The Racing Rules Committee met between 09:30 – 18:00 hours on Wednesday 11 November 2015 at Kempinski Hotel, Haitang Bay, Sanya, China

Please refer to the ISAF website www.sailing.org for the details of the submissions on this agenda/referred to in these minutes.

1. Opening of the Meeting
2. Minutes of the Previous Meeting
3. Other Submissions
4. The Racing Rules of Sailing
5. The Case Book
6. The Call Book for Match Racing & Team Racing
7. ISAF Racing Rules Question & Answer Service
8. Racing Rules Committee Representatives on other Committees
9. Working Parties
10. Annual Report
11. Any Other Business

Present:
Bernard Bonneau (FRA) – Chairman
John Doerr (GBR) – Vice-Chairman
Neven Baran (CRO)
Jim Capron (USA)
Kamen Fillyov (BUL)
Rick Hatch (CAN)
Marianne Middelthon (NOR)
Ricardo Navarro (BRA) (non-voting)

Bill O’Hara (IRL)
Andrus Poksi (EST)
Chun Qu (CHN)
Dick Rose (USA)
Ana Sanchez del Campo Ferrer (ESP)
Katsumi Shibanuma (JPN)
Richard Slater (AUS)
Richard Thompson (GBR)

Gary Jobson (USA) – Vice President (in part)

Jon Napier – ISAF Competitions Manager
Madeleine Dunn – ISAF Competitions & Race Officials Administrator

Apologies:
Shane Borrell (NZL)
Lance Burger (RSA)
Ulrich Finkch (GER)

Ricardo Lobato (BRA)
Leo Pieter Stoel (NED)
Zofia Truchanowicz (POL)

1. Opening of the Meeting
The Chairman opened the meeting and welcomed the Committee to Sanya.
The Committee stood in remembrance of Luciano Giacomi (ITA) who passed away during 2015.

2. Minutes of the Previous Meeting
(a) Minutes
The Committee noted the minutes of the Racing Rules Committee meeting of 5 November 2014 (circulated and approved after the meeting).

(b) Matters Arising
There were no matters arising.
3. Other Submissions

The Committee considered the following submissions for which the Racing Rules Committee is an Other Committee and made the following recommendations to Council:

(a) Submission 017-15 – ISAF Disciplinary Review – New Disciplinary, Appeals and Review Code

   **Opinion: Approve (14 in favour, 0 against, 1 abstain)**
   
   Will be implemented in adding new rule 7 as per Submission 169-15. The Committee approves the urgent rule change pursuant to Regulation 28.1.2

(b) Submission 019-15 – ISAF Committees – Changes to Committee Structure 2017-2020

   **Opinion: No opinion**

(c) Submission 034-15 – Continental Associations – OSAF Executive Board

   **Opinion: No opinion**

(d) Submission 064-15 – Equipment Rules of Sailing – C.4.6 Equipment Inspector

(e) Submission 065-15 – Equipment Rules of Sailing – C.5.2 Skipper

(f) Submission 147-15 – ISAF Race Officials – Equipment Inspectors

   The Committee considered and voted on Submissions 064-15, 065-15 and 147-15 en bloc.

   **Opinion: Reject (0 in favour, 15 against, 0 abstain)**

   The proposals should be referred to the new joint Racing Rules Committee / Equipment Committee working party (see Submission 269-15).

4. The Racing Rules of Sailing

The Committee considered the following submissions and made the following recommendations to Council:

(a) Deferred Submission 190-14 – Racing Rules of Sailing from the Royal Spanish Sailing Federation

   **Withdrawn**

(b) Submission 153-15 - Racing Rules of Sailing from the International Funboard Class Association

   **Recommendation to Council: Reject (1 in favour, 13 against, 1 abstain)**

   Not needed, costly and may be confused with flag N. The checkered flag may be included in sailing instructions.

(c) Submission 154-15 - Racing Rules of Sailing from the International Funboard Class Association

   **Recommendation to Council: Reject (1 in favour, 13 against, 1 abstain)**

   Not needed and costly. The checkered flag may be included in sailing instructions.

(d) Submission 155-15 - Racing Rules of Sailing from the Chairman of the Racing Rules Committee

   **Recommendation to Council: Approve (14 in favour, 0 against, 1 abstain)**

   See also Submission 213-15.
(e) Submission 156-15 - Racing Rules of Sailing from the Chairman of the Racing Rules Committee

Recommendation to Council: Approve (14 in favour, 0 against, 1 abstain)

Subject to decisions on Submission 175-15 (Proposal 3) and Submission 213-15 and editing by the RRC WP.

(f) Submission 157-15 - Racing Rules of Sailing from The Federacion Venezolana de Vela

Recommendation to Council: Reject (0 in favour, 15 against, 0 abstain)

Prefer Submission 156-11. A boat that has not signed up to the RRS cannot protest as she is outside the jurisdiction of the protest committee; any such allegation will be considered only as a report to the protest committee. See also Submission 162-15.

(g) Submission 158-15 - Racing Rules of Sailing from the Chairman of the Racing Rules Committee

Recommendation to Council: Approve (14 in favour, 0 against, 1 abstain)

The Committee recommends the Constitution Committee review for consistency the various definitions of Competitor in the ISAF Regulations.

(h) Submission 159-15 - Racing Rules of Sailing from the Chairman of the Racing Rules Committee

Recommendation to Council: Approve (7 in favour, 6 against, 2 abstain)

If accepted, a new definition change course (forward to backward and vice-versa) is to be added to Appendix C to restore the Match Racing Rules to the current position. Similar changes may be made for Appendices B and F if needed.

(i) Submission 160-15 - Racing Rules of Sailing from the Chairman of the Racing Rules Committee

Withdrawn

(j) Submission 161-15 - Racing Rules of Sailing from Deutscher Segler-Veband

Recommendation to Council: Reject (0 in favour, 15 against, 0 abstain)

See Case 126. A Proper Course needs to have a purpose, otherwise it might include an unpredictable course or a course that slows progress to the next mark for tactical reasons.

(k) Submission 162-15 - Racing Rules of Sailing from Koninklijk Nederlands Watersport Verbond

Recommendation to Council: Reject (0 in favour, 15 against, 0 abstain)

Prefer Submission 156-11. A boat that has not signed up to the RRS cannot protest as she is outside the jurisdiction of the protest committee; any such allegation will be considered only as a report to the protest committee. See also Submission 162-15.

(l) Submission 163-15 - Racing Rules of Sailing from Koninklijk Nederlands Watersport Verbond

Recommendation to Council: Reject (0 in favour, 14 against, 1 abstain)

The Committee recommends the Constitution Committee review for consistency the various definitions of Competitor in the ISAF Regulations.
(m) Submission 164-15 - Racing Rules of Sailing from Koninklijk Nederlands Watersport Verbond

Recommendation to Council: Reject (0 in favour, 15 against, 0 abstain)
Prefer Submission 156-15.

(n) Submission 165-15 - Racing Rules of Sailing from Koninklijk Nederlands Watersport Verbond

Recommendation to Council: Approve with amendment (14 in favour, 0 against, 1 abstain)

1. Change preamble Appendix J

APPENDIX J

NOTICE OF RACE AND SAILING INSTRUCTIONS

See rules 89.2(a) and 90.2. In this appendix, the term ‘race’ includes a regatta or other series of races.

New definition Race

Race—A single race, regatta or other series of races

(o) Submission 166-15 - Racing Rules of Sailing from Koninklijk Nederlands Watersport Verbond

Recommendation to Council: Reject (0 in favour, 15 against, 0 abstain)
Prefer Submission 156-15.

(p) Submission 167-15 - Racing Rules of Sailing from Koninklijk Nederlands Watersport Verbond

Recommendation to Council: Reject (0 in favour, 15 against, 0 abstain)
Prefer Submission 156-15.

