

### Information for Athletes and Race Officials Regarding Discretionary Penalties (DP)

When the International Jury has discretion to decide the appropriate penalty for a breach, the penalties may range from a zero penalty to disqualification. However, the following guidelines will be observed in assessing penalties. If the International Jury decide that a penalty greater than DSQ may be appropriate, then they will consider initiating action under rule 2 or rule 69.

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

Questions to be considered when deciding the appropriate initial penalty 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/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 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.

David Tillett  
Chairman, International Jury  
16 July 2012

## 2012 Olympic Sailing Competition



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

Rule	Breach	Band
SI 41	<b>ADVERTISING AND IDENTIFICATION</b> If applied but fails to stay in place Incorrect placement Failure to wear bibs, display national letters, crew names	0 1 1
SI 2 SI 41	<b>CAMERAS, RECORDERS AND ELECTRONIC EQUIPMENT</b> Failure to collect or return equipment as required Failing to install or comply with installation instructions If equipment was installed but its functionality is interfered with If a boat refuses installation of equipment	1 2 4 4
SI 4 CAR	<b>CROSSING THE BOUNDARY OF AN EXCLUSION ZONE</b> If crossing due to a navigational error Entering Portland or Weymouth control gates when closed If crossing deliberately to gain advantage	1 1 4
SI 3 SI 4 SI 9	<b>STARTING AREA and OTHER COURSE AREA RESTRICTIONS</b> If boat does not interfere with an official boat or boats racing If boat interferes with an official boat or boats racing If contact occurs with an official boat	1 2 3
SI 2	<b>CHECK IN – CHECK OUT AND REPORTING RETIREMENT</b> Failing to check-out before going afloat Failing to check-in coming ashore Failing to comply with check-in at RC boat afloat Failing to comply with requirements for reporting retirement When non-compliance results in initiation of search and rescue	1 1 1 1 4
SI 14 EIR	<b>REPLACEMENT OF EQUIPMENT</b> Removing measured equipment from venue without approval Failing to make prompt request for replacement Failing to comply with requirements for replacement afloat	3 1 2
SI 14 EIR	<b>EQUIPMENT AND MEASUREMENT CHECKS</b> Failing to comply with instructions – careless, but no other effect Failing to comply with instructions – causing disruption to the inspection process	1 3
SI 3	<b>CODE OF CONDUCT</b> Failure to comply with a reasonable request by an official Failure to handle supplied equipment in an appropriate manner	2 3
SI 43 SI 44	<b>BERTHING, HAUL OUT and REPAIRS</b> Boat not in assigned place Boat launched or removed from water not in accordance with schedule Making modification or repairs without required permission	0 2 3
SI 46	<b>RADIO COMMUNICATION</b> Having a prohibited communications device on board, but ensuring it was not used Using a prohibited communications device	3 4
Para	<b>ADAPTIONS OF PERSONAL DEVICES (Paralympic Classes)</b> Failure to declare devices	3
SI 2	<b>PERSONAL FLOTATION DEVICES</b> Removal of pfd for more extended period when racing is postponed due to lack of wind and with coach boat in attendance Failing to comply with requirements while racing	0 4

## 2012 Olympic Sailing Competition



SI 42	RUBBISH DISPOSAL Accidental Careless Deliberate	0 1 4
Para	MOVEMENT OF CREW WITHIN BOAT (When class rules limit crew position or movement) Single occurrence in a race Multiple occurrences in a race – with performance advantage	1 3
	CLASS RULES Sail numbers and country codes Sail stops missing/out of place Sail set outside bands Modification of manufacture supplied and controlled equipment Prohibited fairing or refinishing of hull/foil surfaces Use of equipment not registered (but certified) Safety equipment missing or inadequate Use of prohibited GPS or other electronics Use of uncertified equipment Missing or misplaced correctors Equipment outside measurement tolerances (excluding wear and tear) No possible effect on boat speed Possible but not significant affect on performance Any significant effect on performance	1 2 3 3 4 3 4 4 4 4 4 1 2 4