

Racing Rules of Sailing

Rule 60.4(a)

A submission from the Chair of the Racing Rules Committee

Purpose or Objective

To removing conflicting and ambiguous sections of RRS 60.4(a)

Proposal

Option 1

60.4 A technical 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 a person with a *conflict of interest* other than the representative of the boat herself. However, it ~~shall~~ **may** protest a boat if, **as a result of its own inspection,** it decides that a boat or personal equipment does not comply with the class rules or with rule 50 **even if that arises from a report from a person with a conflict of interest;**

Option 2

Delete 60.4(a) and replace with:

(a) protest a boat, however it shall not protest based on information arising from:

(1) a request for redress,

(2) an invalid *protest*, or

(3) a report from a person with a *conflict of interest* (other than the representative of the boat herself),

unless it has first conducted an inspection and decided a boat or personal equipment does not comply with the class rules or rule 50.

Current Position

As above

Reasons

1. The first sentence of this rule is consistent with RRS 60.2(a) and 60.3(a). These sentences are to avoid a committee taking over a protest that could have been made by a boat. Not only does this keep the responsibility for protests with boats, but it also avoids a potentially invalid protest becoming valid.
 2. The second sentence currently requires the technical committee to protest when it decides a boat does not comply with a class rule or rule 50. This requirement to protest is inconsistent with other race officials and has been removed.
 3. Sometimes a person with a conflict of interest may suspect a non-compliance but cannot obtain evidence without trespassing on another's property. In this case, the proposed rule permits them to report their suspicions to the technical committee who may decide to inspect the boat and base a protest on that inspection.
 4. The word 'inspection' is used rather than 'observation' to avoid a technical committee protesting based on a photograph (for example) submitted by a person with a conflict of interest. The person with a conflict of interest should protest themselves when they have the evidence to justify that protest.
 5. Two options are put forward as suggested different ways of dealing with the issue.
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