(q) Submission 168-15 - Racing Rules of Sailing from the Chairmen of the Racing Rules Committee and the Constitution Committee

Recommendation to Council: Approve (14 in favour, 0 against, 1 abstain)
See also Submission 202-15. Subject to editing by the RRC WP.

(r) Submission 169-15 - Racing Rules of Sailing from the Chairman of the Racing Rules Committee

Recommendation to Council: Approve (13 in favour, 0 against, 2 abstain)
Subject to the approval of the revised Disciplinary Code (see Submission 017-15), which will make this rule necessary. If the new ISAF Disciplinary Code is not approved, then recommend rejection.

(s) Submission 170-15 - Racing Rules of Sailing from US Sailing

Recommendation to Council: Reject (2 in favour, 12 against, 1 abstain)
Keep the changes made by Submission 128-14. Support the addition of rule 2 to rule 36(b).
(t) Submission 171-15 - Racing Rules of Sailing from the Chairman of the Racing Rules Committee
Recommendation to Council: Reject (1 in favour, 11 against, 3 abstain)

(u) Submission 172-15 - Racing Rules of Sailing from the Chairman of the Racing Rules Committee
Recommendation to Council: Approve with amendment (13 in favour, 0 against, 2 abstain)

However, when if the boat entitled to mark-room has been given that room, or if she passes head to wind or leaves the zone, rules rule 18.2(b) and 18.2(c) cease cease to apply.

(d) Rules 18.2(b) and (c) cease to apply when the boat entitled to mark-room has been given that mark-room, or if she passes head to wind or leaves the zone.

Renumber 18.2(d) and (e) as 18.2(e) and (f).

(v) Submission 173-15 - Racing Rules of Sailing from the Chairman of the Racing Rules Committee
Recommendation to Council: Approve with amendment (9 in favour, 4 against, 2 abstain)

If a boat in the zone of a mark to be left to port passes head to wind from port to starboard tack and is then on the same tack as a boat that is fetching the mark, rule 18.2 does not thereafter apply between them. The boat that changed tack shall not cause the other boat that has been on starboard tack since entering the zone to sail above close-hauled to avoid contact or prevent the other boat from passing the mark on the required side, and she shall give mark-room if the other boat becomes overlapped inside her. When this rule applies between boats, rule 18.2 does not apply between them.

(w) Submission 174-15 - Racing Rules of Sailing from the Chairman of the Racing Rules Committee
Recommendation to Council: Approve with amendment (15 in favour, 0 against, 0 abstain)

19.1 When Rule 19 Applies

Rule 19 applies between two boats at an obstruction except when it is also

(a) when the obstruction is a mark the boats are required to leave on the same side, or
(b) when rule 18 applies between the boats and the obstruction is another boat overlapped with each of them.

(b) when the obstruction is a third boat that is overlapped with each of the other boats and rule 18.2 applies between her and each of them.

However, at a continuing obstruction, rule 19 always applies and rule 18 does not.

(x) Submission 175-15 - Racing Rules of Sailing from the Chairman of the Racing Rules Committee
Recommendation to Council: Approve with amendment (15 in favour, 0 against, 0 abstain)

Approve Proposals 1 and 2. Reject Proposal 3.

(y) Submission 176-15 - Racing Rules of Sailing from US Sailing
Recommendation to Council: Reject (3 in favour, 12 against, 0 abstain)

Not appropriate in local regattas. It would be unclear whether or not the rule applied if a boat hailed using words other than "Room to tack".
(z) Submission 177-15 - Racing Rules of Sailing from the Chairman of the Racing Rules Committee

Recommendation to Council: Approve with amendment (8 in favour, 6 against, 1 abstain)

22.3 A boat moving astern, or sideways to windward, through the water by backing a sail shall keep clear of one that is not.

(aa) Submission 178-15 - Racing Rules of Sailing from the Chairman of the Racing Rules Committee

Recommendation to Council: Approve with amendment (12 in favour, 1 against, 2 against)

24.2 Except when sailing her proper course, if reasonably possible a boat shall not act to interfere with a boat taking a penalty or sailing on another leg. However, after the starting signal this rule does not apply when the boat is sailing her proper course.

(bb) Submission 179-15 - Racing Rules of Sailing from the Koninklijk Nederlands Watersport Verbond

Recommendation to Council: Approve (10 in favour, 4 against, 1 abstain)

(cc) Submission 180-15 - Racing Rules of Sailing from US Sailing

Recommendation to Council: Approve with amendment (13 in favour, 1 against, 1 abstain)

Reject proposal to amend rule 25. Approve proposal to move rule J2.2(10) to rule J2.1 and related consequential changes. Amend as follows:

J2.1 (10) location(s) of official notice board(s) or address of online notice board.

(dd) Submission 181-15 - Racing Rules of Sailing from US Sailing

Recommendation to Council: Approve with amendment (11 in favour, 1 against, 3 abstain)

Move the proposed added words to the Appendix L Preamble as they are not necessary in rule 25.1.

(ee) Submission 182-15 - Racing Rules of Sailing from the Chairman of the Racing Rules Committee

Recommendation to Council: Approve (15 in favour, 0 against, 0 abstain)

(ff) Submission 183-15 - Racing Rules of Sailing from the Chairman of the Racing Rules Committee

Recommendation to Council: Reject (3 in favour, 9 against, 3 abstain)

This may be ambiguous for clubs and other organizations that start races from a station on shore

(gg) Submission 184-15 - Racing Rules of Sailing from the Chairman of the Racing Rules Committee

Recommendation to Council: Reject (4 in favour, 9 against, 1 abstain)

(hh) Submission 185-15 - Racing Rules of Sailing from the Chairman of the Racing Rules Committee

Recommendation to Council: Approve (14 in favour, 0 against, 1 abstain)
(ii) Submission 186-15 - Racing Rules of Sailing from Yachting Australia

(jj) Submission 187-15 - Racing Rules of Sailing from the International Funboard Class Association

The Committee considered and voted on Submissions 186-15 and 187-15 en bloc.

Recommendation to Council: Reject (2 in favour, 12 against, 1 abstain)

Prefer Submission 185-15.

(kk) Submission 188-15 - Racing Rules of Sailing from the Deutscher Segler-Verband

Recommendation to Council: Reject (0 in favour, 15 against, 0 abstain)

This is a simple and very widely used rule, particularly for Club racing. See also Submission 185-15.

(ll) Submission 189-15 - Racing Rules of Sailing from the Deutscher Segler-Verband

Recommendation to Council: Reject (4 in favour, 9 against, 1 abstain)

(mm) Submission 190-15 - Racing Rules of Sailing from Yachting Australia

Recommendation to Council: Reject (2 in favour, 13 against, 0 abstain)

Not necessary and would apply to only a small number of black flag starts.

(nn) Submission 191-15 - Racing Rules of Sailing from Yachting Australia

Recommendation to Council: Reject (3 in favour, 12 against, 0 abstain)

This is an unnecessary complication to the rules.

(oo) Submission 192-15 - Racing Rules of Sailing from Chairman of the Racing Rules Committee

Recommendation to Council: Approve (15 in favour, 0 against, 0 abstain)

(pp) Submission 193-15 - Racing Rules of Sailing from Koninklijk Nederlands Watersport Verbond

Recommendation to Council: Reject (0 in favour, 15 against, 0 abstain)

Unnecessary.

(qq) Submission 194-15 - Racing Rules of Sailing from Chairman of the Racing Rules Committee

Recommendation to Council: Approve with amendment (15 in favour, 0 against, 0 abstain)

Approve Proposal 1. Approve Proposal 2 amended as follows:

Y Wear a personal flotation device (see rule 40).

