

## Racing Rules of Sailing

### Appendix M, New Paragraph M5, and Rule A10

A submission from the Chairman of the Racing Rules Committee

#### Purpose or Objective

To add guidance in Appendix M on the process that must be followed when a boat reports that she has broken a rule subject to a discretionary penalty.

To make a small change in rule A10 for consistency of wording with other rules.

#### Proposal 1

Add the following new paragraph to Appendix M and renumber paragraphs M5, M6 and M7 appropriately.

#### M5 DISCRETIONARY PENALTIES (rule 64.6)

**Rule 64.6 enables a boat that has broken a rule subject to a discretionary penalty to comply with Sportsmanship and the Rules by reporting within the protest time limit that she has broken the rule. If the report does not include sufficient facts for the protest committee to decide what penalty to impose, the committee may question a representative of the boat and any witnesses to collect evidence it decides is appropriate. It is not necessary to conduct a hearing to collect this evidence (rule 63.1). Note that guidelines for discretionary penalties may be found on the World Sailing website.**

#### Current Position

The proposed paragraph is new.

#### Proposal 2

In rule A10, change the line for 'SCP' as follows:

SCP Scoring Penalty **imposed** ~~applied~~

#### Current Position

As above

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Reasons

1. In the past few years references to discretionary penalties have been added to the RRS. These are: (a) Notation in the Introduction, (b) rule 64.6, (c) the addition of rule 64.6 in the list of rules in rule 63.1, and (d) rule A10, DPI. However, there is no guidance in Appendix M given on the subject of discretionary penalties. This proposal provides that guidance. The guidance clarifies three aspects of the new rules on discretionary penalties:
  2. Sportsmanship and the Rules includes this statement: 'A fundamental principle of sportsmanship is that when a boat breaks a *rule* and is not exonerated she will promptly take an appropriate penalty or action, which may be to retire.' The proposed new paragraph M5 points out that the 'appropriate action' for a boat that has broken a rule subject to a discretionary penalty is to report, within the protest time limit, that she has broken that rule.
  3. The proposed new paragraph also points out that the protest committee is not required to conduct a hearing when it collects evidence to help it decide what penalty to assign to a boat that, within the protest time limit, reports a breach of a rule subject to a discretionary penalty.
  4. Finally, the new paragraph reminds the protest committee that guidelines for discretionary penalties can be found on the World Sailing website.
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