gain a competitive advantage through her breach?
3. Could the breach bring the sport or the organization into disrepute?
4. Did the breach result in damage or injury?
5. Was the breach accidental, careless or deliberate?
6. Was there any attempt to conceal the breach?
7. Was the breach repeated?
8. Was anybody inconvenienced?
9. Was there a good reason or justification for the breach?
10. Was the breach reported by the competitor?

To calculate and apply the penalty:

- The discretionary penalty may not make a boat's score worse than retirement or disqualification.
- Percentage penalties are calculated to the nearest point, (0.5 to be rounded upward).
- When it is appropriate to penalize in one race only, the penalty should be applied to the race sailed nearest in time to that of the incident.

The following chart shows penalties that are suggested as guidance as the starting point for assessing any penalty before considering the questions

STARTING PENALTY BANDS FOR SAILING INSTRUCTIONS WITH DP

SI	BREACH	BAND
SI 2	SAFETY REGULATIONS	
2.2	Removal of pfd for more extended period when racing is postponed due to lack of wind and with support boat in attendance Failing to comply with requirements while racing	1 4
2.3	Failing to notify the Race Office when staying ashore	1
2.6 & 2.7	Failing to comply with requirements for reporting retirement (failing to notify, not filling the form, filling the form later than the protest time limit) When non-compliance results in initiation of search and rescue	1 4
2.8	Berthing – Boat not in assigned place but has notified the OA Berthing – Boat failing to promptly notify the OA	1 1
2.9	Failing to avoid commercial traffic or failing to remain clear of boats that are racing or official boats	1-4
2.11	Failing to comply with requirements (failing to notify promptly the RC by telephone).	1-4
SI 3	CODE OF CONDUCT	
3.1	Failing to comply with a reasonable request by a regatta official	2-4
SI 4	COMMUNICATION WITH COMPETITORS	
4.5	Leaving before Flag D	1-4
SI 14	THE START	
14.2	Passing between the buoy and the race committee	2
14.3	Failing to avoid the starting area not interfering with a racing boat Failing to avoid the starting area affecting a racing boat	1 4
SI 20	EQUIPMENT AND MEASUREMENT CHECKS	
20	Failing to comply with instructions – valid reason Failing to comply with instructions – no valid reason	1 3
SI 21	REPLACEMENT OF CREW OR EQUIPMENT	
21	Failing to make prompt request for replacement Failing to comply with requirements for replacement	1 2
SI 24	IDENTIFICATION AND ADVERTISING WHILE RACING	
24.1	Failing to wear bib as required Failing to apply dot as required	1 1
24.2	If applied but fails to stay in place Incorrect placement or not applied	1 1
NoR 2.3	National Flag not applied National Flag applied but fails to stay in place Failing to apply after first breach	1 1 2-4
SI 27	RADIO COMMUNICATION	
27	Making or receiving radio or text or cell phone message not available to all boats	2
SI 28, rule 55	TRASH DISPOSAL	
28	Deliberate	4
SI 2 & SI 30	SAFETY REGULATIONS – POSITIONING EQUIPMENT	
SI 2.4 & 2.5 SI 30.1 & 30.2	Failing to collect or return equipment as required or sign out/sign in	1
30.1	Failing to install or comply with installation instructions	3
30.1	If equipment was installed but its functionality is interfered with	4

CLASS RULES		
	Sail numbers and country codes	1
	Sail stops missing or out of place	2
	Sail set outside bands	3
	Modification of manufacturer supplied and controlled equipment	3
	Prohibited fairing or refinishing of hull/foil surfaces	4
	Use of equipment not registered (but certified)	3
	Safety equipment missing or inadequate	2-4
	Use of prohibited GPS or other electronics	4
	Use of uncertified equipment	4
	Missing or misplaced correctors	4
EQUIPMENT OUTSIDE MEASUREMENT TOLERANCES (Excluding Wear And Tear)		
	No possible effect on boat speed	1
	Possible but not significant effect on performance	2
	Any significant effect on performance	4