(rr) Submission 195-15 - Racing Rules of Sailing from Koninklijk Nederlands Watersport Verbond

Recommendation to Council: Reject (0 in favour, 14 against, 1 abstain)

Both rules have worked well for years.

(ss) Submission 196-15 - Racing Rules of Sailing from US Sailing

Recommendation to Council: Approve (15 in favour, 0 against, 0 abstain)
Submission 197-15 - Racing Rules of Sailing from the Royal Yachting Association

Recommendation to Council: Approve with amendment (15 in favour, 0 against, 0 abstain)

The race score for a boat that takes a Scoring Penalty shall be the score she would have received without that penalty, made worse by the number of places stated in the sailing instructions. However, she shall not be scored worse than Did Not Finish. When the sailing instructions do not state the number of places, the number shall be the whole number (rounding 0.5 upward) nearest to 20% of the number of boats entered that came to the starting area; the penalty shall be 20% of the score for Did Not Finish, rounded to the nearest whole number (0.5 rounded upward). The scores of other boats shall not be changed; therefore, two boats may receive the same score. However, the penalty shall not cause the boat’s score to be worse than the score for Did Not Finish.

Submission 198-15 - Racing Rules of Sailing from Chairman of the Racing Rules Committee

Recommendation to Council: Reject (6 in favour, 7 against, 2 abstain)

Submission 199-15 - Racing Rules of Sailing from Chairman of the Racing Rules Committee

Recommendation to Council: Approve with amendment (15 in favour, 0 against, 0 abstain)

Submission 200-15 - Racing Rules of Sailing from Chairman of the Racing Rules Committee

Recommendation to Council: Approve with amendment (10 in favour, 1 against, 4 abstain)

When a boat is penalized under a class rule and the protest committee decides that the boat also broke the same rule in earlier races in the same event, the penalty may be imposed for all such races. No further protest is necessary.

Submission 201-15 - Racing Rules of Sailing from Chairman of the Constitution Committee, Racing Rules Committee and Race Officials Committee

Recommendation to Council: Approve with amendment (15 in favour, 0 against, 0 abstain)

See Annex 1 to the minutes. Subject to editing by the RRC WP.

Submission 202-15 - Racing Rules of Sailing from Chairman of the Constitution Committee, Racing Rules Committee and Race Officials Committee
Recommendation to Council: Approve with amendment (15 in favour, 0 against, 0 abstain).
See Annex 1 to the minutes.

(zz) Submission 203-15 - Racing Rules of Sailing from the Chairmen of Constitution Committee, Racing Rules Committee and Race Officials Committee
Recommendation to Council: Approve with amendment (Proposal 1: 12 in favour, 1 against, 2 abstain; Proposals 2 & 3: 14 in favour, 0 against, 1 abstain)
See Annex 1 to the minutes. Subject to editing by the RRC WP.

(aaa) Submission 204-15 - Racing Rules of Sailing from the Chairmen of Constitution Committee, Racing Rules Committee and Race Officials Committee
Recommendation to Council: Approve with amendment (8 in favour, 5 against, 2 abstain)
See Annex 1 to the minutes.

(bbb) Submission 205-15 - Racing Rules of Sailing from the Chairmen of Constitution Committee, Racing Rules Committee and Race Officials Committee
Recommendation to Council: Approve (15 in favour, 0 against, 0 abstain)
See Annex 1 to the minutes.

(ccc) Submission 206-15 - Racing Rules of Sailing from the Chairmen of Constitution Committee, Racing Rules Committee and Race Officials Committee
Recommendation to Council: Approve with amendment (15 in favour, 0 against, 0 abstain)
See Annex 1 to the minutes.

(ddd) Submission 207-15 - Racing Rules of Sailing from the Chairmen of the Constitution Committee, Racing Rules Committee and Race Officials Committee
Recommendation to Council: Approve with amendment (15 in favour, 0 against, 0 abstain)
Reject Proposal 1. Approve Proposal 2, subject to Council approving submission 017-15, Disciplinary Review.
The Committee approves an urgent rule change pursuant to Regulation 28.1.2.

(eee) Submission 208-15 - Racing Rules of Sailing from the Koninklijk Nederlands Watersport Verbond
Recommendation to Council: Reject (0 in favour, 15 against, 0 abstain)
Prefer the rule 69 ‘package’ of submissions.

(fff) Submission 209-15 - Racing Rules of Sailing from the Koninklijk Nederlands Watersport Verbond
Recommendation to Council: Reject (0 in favour, 15 against, 0 abstain)
Misunderstanding of English grammar.

(ggg) Submission 210-15 - Racing Rules of Sailing from US Sailing
Recommendation to Council: Approve with amendment (15 in favour, 0 against, 0 abstain)
71.2 The national authority may uphold, change or reverse a decision of the protest committee’s decision including a decision on validity or a decision under rule 69. It can declare a protest or request for redress invalid; or return the protest or request for the hearing to be reopened; and for a new hearing and decision. Alternatively, the national authority may order that a hearing be reopened, or order that a new hearing be held by the same or a different protest committee. When the national authority decides that there shall be a new hearing, it may appoint the protest committee.

(hhh) Submission 211-15 - Racing Rules of Sailing from the Chairman of the Racing Rules Committee

Recommendation to Council: Approve with amendment (14 in favour, 0 against, 1 abstain)

Approval Proposal 1 amended as follows:

78.1 While a boat is racing, her owner and any other person in charge shall ensure that the boat is maintained to comply with her class rules and that her measurement or rating certificate, if any, remains valid. In addition, the boat shall also comply at other times specified in the class rules, notice of race or sailing instructions.

Approve Proposal 2. All subject to editing by the RRC WP.

(iii) Submission 212-15 - Racing Rules of Sailing from the Chairman of the Racing Rules Committee

Recommendation to Council: Approve with amendment (15 in favour, 0 against, 0 abstain)

78.2 When a rule requires a valid certificate to be produced or its existence verified before a boat races, and this cannot be done, the boat may race provided that the race committee receives a statement signed by the person in charge that the boat has a valid certificate exists. The boat shall produce the certificate or arrange for its existence to be verified by the race committee. The penalty for breaking this rule is disqualification without a hearing from all races of the event.

(jjj) Submission 213-15 - Racing Rules of Sailing from US Sailing

Recommendation to Council: Approve (15 in favour, 0 against, 0 abstain)

(kkk) Submission 214-15 - Racing Rules of Sailing from the Chairman of the Regional Games Committee

Recommendation to Council: Reject (0 in favour, 15 against, 0 abstain)

For the reasons given by the Executive Committee.

(III) Submission 215-15 - Racing Rules of Sailing from the Royal Yachting Association

Recommendation to Council: Approve with amendment (15 in favour, 0 against, 0 abstain)

Instead of adding a new rule 90.3(b), add new rule A2(b) as follows:

(b) If a boat has entered some but not all races in a series, she shall be scored for the whole series.

Renumber current rule A2 as A2(a). Subject to editing by the RRC WP.

(mmm) Submission 216-15 - Racing Rules of Sailing from the Chairman of the Race Officials Committee, the Hellenic Sailing Federation, the International 29er Class Association, the International 420 Class Association, the International 470 Class Association and International Cadet Class Association

Recommendation to Council: Approve with amendment (15 in favour, 0 against, 0 abstain)
Recommendation to Council: Approve (12 in favour, 1 against, 1 abstain)

Subject to editing by the RRC WP in conjunction with the Race Officials Committee.

(nnn) Submission 217-15 - Racing Rules of Sailing from Optimist Dinghy Association

(ooo) Submission 218-15 - Racing Rules of Sailing from the Koninklijk Nederlands Waterport Verbond

(ppp) Submission 219-15 - Racing Rules of Sailing from the Koninklijk Nederlands Waterport Verbond

(qqq) Submission 220-15 - Racing Rules of Sailing from the Koninklijk Nederlands Waterport Verbond


Recommendation to Council: Reject (0 in favour, 15 against, 0 abstain)

The proposals will be referred to the new joint Racing Rules Committee / Equipment Committee working party (see Submission 269-15).

