

JURY NOTICE

DISCRETIONARY PENALTIES

When the International Jury has discretion to decide the appropriate penalty for a breach (see Intro), the penalties may range from a zero penalty to disqualification. However, the following guidelines will be observed in assessing penalties.

Penalties are divided into 5 bands:

- Band 0 – zero penalty
- 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 to find which band applies. Then work through the following questions: Questions to be considered when deciding the appropriate initial penalty within the band include:

- 1(a) Did the breach compromise the safety of competitors or race organizers?
- 1(b) Did the boat gain a competitive advantage through her breach?
- 1(c) Could the breach bring the sport or the organization into disrepute?
- 1(d) Did the breach result in damage or injury?
- 1(e) Was anybody inconvenienced?

The following questions are then asked to determine if there is cause to increase or decrease the band or to maximise or minimise the penalty within the band.

- 2(a) Was the breach deliberate? Increase band at least one level – and consider RRS 2.
- 2(b) Was there a good reason or justification for the breach? Consider Band 0 if good reason.
- 2(c) Was there any attempt to conceal the breach? Increase band at least one level – and consider RRS 2.
- 2(d) Was the breach a careless or cavalier disregard of the rules? Increase to top of band or one level.
- 2(e) Has the breach been repeated? Consider increasing the penalty one band.
- 2(f) Was the breach reported by the competitor? May justify going to bottom of band or one band lower.

The following principles are then used to apply the penalty.

- Using the questions in 1(a) to (e) in conjunction with the guidance in the table following, determine the appropriate 'starting' penalty band and mid-point.
- Using the questions in 2(a) to (f), decide if mid-point is appropriate or if the penalty should be increased or decreased. A change to a higher or lower band should only be done in exceptional circumstances.
- Any penalty must exceed any likely gain.
- A discretionary penalty would not normally make a boat's score worse than retirement or disqualification.
- Percentage penalties are calculated and then are rounded up or down to a whole number of points.
- When a breach affects more than one race in a day but it is appropriate to penalise in one race only, the penalty should be applied to either the first race of the day or to the race nearest the incident.

If competitors realise they have broken a rule that is subject to discretionary penalties, they should report to the Jury where they will be asked to complete a form describing the breach. The Jury will then propose a penalty that a boat may accept without a hearing.

The following penalties are suggested as guidance as the starting point for assessing any penalty before considering questions 1(a) to (e) and 2(a) to (f).

SI	Breach	Band
	<u>AVOIDING RACING AREA</u> <ul style="list-style-type: none"> - Breach without interference with a board racing or an official boat - Breach with interference with a board racing or an official boat 	0 4
	AVOIDING AREAS THAT ARE OBSTRUCTIONS OR FORBIDDEN (swimming area) <ul style="list-style-type: none"> - Accidental - Deliberate 	1 4
	<u>SAFETY REGULATIONS</u> <ul style="list-style-type: none"> - Failing to wear flotation devices while afloat when flag Y is displayed - When non-compliance results in initiation of search and rescue - Not returning to the competitors area on the beach after "N over H", "N over A", "AP over H" or "AP over A" is displayed on one or more RC vessels 	4 4 1 1
	<u>REPLACEMENT AND REPAIRS OF EQUIPMENT</u> <ul style="list-style-type: none"> - Failing to make prompt request for replacement - Failing to comply with requirements for replacement afloat - Making modification or repairs without required permission 	3 1 2 4
	<u>EQUIPMENT AND MEASUREMENT CHECKS</u> <ul style="list-style-type: none"> - The Equipment Inspection Form is completed and submitted after the end of registration but before the first start - The Equipment Inspection Form is completed and submitted after the end of registration and after the first start 	1 4
	<u>EVENT ADVERTISING</u> <ul style="list-style-type: none"> - Failing to wear the advertising vest or organizer event sticker first time - Failing to wear the advertising vest or organizer event sticker after the first time - Wearing the wrong advertising vest or organizer sticker 	1 2 1
	<u>SHORE REGULATIONS</u> <ul style="list-style-type: none"> - Not obeying the instructions of the RC or the Beach master - Launching outside the designated area at the event site. 	1 1
	<u>TRASH DISPOSAL</u> <ul style="list-style-type: none"> - Accidental - Careless - Deliberate 	0 1 4

	<ul style="list-style-type: none"> - Sail numbers and country codes do not comply with appendix – G- - Modification of manufacture supplied and controlled equipment - Prohibited fairing or refinishing of hull/foil surfaces - Use of equipment not registered - Use of equipment wrongly registered (but certified) - Use of prohibited GPS or other electronics - Safety equipment missing or inadequate 	1 1 3 4 3 3 4
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JURY Chairman:

Walter Mielke IJ GER