

DISCRETIONARY PENALTIES GUIDELINES

When the International Jury has discretion to decide the appropriate penalty for a breach, the penalties may range from zero points through to disqualification. In determining the penalty, the International Jury will observe the following guidelines.

Penalties are divided into 4 bands:

- 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 below to find which band applies. Use the appropriate paragraph of the Notice of Race or Sailing Instructions or other document that applies to find the penalty band. The chart shows the 'starting penalty' band. Consider the 'starting penalty' to be at the mid-point of the band.

Next, ask these questions to determine if there is cause to increase or decrease the band or to maximise or minimise the penalty within the band. A change to a higher or lower band should be done only in exceptional circumstances. If the breach is deliberate or flagrant, consider a jury protest under RRS 2.

1. Did the breach compromise the safety of competitors or race organizers?
2. Did the boat gain a competitive advantage through her breach?
3. Could the breach bring the sport or the organization into disrepute?
4. Did the breach result in damage or injury?
5. Was the breach accidental, careless or deliberate?
6. Was there any attempt to conceal the breach?
7. Was the breach repeated?
8. Was anybody inconvenienced?
9. Was there a good reason or justification for the breach?
10. Was the breach reported by the competitor?

To calculate and apply the penalty:

- The discretionary penalty may not make a boat's score worse than retirement or disqualification.
- Percentage penalties are calculated to the nearest point, (0.5 to be rounded upward).
- When it is appropriate to penalize in one race only, the penalty should be applied to the race sailed nearest in time to that of the incident.

The following chart shows penalties that are suggested as guidance as the starting point for assessing any penalty before considering the questions

Starting Penalty Bands for Sailing Instructios with DP

SI	Breach	Band
1	Bow numbers	
1.11	Competitors are responsible for maintaining their bow number visible on both sides of the bow.	1
1.12	Breaching a class rule	see below
12	Check-in	
	Failing to check in at the RC boat	1
20	Liability and Safety	
20.2	Competitors leaving the race course before the end of a race shall inform the RC or the IJ as soon as possible	1-4
20.3	Competitors not leaving the dock on a race day shall inform the race office	1
21	Replacement of Crew or Equipment	
21.1	Any request for a change of crew shall be submitted to the RC in writing prior to 0930 on the day of the race for which the change is to be made.	1-2
21.4	Request for substitution shall be made to the TC at the first reasonable opportunity	1-2
22	Event Advertising	
	Boats shall display event advertising supplied by the OA. World Sailing Regulation 20.9.2 applies	1
24	Support Boats	1-4
25	Haul out Restrictions	1
26	Diving Equipment and Plastic Pools	1
27	Radio Communication	
27.2	Except in an eemergency or to inform the RC of retirement, a boat racing shall not make voice or data transmissions and shall not receive voice or data communication that is not available to all boats	1-2
32	GPS Trackers	1-4

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	2-4
	Use of prohibited GPS or other electronics	4
	Use of uncertified equipment	4
	Missing or misplaced correctors	4

Equipment outside measurement tolerances (exclluding wear and tear)
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	No possible effect on boat speed	1
	Possible but not significant effect on performance	2
	Any significant effect on performance	4