(rrr) Submission 222-15 - Racing Rules of Sailing from US Sailing

Recommendation to Council: Approve (15 in favour, 0 against, 0 abstain)

(sss) Submission 223-15 - Racing Rules of Sailing from the Chairman of the Racing Rules Committee

Recommendation to Council: Approve with amendment (14 in favour, 0 against, 0 abstain)

Capsized A board is capsized when she is not under control because her sail or the competitor is her sail or the competitor is significantly in the water.

(ttt) Submission 224-15 - Racing Rules of Sailing from the Chairman of the Racing Rules Committee

Recommendation to Council: Approve with amendment (12 in favour, 0 against, 3 abstain)

Approve Proposal 1. Approve Proposal 2 amended as follows:

Proper Course A course a board would sail to finish as soon as possible in the absence of other boards referred to in the rule using the term, except that during the last 30 seconds before her starting signal, the proper course for a board shall be the shortest course to the first mark. A board has no proper course until 30 seconds before her starting signal.

Rule 17 is changed to:

When at the warning signal, the course to the first mark is approximately ninety degrees from the true wind, a board overlapped to leeward of another board on the same tack during the last 30 seconds before her starting signal shall not sail above her proper course while they remain overlapped if as a result the other board would need to take action to avoid contact, unless in doing so she promptly sails astern of the other board.

(uuu) Submission 225-15 - Racing Rules of Sailing from the Chairman of the Racing Rules Committee

Recommendation to Council: Approve with amendment (15 in favour, 0 against, 0 abstain)

Approve Alternative B amended as follows:
Injury, or physical damage or *capsize* because of the action of a board that was breaking a rule of Part 2 and was taking a penalty according to rule B4.44.1 or was penalized, or of a vessel not *racing* that was required to keep clear.

(vvv) Submission 226-15 - Racing Rules of Sailing from the Chairman of the Racing Rules Committee

*Recommendation to Council: Approve (15 in favour, 0 against, 0 abstain)*

(www) Submission 227-15 - Racing Rules of Sailing from the International Funboard Class Association

*Recommendation to Council: Reject (1 in favour, 12 reject, 2 abstain)*

This is an issue for class rules.

(xxx) Submission 228-15 - Racing Rules of Sailing from the Chairman of the Racing Rules Committee

*Recommendation to Council: Approve (15 in favour, 0 against, 0 abstain)*

(yyy) Submission 229-15 - Racing Rules of Sailing from the Chairman of the Racing Rules Committee

*Recommendation to Council: Approve (15 in favour, 0 against, 0 abstain)*

(zzz) Submission 230-15 - Racing Rules of Sailing from the Chairmen of the Racing Rules Committee and the Match Racing Committee

*Recommendation to Council: Approve with amendment (Proposals 1 & 2: 14 in favour, 1 against, 0 abstain; Proposal 3: 14 in favour, 0 against, 1 abstain)*

Approve Proposal 1 amended as follows:

Mark-Room Room for a boat to sail her proper course to round or pass the mark on the required side. If room includes a change of tack, such tack or gybe shall be done no quicker than a tack or gybe to sail her proper course.

Approve Proposal 2.

Approve Proposal 3 Alternative 2, subject to editing by the RRC WP.

(aaaa) Submission 231-15 - Racing Rules of Sailing from the Chairmen of the Racing Rules Committee and the Match Racing Committee

*Recommendation to Council: Approve with amendment (15 in favour, 0 against, 0 abstain)*

When the state of a boat, or her relationship to another boat, changes, the umpires will assume that the state of the a boat, or her relationship to the another boat, has not changed, until they are certain that it has changed.

(bbbb) Submission 232-15 - Racing Rules of Sailing from the Chairmen of the Racing Rules Committee and the Match Racing Committee

*Recommendation to Council: Approve with amendment (13 in favour, 0 against, 2 abstain)*


(cccc) Submission 233-15 - Racing Rules of Sailing from the Chairman of the Racing Rules Committee

*Recommendation to Council: Approve with amendment (15 in favour, 0 against, 0 abstain)*
C2.12  Rule 31 is changed to ‘While racing, neither the crew nor any part of a boat’s hull shall touch a starting mark before starting, a mark that begins, bounds or ends the leg of the course on which she is sailing, or a finishing mark after finishing. In addition, while racing, a boat shall not touch a race committee vessel that is also a mark.’

(dddd) Submission 234-15 - Racing Rules of Sailing from the Chairman of the Match Racing Committee

Recommendation to Council: Reject (5 in favour, 7 against, 2 abstain)

It is preferable to have a properly constituted international jury.

(eeee) Submission 235-15 - Racing Rules of Sailing from the Chairman of the Racing Rules Committee

Recommendation to Council: Approve (15 in favour, 0 against, 0 abstain)

(ffff) Submission 236-15 - Racing Rules of Sailing from the Chairman of the Racing Rules Committee

Recommendation to Council: Approve with amendment (15 in favour, 0 against, 0 abstain)

Ties in a completed round-robin stage shall be broken by using, in the following order, only results in the stage.

(gggg) Submission 237-15 - Racing Rules of Sailing from the Chairman of the Racing Rules Committee

Recommendation to Council: Approve (15 in favour, 0 against, 0 abstain)

(hhhh) Submission 238-15 - Racing Rules of Sailing from the Chairman of the Racing Rules Committee

(iiii) Submission 239-15 - Racing Rules of Sailing from the Chairman of the Racing Rules Committee

(jjjj) Submission 240-15 - Racing Rules of Sailing from the Chairman of the Racing Rules Committee

(kkkk) Submission 241-15 - Racing Rules of Sailing from the Chairman of the Racing Rules Committee

(IIII) Submission 242-15 - Racing Rules of Sailing from the Chairman of the Racing Rules Committee

(mmmm) Submission 243-15 - Racing Rules of Sailing from the Chairman of the Racing Rules Committee


Recommendation to Council: Approve (15 in favour, 0 against, 0 abstain)

(nn.nn) Submission 244-15 - Racing Rules of Sailing from the Chairman of the Racing Rules Committee

Recommendation to Council: Approve (15 in favour, 0 against, 0 abstain)

Subject to editing by the RRC WP.

(oooo) Submission 245-15 - Racing Rules of Sailing from the Chairman of the Racing Rules Committee and the International Kiteboarding Association

Recommendation to Council: Approve (15 in favour, 0 against, 0 abstain)
Submission 246-15 - Racing Rules of Sailing from the Chairman of the Racing Rules Committee and the International Kiteboarding Association

Recommendation to Council: Approve (15 in favour, 0 against, 0 abstain)

Submission 247-15 - Racing Rules of Sailing from the Chairman of the Racing Rules Committee and the International Kiteboarding Association

Recommendation to Council: Reject (0 in favour, 15 against, 0 abstain)

Prefer Submission 247b-15

Submission 247b-15 - Racing Rules of Sailing from the Chairman of the Racing Rules Committee and the International Kiteboarding Association

Recommendation to Council: Approve with amendment (15 in favour, 0 against, 0 abstain)

Approve Proposal 1 amended as follows

Mark-Room Room for a kiteboard to sail her proper course to round or pass the mark on the required side.

Approve Proposal 2 amended as follows

F2.18.3 Tacking or Gybing

When an inside overlapped right-of-way kiteboard must change tack at a mark to sail her proper course, until she tacks or gybes she shall sail no farther from the mark than needed to sail that course. Rule F2.18.3 does not apply at a gate mark or a finishing mark and a kiteboard shall not be penalized for breaking this rule unless the course of another kiteboard was affected by the breach of this rule.

