

Information to Athletes

1. Protests by the Jury for Incidents on the Water

- 1.1 The Jury will not usually protest for a breach of a rule of Part 2 unless they observe an apparent breach of good sportsmanship (RRS 2). Examples of breaches, where the Jury will consider protesting, include:
 - (a) deliberately or knowingly breaking a rule without justification for exoneration and not taking the appropriate penalty;
 - (b) intimidating other boats, often evidenced by unnecessary shouting or foul language;
 - (c) team tactics, sailing to benefit another boat to the detriment of your own position;
 - (d) reckless sailing that results in, or is likely to result in, damage or injury.

2. Outside Help

- 2.1 RRS 41 applies from a boat's preparatory signal (see RRS 41 and the definition Racing). A boat that receives instructions or exchanges sailing gear with a coach or support boat after the preparatory signal breaks RRS 41.
- 2.2 When coach and other support boats are prohibited from entering the racing area, a boat not racing that needs to receive help must sail to the coach or support boat outside the racing area.

3. Propulsion

- 3.1 The World Sailing RRS 42 Interpretations 2013-2016 are posted at:
<http://www.sailing.org/raceofficials/rule42/index.php>
- 3.2 In addition to the World Sailing RRS 42 Interpretations, the following points may help you to understand the application of RRS 42:
 - (a) Although there are usually two judges in each jury boat, a single judge will signal a yellow flag penalty when satisfied that a boat has broken RRS 42.
 - (b) When a boat is penalised for a breach of RRS 42 in a race that is subsequently postponed, recalled or abandoned, the boat may compete in the restarted race. However, every penalty counts in the boat's penalty total.
 - (c) Although judges will signal a RRS 42 penalty as soon as possible, this might be after the boat has crossed the finishing line. In the case of a boat's first penalty, she must complete the penalty, return to the course side of the finishing line and then finish.
 - (d) A boat may only be granted redress when a judge's action failed to account for a race committee signal or a class rule (see RRS P4)
- 3.3 A competitor may ask the judges for an explanation of a penalty after the completion of the race. It can be done either on or off the water or by asking at the Jury Office to arrange a meeting with the judges.

4. Requests for Redress, Claiming RC Error in Scoring a Boat OCS, UFD or BFD

- 4.1 Boats sometimes want to challenge the race committee's decision to score them OCS, UFD or BFD by requesting redress under RRS 62.1(a).

4.2 Competitors are advised to consult the race officer prior to a hearing to learn the race committee's evidence that the boat was OCS, UFD or BFD. For a boat to be given redress, the competitor must provide conclusive evidence that the race committee has made an error in identifying the boat. Even video evidence is rarely conclusive. In the absence of conclusive evidence to the contrary, the Jury will uphold the race committee's decision.

4.3 Evidence of the relative positions of two boats that are scored differently is not conclusive evidence that either boat started correctly.

5. Requests for Redress – RS:X under B5.62.1(e)

5.1 A board requesting redress under RRS B5.62.1(e) must demonstrate that the capsize was caused by the actions of a boat that broke a rule of Part 2. It is for the requesting board to prove this case to the Jury and competitors should consider whether calling an independent witness to the hearing will assist their case. If the Jury is not satisfied that a breach of Part 2 occurred, redress will be denied.

6. Video and Tracking Evidence

6.1 A party wishing to bring video or tracking evidence to a hearing is responsible for providing the equipment required to view the evidence. Internet connection will not be generally available during a hearing. It should be possible for all parties and the panel to view the evidence at the same time.

6.2 Tracking system information, if available, may be presented, but is of limited accuracy. The images produced are enhanced from the actual data as an aid to the viewer. The system may be used to get an indicative position of the boats for visualization, but it is not sufficiently precise to be used for race management purposes or for jury decisions that require exact positioning information.

7. Observers at Hearings

7.1 Each party may bring one person to observe at a hearing, unless the jury panel decides in a particular case that it is inappropriate. Observers must sign and comply with the requirements in the document titled Information for Observers.

8. RRS 69

8.1 Any form of cheating, including not telling the truth in a hearing is a breach of sportsmanship and may result in a hearing under RRS 69 and a very heavy penalty.

9. Questions on Jury Procedure and Policy

9.1 Competitors, team leaders and coaches are welcome to discuss procedure and policy with the Jury Chairman. He will usually be available by the Jury rooms during protest time or can be contacted through the Jury Office.

10 Use of electronic devices during hearings

10.1 The use of electronic devices (i.e. tablets, smartphones and similar devices) during hearings to take notes, check rules, cases, etc. is very common nowadays. Its use is allowed during the hearings by parties, observers and witnesses, provided they are not used to record or communicate with other persons. Before the start of a hearing a jury member will check that all these devices are in flight mode and with the wifi and Bluetooth turned off.