Submission 248-15 - Racing Rules of Sailing from the Chairman of the Racing Rules Committee and the International Kiteboarding Association

Recommendation to Council: Approve (15 in favour, 0 against, 0 abstain)

Submission 249-15 - Racing Rules of Sailing from the Chairman of the Racing Rules Committee and the International Kiteboarding Association

Recommendation to Council: Approve with amendment (15 in favour, 0 against, 0 abstain)

23 CAPSIZED; RECOVERING; AGROUND; RESCUING

Submission 250-15 - Racing Rules of Sailing from the International Funboard Class Association

Recommendation to Council: Reject (1 in favour, 14 against, 0 abstain)

Unnecessary. Problem is enforcement.

Submission 251-15 - National Flags on Sails from the International Lightning Class Association

Recommendation to Council: Reject (0 in favour, 15 against, 0 abstain)

This is a matter for the notice of race for those few events that require national flags on sails.

Submission 252-15 - Racing Rules of Sailing from US Sailing

Recommendation to Council: Approve (14 in favour, 1 against, 0 abstain)
Submission 253-15 - Racing Rules of Sailing from the Chairman of the Racing Rules Committee

 Recommendation to Council: Approve with amendment (14 in favour, 1 against, 0 abstain)

 Amend all references to “notice of race” to “notice of race or sailing instructions”.
 Subject to consequential editing by the RRC WP.

Submission 254-15 - Racing Rules of Sailing from US Sailing

 Recommendation to Council: Approve with amendment (15 in favour, 0 against, 0 abstain)

 Insert the location(s). If notices are online, state how and where they may be found. If notices will be posted electronically, state the internet address.

Submission 255-15 - Racing Rules of Sailing from US Sailing

 Recommendation to Council: Approve (15 in favour, 0 against, 0 abstain)

Submission 256-15 - Racing Rules of Sailing from the Chairman of the Race Officials Committee

 Recommendation to Council: Reject (7 in favour, 8 against 1, 1 abstain)

Submission 257-15 - Safety System from the International Funboard Class Association

 Recommendation to Council: Reject (0 in favour, 15 against, 0 abstain)

This is a matter for each event. The penalties suggested are very far from current practice.

Submission 258-15 - Racing Rules of Sailing from Koninklijk Nederlands Watersport Verbond

 Recommendation to Council: Reject (1 in favour, 10 against, 3 abstain)

This should be a separate appendix. See also Submission 267-15.

Submission 259-15 - Racing Rules of Sailing from the Chairman of the Racing Rules Committee

 Recommendation to Council: Approve (10 in favour, 2 against, 3 abstain)

 Subject to editing by the RRC WP.

Submission 260-15 - Racing Rules of Sailing from the Chairman of the Race Officials Committee

Submission 261-15 - Racing Rules of Sailing from Yachting Australia

 The Committee considered and voted on Submission 260-15 and 261-15 en bloc.

 Recommendation to Council: Approve (15 in favour, 0 against, 0 abstain)

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1 Chairman’s casting vote
(ggggg) Submission 262-15 - Racing Rules of Sailing from the Chairman of the Race Officials Committee

Recommendation to Council: Reject (3 in favour, 9 against, 3 abstain)

Proposal does not reduce the number of International Judges required who can be supplemented by national judges for their benefit and training.

(hhhhhh) Submission 263-15 - Racing Rules of Sailing from the Chairman of the Racing Rules Committee

Recommendation to Council: Approve (15 in favour, 0 against, 0 abstain)

If new definition Conflict of Interest is approved, the RRC WP to edit this proposal accordingly.

(iiiii) Submission 264-15 - Racing Rules of Sailing from US Sailing

Recommendation to Council: Approve (14 in favour, 0 against, 1 abstain)

(jjjjj) Submission 265-15 - Racing Rules of Sailing from the Chairman of the Racing Rules Committee

Recommendation to Council: Approve with amendment (10 in favour, 4 against, 1 abstain)

P5.2(b) **After flag O has been displayed** if the wind speed becomes less than the specified limit **after flag O has been displayed**, the race committee may signal that rule 42, as changed by the class rules, applies by **postponing** the race and displaying flag R before or with a new warning signal.

Subject to editing by the RRC WP.

(kkkkk) Submission 266-15 - Racing Rules of Sailing from the Royal Yachting Association

Recommendation to Council: Approve with amendment (15 in favour, 0 against, 0 abstain)

Approve for publication on the ISAF website. Amend definition Waypoint as follows:

Waypoint A position, other than a mark, described by latitude and longitude coordinates that the course requires a boat to leave on a specified side.

Waypoint A position, other than a mark, described by latitude and longitude coordinates.

Subject to editing by the RRC WP.

(IIII) Submission 267-15 - Racing Rules of Sailing from US Sailing

Recommendation to Council: Reject (6 in favour, 7 against, 2 abstain)

The appendix should be on the website only. Support addition of reference to new appendix in Preamble to Appendix K.

(mmmmm) Submission 268-15 - Racing Rules of Sailing from Chairman of the Racing Rules Committee

Recommendation to Council: Approve with amendment (13 in favour, 1 against, 1 abstain)

In addition to the revised edition of *The Racing Rules of Sailing for 2017-2020*, the Racing Rules Committee will publish electronically on the ISAF website the following rulebooks for specific disciplines which are published in the Racing Rules of Sailing:

Windsurfing Competition Rules for 2017-2020
Match Racing Rules for 2017-2020
Team Racing Rules for 2017-2020
Radio Sailing Racing Rules for 2017-2020
Kiteboard Course Racing Rules for 2017-2020
Superyachts Racing Rules for 2017-2020

(nnnnn) Submission 269-15 - Racing Rules of Sailing and Equipment Rules of Sailing from the Chairmen of the Equipment, Race Officials and Racing Rules Committees

Recommendation to Council: Approve (15 in favour, 0 against, 0 abstain)

(ooooo) Submission 270-15 - Racing Rules of Sailing from the Chairman of the Racing Rules Committee

Recommendation to Council: Approve (15 in favour, 0 against, 0 abstain)

Accept principle that protest committees should have authority to impose penalties less than disqualification in specified circumstances. Recommend amend Appendix L proposals to identify rules where discretionary penalties may apply and to refer readers to the ISAF Guidelines on their use.

Subject to editing by the RRC WP.

(ppppp) Submission 271-15 - Racing Rules of Sailing from the Chairman of the Racing Rules Committee

Recommendation to Council: Approve with amendment (15 in favour, 0 against, 0 abstain)

Changes to take effect on 1 January 2017.

5. The Case Book

(a) Case Book Working Party

The Committee received a progress report from the Case Book Working Party.

(b) Submissions

The Committee considered the following submissions and made the following recommendations to Council:

i) Submission 272-15 - Racing Rules of Sailing from the Chairman of the Constitution Committee, Racing Rules Committee and Race Officials Committee

ii) Submission 273-15 - Racing Rules of Sailing from the Chairman of the Constitution Committee, Racing Rules Committee and Race Officials Committee

iii) Submission 274-15 - Racing Rules of Sailing from the Chairman of the Constitution Committee, Racing Rules Committee and Race Officials Committee

The Committee considered and voted on Submissions 272-15, 273-15 and 274-15 en bloc

Recommendation to Council: Reject (0 in favour, 15 against, 0 abstain)

Accept principle that case is needed. It is not possible to comment on details of the case until the relevant definitions and rules are approved.

iv) Submission 275-15 - Racing Rules of Sailing from the Royal Yachting Association

v) Submission 276-15 - Racing Rules of Sailing from the Royal Yachting Association

The Committee considered and voted on Submissions 275-15 and 276-15 en bloc

Recommendation to Council: Reject (1 in favour, 14 against, 0 abstain)

Support the principle but requires further work.
vi) Submission 277-15 - Racing Rules of Sailing from the Royal Yachting Association  
*Withdrawn*

vii) Submission - 278-15 Racing Rules of Sailing from the Chairman of the Racing Rules Committee  
**Recommendation to Council: Reject (0 in favour, 15 against, 0 abstain)**  
Support the need for a case on this topic, but the case proposed needs further work.

viii) Submission 279-15 - Racing Rules of Sailing from Koninklijk Nederlands Watersport Verbond  
**Recommendation to Council: Reject (0 in favour, 15 against, 0 abstain)**  
Would set an undesirable precedent.

6. **The Call Book for Match Racing & Team Racing**

   (a) Match and Team Racing Working Party

   The Committee received a progress report from the Match and Team Racing Working Party.

   (b) Submissions

   The Committee considered the following submissions and made the following recommendations to Council:

   i) Submission 280-15 - Racing Rules of Sailing from the Chairman of the Racing Rules Committee  
   **Recommendation to Council: Reject (0 in favour, 15 against, 0 abstain)**  
   To be reviewed in 2016.

   ii) Submission 281-15 - Racing Rules of Sailing from the Chairman of the Racing Rules Committee  
   **Recommendation to Council: Reject (0 in favour, 15 against, 0 abstain)**  
   Keep as Rapid Response Call for 2016 pending proposed rule change to rule 19.1 for 2017.

   iii) Submission 282-15 - Racing Rules of Sailing from the Chairman of the Racing Rules Committee  
   **Recommendation to Council: Approve with amendment (15 in favour, 0 against, 0 abstain)**  
   Delete sentence ‘Boats X and Y are on the same team.’

   iv) Submission 283-15 - Racing Rules of Sailing from the Chairman of the Racing Rules Committee  
   **Recommendation to Council: Reject (2 in favour, 9 against, 4 abstain)**  
   Not necessary.

7. **ISAF Racing Rules Question & Answer Service**

   The Committee received a report from the Chairman of the Racing Rules Q&A Panel about the ISAF Racing Rules Question and Answer Service in 2015.
8. **Racing Rules Committee Representatives on other Committees**
   
   (a) Equipment Committee, Equipment Control Sub-committee and Class Rule Sub-committee
       
       The Chairman asked that the representatives on these committees send their reports by email within one week to the Secretariat.
   
   (b) Race Officials Committee
       
       The Committee received a report from John Doerr (GBR).

9. **Working Parties**
   
   (a) Addendum Q Working Party.
       
       The Committee received a report from the Chairman of the Addendum Q Working Party.
   
   (b) Boards (Windsurfing and Kite) Rules Working Party.
       
       The Committee received a report from the Chairman of the Boards (Windsurfing and Kite) Rules Working Party
   
   (c) Appendices J, K, L, LE Working Party
   
   (d) The Committee received a report from the Chairman of the Appendices J, K, L, LE Working Party
       
       **Decision**
       
       The Committee agreed that any editing by the RRC WP concerning Appendices J, K, L, LE shall be done following consultation with the Appendices J, K, L, LE Working Party.
   
   (e) Special Rules Panel.
       
       The Committee received a report from the Chairman.
   
   (f) Judicial Matters Working Party
       
       The Committee received a report from the Chairman of the Rule 69 and Judicial Matters Working Party
   
   (g) Rule 42 Working Party
       
       The Committee received a report from the Chairman of the Rule 42 Working Party
   
   (h) Radio Sailing
       
       The Committee received a report from Richard Thompson (GBR).

10. **Annual Report**
    
    The Committee noted the Chairman’s report to the ISAF Council meeting of 13 November 2014 on the activities of the Racing Rules Committee in 2015.

11. **Any Other Business**
    
    There being no other business, the meeting was closed.
Annex 1
Submission 201-15: Racing Rules of Sailing

Rule 69, Appendices M & N

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

Proposal 1

Delete rule 69 and replace as follows:

SECTION C

MISCONDUCT

69  MISCONDUCT

69.1  Obligation not to Commit Misconduct; Resolution

(a)  Misconduct is:

(1)  conduct that is a breach of good manners, a breach of good sportsmanship, or unethical behaviour; or

(2)  conduct that may bring the sport into disrepute; or

(3)  a breach of a rule that is deliberate, repeated or otherwise more than a misjudgement.

(b)  A competitor, boat owner or support person shall not commit an act of misconduct or bring the sport into disrepute.

(c)  An allegation of a breach of rule 69.1(a) or (b) shall be resolved in accordance with the provisions of rule 69. It shall not be grounds for a protest and rule 63.1 does not apply.

69.2  Action by a Protest Committee

(a)  A protest committee acting under this rule shall have at least three members.

(b)  When a protest committee, from its own observation, including evidence taken during a hearing or information received from any source, believes that a person may have broken rule 69.1(b), it shall decide whether or not to call a hearing. When a protest committee, from its own observation or from information received from any source, including evidence taken during a hearing, believes a person may have broken rule 69.1(b), it shall decide whether or not to call a hearing.

(c)  When the protest committee needs more information to make the decision to call a hearing as required by rule 69.2(e), it shall consider appointing a person
or persons to conduct an investigation. These persons shall not be members of
the protest committee that will decide the matter.

(d) When an investigator is appointed, all relevant information he gathers,
favourable or unfavourable, shall be disclosed to the protest committee, and if
the protest committee decides to call a hearing, to the parties.

(e) If the protest committee decides to call a hearing, it shall promptly inform the
person in writing of the alleged breach and of the time and place of the hearing
and follow the procedures in rules 63.2, 63.3(a), 63.4 and 63.6 except that:

(1) unless appointed by ISAF, a person may be appointed by the protest
committee to present the allegation and have the same rights, as would a
party to a protest; and unless appointed by ISAF, a person may be
appointed by the protest committee to present the allegation.

(2) a person against whom an allegation has been made under this rule shall
be entitled to be present throughout the hearing and to have an advisor,
supporter or and a representative with him.

(f) If the person is unable to attend the hearing and

(1) does provide good reason, the protest committee shall reschedule it; or

(2) does not provide good reason and does not come to it, the protest committee
may conduct it without the person present.

(g) The standard of proof to be applied is the test of the comfortable satisfaction of
the protest committee, bearing in mind the seriousness of the alleged
misconduct. However, if the standard of proof in this rule conflicts with the laws
of a country, the national authority may, with the approval of ISAF, change it
with a prescription to this rule.

(h) If the allegation or any part of the allegation is upheld, the protest committee
may take one or more of the following actions

(1) issue a warning;

(2) in the case of a breach by a competitor or boat owner (unless rule 69.2(i)
applies), change their boat’s score in one or more races, including
disqualification(s) that may or may not be excluded from her series score;

(3) exclude the person from the event or venue or remove any privileges or
benefits; and

(4) take any other action within its jurisdiction.

(i) A competitor may be penalized under rule 69.2 for the misconduct of a support
person. However, a penalty may only be imposed on a competitor for the
misconduct of a support person if
(1) the competitor may have gained a competitive advantage as a result of the misconduct; or

(2) the support person has committed a further act of misconduct after the competitor has been warned by the protest committee; or

(3) the protest committee decides that such a penalty is necessary to prevent future misconduct of the support person.

(j) If the protest committee

(1) imposes a penalty greater than one DNE;

(2) excludes the person from the event or venue; or

(3) in any other case if it considers it appropriate,

it shall report its findings, including the facts found, its conclusions and decision to the national authority of the person or, for specific international events listed in the ISAF Regulations, to ISAF. If the protest committee has acted under rule 69.2(f)(2), the report shall also include that fact and the reasons for it.