Discretionary Penalty Policy

1. General

- 1.1 When the Jury has discretion to decide the appropriate penalty for a breach, the penalties may range from zero points through to DNE. In determining the penalty, the Jury will be guided by this document.
- 1.2 Discretionary Penalties are not just a list of standard penalties. The penalty should be adjusted as justified, while maintaining consistency. The overall concept is to establish a base penalty for a particular breach and then increase or decrease the penalty depending on the circumstances.
- 1.3 Suggested base penalties are listed in the attached two tables. These suggest the base band for common specific breaches and the answers to some general questions to be used when there is no specific breach listed. When a range of penalties is suggested for a specific breach, use the general questions to determine the band for the specific breach.
- 1.4 Penalties are divided into 4 bands with the mid point being the normal base penalty:
 - (a) Band 1 – 0 - 10% (mid point 5%)
 - (b) Band 2 – 10 - 30% (mid point 20%)
 - (c) Band 3 – 30 - 70% (mid point 50%)
 - (d) Band 4 – DSQ / DNE (starting point DSQ)
- 1.5 Start by using the tables below to find which band applies. Consider the 'base penalty' to be at the mid-point of the band. Then determine if there is cause to increase or decrease the penalty within the band or to change the band.
- 1.6 A positive answer to these questions would lead to reducing the penalty.
 - (a) Was the breach accidental?
 - (b) Was there a good reason or justification for the breach?
 - (c) Was the breach reported by the competitor?
 - (d) Did anyone who was not part of the boat's crew or support team contribute to the breach?
- 1.7 A positive answer to these questions would lead to increasing the penalty.
 - (a) Was the breach repeated?
 - (b) Was the breach deliberate as opposed to a misjudgement or carelessness?
 - (c) Was there any attempt to conceal the breach?
 - (d) Was anybody inconvenienced?
- 1.8 The Jury may use other questions to determine if a penalty should be increased or decreased.
- 1.9 To calculate and apply the penalty:
 - (a) The discretionary penalty may not make a boat's score worse than retirement or disqualification.
 - (b) Percentage penalties are calculated to the nearest tenth of a point, (0.05 to be rounded upward).
 - (c) When the breach affected racing performance, it should be applied to all races sailed that day, provided any protest is valid for all races.

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- (d) When the breach does not affect racing performance and especially when it is largely administrative, the penalty should be applied to the race sailed nearest in time to that of the incident as specified in RRS 64.1.

1.10 Not applicable to 37 Lake Garda Meeting Optimist Class 2019

2. Base Penalty Bands for Discretionary Penalties

2.1 Generally the base penalty will be the mid-point of the band.

2.2 If the specific breach is not listed or a range of bands is suggested, go to second table.

2.3 Be sure that a discretionary penalty is authorised for the specific breach.

Safety		
┘	Failing to notify the Race Office when staying ashore	1
┘	Failing to comply with requirements for reporting retirement (failing to notify, not filling the form, filling the form later than the protest time limit or failing to sign out or to sign in.	1 4
┘	When non-compliance results in initiation of search and rescue	
┘	Berthing – Boat not in assigned place but has notified the OA	1
┘	Berthing – Boat failing to promptly notify the OA	2
┘	Failing to avoid commercial traffic	1-4
┘	Removal of pfd for more extended period while not racing	1-2
Code of Conduct		
┘	Failing to comply with a reasonable request by an official	2-4
┘	Failing to follow instructions, failing to take proper care of, or interfering with the function of supplied equipment	1-4
Leaving the Shore		
┘	Failing to comply with an instruction to remain ashore (e.g. AP over H, D flag)	1-4
The Start		
┘	Failing to avoid the starting area not interfering with a racing boat	1
┘	Failing to avoid the starting area and breaking RRS 24.1.	4
Equipment Inspection		
┘	Failing to comply with instructions – good reason or justification	1
┘	Failing to comply with instructions – no good reason or justification	3
Replacement of Crew or Equipment		
┘	Failing to comply with instructions – good reason or justification	1
┘	Failing to comply with instructions – no good reason or justification	3
┘	Replacing crew or equipment with non-compliant crew or equipment	4
Identification and Advertising		
┘	Failing to apply event stickers as required (e.g. advertising, bow numbers, sail dots etc.).	2-4 1
┘	Applied event stickers, but they failed to stay in place (0% if applied by OA)	1-2
┘	Failing to wear bib as required	
┘	National Flag not applied	1
┘	National Flag applied but fails to stay in place	1
┘	National Flag applied but is not produced by an approved manufacturer as required by the Class Rules	1
Radio Communication		
┘	Making or receiving radio or text or cell phone message not available to all boats	3
Trash Disposal		
┘	Deliberate trash disposal	4

Positioning Equipment	
┘ Failing to collect or return equipment as required or sign out/sign in	1
┘ Failing to install or comply with installation instructions	3
┘ If equipment was installed but its function 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	1-4
┘ 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

3. General Questions

3.1 To be used when there is no specific breach in the table above, or when the table above suggests more than one band.

Could the breach compromise safety?	
No	1
Possibly but not certainly	2 - 3
Yes	4
Can the boat prove it has not obtained a competitive advantage?	
Yes, no advantage is possible.	1
No, possible advantage but not certain.	2 - 3
No, certain advantage	4
Could the breach bring the sport into disrepute? <i>(Note: if the Jury considers that the sport may have been brought into disrepute, it should consider action under RRS 69, especially if no other rule is available.)</i>	
No	1
Possibly but not certainly	2 - 3
Yes	4
Could the breach result in damage or injury?	
No	1
Possibly but not certainly	2 - 3
Yes	4