(k) If the protest committee decides not to conduct the hearing without the person present, or if the protest committee has left the event and a report allegiing a breach of rule 69.1(b) is received, the race committee or organizing authority may appoint the same or a new protest committee to proceed under this rule. If it is impractical for the protest committee to conduct a hearing, it shall collect all available information and, if the allegation seems justified, make a report to the national authority of the person or, for specific international events listed in ISAF Regulations, to ISAF

69.3 Action by a National Authority and ISAF

The disciplinary powers, procedures and responsibilities of national authorities and ISAF that apply are specified in ISAF Regulation 35, Disciplinary Code. National authorities and ISAF may impose further penalties, including suspension of eligibility, under that Code.

In Definition Party replace (d) with:

(d) a person against whom an allegation of a breach of rule 69 is made, together with any advisor or representative he appoints; a person presenting an allegation under rule 69.

A consequential submission regarding RRS 60 will be made separately.

A consequential change to RRS 90.3(b) will be required. RRC WP to edit as necessary.

A consequential change will be needed to A11 – replace DGM

This submission, prepared by the Rule 69 Working Party, requires the submission 202-15 to add a definition of support person and new rule 3 to be approved.
Proposal 2

Amend rule M5 as follows:

**M5 CROSS MISCONDUCT (rule 69)**

**M5.1** An action under this rule is not a protest, but the protest committee gives its allegations in writing to the competitor before the hearing. The hearing is conducted under the same rules similar to those governing a protest hearing as other hearings but the protest committee must have at least three members (rule 69.2(a)). Use the greatest care to protect the competitor’s rights.

**M5.2** A competitor or a boat cannot protest under rule 69, but the protest form of a competitor who tries to do so may be accepted as a report to the protest committee, which can then decide whether or not to call a hearing.

**M5.3** Unless ISAF has appointed a person for the role, the protest committee may appoint a person to present the allegation. This person might be a race official, the person making the allegation or other appropriate person. When no reasonable alternative person is available, a person who was appointed as a member of the protest committee may present the allegation.

**M5.4** When the protest committee needs more information to make the decision to call a hearing as required by rule 69.2(e), it should consider appointing a person or persons other than protest committee members to conduct an investigation.

**M5.5** When an investigator is appointed, all information they gather, favourable or unfavourable, shall be disclosed to the protest committee, and if the protest committee decides to call a hearing, to the parties.

**M5.43** When it is desirable to call a hearing under rule 69 as a result of a Part 2 incident, it is important to hear any boat-vs.-boat protest in the normal way, deciding which boat, if any, broke which rule, before proceeding against the competitor under this rule 69.

**M5.54** Although action under rule 69 is taken against a competitor, not a boat, a boat may also be penalized (rule 69.2(e1)).

**M5.5** The protest committee may warn the competitor (rule 69.2(c)(1)), in which case no report is to be made (rule 69.2(d)). When a penalty is imposed and a report is made as required by rule 69.2(d) or 69.2(f), it may be helpful to recommend whether or not further action should be taken.

**M5.6** When a protest committee upholds a rule 69 allegation it will need to consider if it is appropriate to report to either an MNA or ISAF. Guidance on when to report may be found in the ISAF Case Book. When the protest committee does make a report it may recommend whether or not further action should be taken.

**M5.7** Unless the right of appeal is denied in accordance with rule 70.5, a party the parties to a rule 69 hearing may appeal the decision of the protest committee.
M5.8 Further guidance for protest committees for cases of misconduct may be found on the ISAF website.

Proposal 3

1. To move rule N3.2 to N1.6 and renumber N1.6 and N1.7 appropriately.

2. Add new rule N4:

N4 MISCONDUCT (Rule 69)

N4.1 ISAF Regulation 35, Disciplinary Code, contains procedures that apply to specific international events with regard to the appointment of a person to conduct any investigation. These procedures override any conflicting provision of this appendix.

N4.2 A person shall be responsible for presenting to the hearing panel any allegations of misconduct under rule 69. This person shall not be a member of the hearing panel but may be a member of the jury. Such a person shall be required to make full disclosure of all material that may come into their possession in the course of their investigation to the person subject to allegations of a breach of rule 69.

N4.3 A hearing panel, to the extent it is practically possible, shall not act as an investigator of any allegations made under rule 69 prior to the hearing. At any hearing the panel shall be entitled to ask any investigative questions it may see fit. Prior to a hearing, the hearing panel, to the extent practically possible, shall not act as an investigator or any allegations made under rule 69. However, during the hearing the panel shall be entitled to ask any investigative questions it may see fit.

N4.4 If the panel decides to call a hearing, all material disclosed to the panel in order for them to make that decision must be disclosed to the person subject to the allegations before the hearing begins.
Submission 202-15: Racing Rules of Sailing

Definition Support Person, Definition Party, Rules 3, 60.3(d) and 64.4

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

Proposal 1

1. Insert new Definition:

   Support person  Any person who

   (a) provides, or may provide, physical or advisory support to a competitor, including any coach, trainer, manager, team staff, medic, paramedic or any other person working with, treating or assisting a competitor in or preparing for the competition, or

   (b) is the parent or guardian of a competitor.

2. Amend the Definition of Party as follows:

   Party  A party to a hearing is

   ---

   (e) a support person subject to a hearing under rule 60.3(d)

3. Delete rule 3 and replace as follows:

   3  ACCEPTANCE OF THE RULES

   3.1 (a) A competitor and boat owner agree to accept the rules by participating, intending to participate or having participated in a race conducted under these rules. By participating, or intending to participate, in a race conducted under these rules, each competitor and boat owner agrees to accept these rules.

   (b) A support person, by providing support, or a parent or guardian by permitting their child to enter a race, agrees to accept the rules.

   3.2 A competitor and boat owner agree on behalf of their support persons that such support persons are bound by the rules.

   3.3 Acceptance of the rules includes agreement

   (a) to be governed by the rules;

   (b) to accept the penalties imposed and other action taken under the rules, subject to the appeal and review procedures provided in them, as the final determination of any matter arising under the rules;
(c) with respect to any such determination, not to resort to any court of law or tribunal not provided for in the rules; and

(d) for a competitor and boat owner, to ensure that their support persons are aware of the rules.

3.4 This rule may be changed by a prescription of the national authority of the venue.

4. Add new rule 60.3(d) as follows:

60.3 A protest committee may

(d) call a hearing to consider whether a support person has broken a rule, based on its own observation or information received from any source, including evidence taken during a hearing.

5. Add new rule 64.4 as follows

64.4 Decisions Concerning Support Persons

When the protest committee decides that a support person who is a party to the hearing has broken a rule, it may act as follows:

(a) issue a warning, or

(b) remove any privileges or benefits, or

(c) take other action within its jurisdiction as provided by the rules.

Proposal 2

Add to rule 3:

3.4 The person in charge of each boat shall ensure that all competitors in the crew and the boat’s owner are aware of their responsibilities under this rule.
Racing Rules Committee Minutes (cont.)

Racing Rules of Sailing

Definition of Interested Party and Conflict of Interest, Rule 63.4, Consequential Changes to Other Rules, Appendix M and Appendix N

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

Proposal 1

1. Delete the Definition Interested Party and replace with new Definition Conflict of Interest

   Option 1 – a modified version of existing definition:

   **Conflict of Interest** A person has a conflict of interest if they may gain or lose as a result of a decision to which they contribute, or if they have a close personal interest in that decision.

   **Conflict of Interest** A person has a conflict of interest if he

   (a) may gain or lose as a result of a decision to which he contributes,

   (b) may reasonably appear to have, a personal or financial interest which could affect his ability to be impartial, or

   (c) has a close personal interest in a decision.

   Option 2 – from ISAF Regulations:

   **Conflict of Interest** A conflict of interest exists when a race official has, or reasonably appears to have, a personal or financial interest which could affect the ability of the official to be impartial.

2. Delete rule 63.4 and replace with:

   **63.4 Conflict of Interest**

   (a) A protest committee member shall declare any possible conflict of interest as soon as he is aware of it. A party to the hearing who believes a member of the protest committee has a conflict of interest shall object as soon as possible. A conflict of interest declared by a protest committee member shall be included in the written information provided under rule 65.2.

   (b) A member of a protest committee with a conflict of interest shall not be a member of the committee for a hearing, unless all parties consent or the protest committee first decides that the conflict of interest is not [material or significant]¹. When deciding whether a conflict of interest is [material or significant]¹ it shall consider the level of the conflict, the importance to each party and the overall perception of fairness.

   (1) all parties consent or

   (2) the protest committee decides, having considered the view of the parties that the conflict of interest is not significant.
When deciding whether a conflict of interest is significant the committee shall consider the level of the conflict, the level of the event, the importance to each party, the overall perception of fairness.

However, for ISAF major events, or for other events as prescribed by the national authority of the venue, a person who has a Conflict of Interest shall not be a member of the protest committee.

Option to add (c):

(c) Except for international or major events, or as prescribed by an MNA, the protest committee may allow a member who may have a conflict of interest to take part to in the hearing. When deciding to do so, the protest committee shall consider whether the conflict of interest is [material or significant, the level of the conflict, the importance to each party and the overall perception of fairness.

* Note: Committees and Council are to decide which of ‘material’, ‘significant’ or ‘material or significant’ is the best option. RRCWP recommend ‘significant’ as ‘material’ in many languages refers only to physical things.

3. Make the following consequential amendments to rules 60.2, 60.3, 71.1, rule E1.1 and the Protest Form

60.2 A race committee may

(a) protest a boat, but not as a result of information arising from a request for redress or invalid protest, or from a report from an interested party, a person with a conflict of interest other than the representative of the boat herself.

60.3 A protest committee may

(a) protest a boat, but not as a result of information arising from a request for redress or an invalid protest, or from a report from an interested party, a person with a conflict of interest other than the representative of the boat herself. However, it may protest a boat:

71.1 No interested party. A person with who has a conflict of interest or was a member of the protest committee shall not take any part in the discussion or decision on an appeal or a request for confirmation or correction.

E1.1 Definitions

Add to the definition Interested Party Conflict of Interest: ‘but not a competitor when acting as an observer’. An observer does not have a conflict of interest solely by being a competitor

Protest Form

No objection about interested party. Any conflict of interest has been declared and no objection raised. Conflict of interest declared ✔ Objections: Yes ☐ No ☐
Proposal 2
1. Amend rule 86.1(a) as follows:
   (a) Prescriptions of a national authority may change a racing rule, but not the Definitions; a rule in the Introduction; Sportsmanship and the Rules; Part 1, 2 or 7; rule 42, 43, \(^{62.3}\), \(^{63.4}\), 69, 70, 71, 75, 76.3, 79 or 80; a rule of an appendix that changes one of these rules; Appendix H or N; or ISAF Regulation 19, 20, 21 or 22.

Proposal 3
1. Delete the second point of rule M2.1.
2. Add new rule M2.3:

   **M2.3 CONFLICTS OF INTEREST**
   • Ensure that all protest committee members declare any possible conflicts of interest. At major events this will often be a formal written declaration made before the event starts that will be kept with the protest committee records.

   • At the start of any hearing, check that the parties are aware of any conflicts of interest of protest committee members. Ask the parties if they consent to the members. If a party does not object as soon as possible after a conflict of interest has been declared, the protest committee should record this and proceed, may take this as consent to proceed and should record it.

   • If a party objects to a member, the remainder of the protest committee members need to assess if the conflict of interest is significant material. The assessment will consider the level of the event, the level of the conflict and the perception of fairness. It may be acceptable to balance conflicts between protest committee members. This may need reference to further guidance to be found [insert link]. Record the decision and the grounds for that decision.

   • If a party does not object as soon as possible after a conflict of interest has been declared, the protest committee may take this as consent to proceed and should record this.

   • In cases of doubt it may be preferable to proceed with a smaller protest committee. Except for hearings under rule 69, there is no minimum number of protest committee members required.

   • When redress is requested under rule 62.1(a) a member of the race committee should not be a member of the protest committee.

As RRS Appendix M is guidance, it should be subject to editing to be consistent with the approved version of this submission.
3. Amend rule N3.3 as follows:

N3.3 Members shall not be regarded as interested parties having a (material or significant) conflict of interest (see rule 63.4) by reason of their nationality or club membership or similar. When otherwise considering significant material conflict of interest as required by rule 63.4, considerable weight must be given to the fact that decisions of an international jury cannot be appealed and this may affect the perception of fairness and reduce lower the level of conflict that is significant material. In case of doubt, the decision should err on the side of caution and the hearing should proceed as permitted by N3.2
Submission 204-15: Racing Rules of Sailing

Rule 2

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

Purpose or Objective

To create some flexibility for penalties under rule 2.

Proposal

Amend rule 2 as follows:

2 FAIR SAILING

A boat and her owner shall compete in compliance with recognized principles of sportsmanship and fair play. A boat may be penalized under this rule only if it is clearly established that these principles have been violated. A disqualification under this rule shall not be excluded from the boat's series score. The penalty may be disqualification that is not excludable, disqualification or less than disqualification, or she may be warned. The penalty may be disqualification or disqualification that is not excludable.
Submission 205-15: Racing Rules of Sailing

New Rule 64.4

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

Purpose

To ensure that the sanctions and penalties available to the protest committee will discourage support persons from breaking rules.

Proposal

Add new rule 64.4 as follows:

64.4 Decisions on Protests Concerning Support Persons

(a) When the protest committee decides that a support person who is a party to a hearing has broken a rule, it may

(1) issue a warning, or

(2) remove any privileges or benefits, or

(3) take other action within its jurisdiction as provided by the rules.

(b) A competitor may be penalized for a breach of a rule by a support person by changing the boat’s score in a single race up to and including DSQ if the protest committee may also penalize a competitor for the breach of a rule by a support person by changing the boat’s score in a single race, up to and including DSQ, when the protest committee decides that

(1) the competitor may have gained a competitive advantage as the result of the breach by the support person, or

(2) the support person commits a further breach after the competitor has been warned by the protest committee that a penalty may be imposed, or

(3) the protest committee decides that such a penalty is necessary to prevent future breaches by the support person.

If this proposal is accepted, then the equivalent paragraph 69.2(i) in 201-15 may be withdrawn.
Submission 206-15: Racing Rules of Sailing

Rule 60

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

Purpose or Objective

To clarify that rules 5, 6 and 69 currently are not subject to protest and to provide for any similar future rules.

Proposal

Adopt either Alternative 1, Alternative 2 or Alternative 3 below.

Alternative 1

Amend rules 60.1(a), 60.2(a), 60.3(a) as follows:

60.1 A boat may

(a) protest another boat, but not for an alleged breach of a rule of Part 2 or rule 31 unless she was involved in or saw the incident, or for an alleged breach of a rule that prohibits a protest, or

60.2 A race committee may

(a) protest a boat, but not as a result of information arising from a request for redress or an invalid protest, or from a report from an interested party other than the representative of the boat herself, or for an alleged breach of a rule that prohibits a protest, or

60.3 A protest committee may

(a) protest a boat, but not as a result of information arising from a request for redress or an invalid protest, or from a report from an interested party other than the representative of the boat herself, or for an alleged breach of a rule that prohibits a protest. However, it may protest a boat.

Alternative 2

Add new rule 60.4:

60.4 However, neither a boat nor a race committee nor a protest committee may protest for an alleged breach of a rule that prohibits a protest.
Alternative 3

Add new rule 60.4:

60.4 However, neither a boat nor a race committee nor a protest committee may protest for an alleged breach of rule 5, 6 or 69.

Rule 7 should be added to the list above if new rule 7 (Submission 169-15) is approved by Council.