

# **US SAILING PRESCRIPTIONS FOR 2025-2028 which apply to this regatta**

## **Add to the preamble to Part 5:**

*US Sailing prescribes that no fees shall be charged for protests or requests for redress.*

## **Add to rule 65.1:**

*US Sailing prescribes that*

- (a) A boat that retires from a race or accepts a penalty does not, by that action alone, admit liability for monetary damages.*
- (b) A protest committee shall find facts and make decisions only in compliance with the rules. No protest committee or US Sailing appeal authority shall adjudicate any claim for monetary damages. Such a claim is subject to the jurisdiction of the courts*
- (c) A basic purpose of the rules is to prevent contact between boats. By participating in an event governed by the rules, a boat agrees that responsibility for monetary damages arising from any breach of the rules shall be based on fault as determined by application of the rules, and that she shall not be governed by the legal doctrine of ‘assumption of risk’ for monetary damages resulting from contact with other boats.*

## **Add to rule 70.3(b):**

*US Sailing prescribes that its approval is required. Go to [ussailing.org/rules](http://ussailing.org/rules) and click the ‘No Appeal’ link for more information or to obtain approval.*

## **Add to rule 76.1:**

*US Sailing prescribes that an organizing authority or race committee shall not reject or cancel the entry of a boat or exclude a competitor eligible under the notice of race and sailing instructions for an arbitrary or capricious reason or for reason of race, color, religion, national origin, gender, sexual orientation, or age.*

*However, an organizing authority or race committee may exclude a competitor who is a citizen of, or holds a World Sailing ID as an MNA member of, a country listed on the US Sailing website under 'Exclusion' at [ussailing.org/rules](http://ussailing.org/rules).*

**Add to rule 88.2:**

*US Sailing prescribes that the notice of race or sailing instructions may change or delete any prescriptions except: this prescription, Appendix R, the prescription to the preamble to Part 5, and the prescriptions to rules 65.1, 70.3(b) and 76.1.*

## **APPENDIX R**

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*See rules 70, 71 and 72. This appendix replaces Appendix R as adopted by World Sailing for the purpose of creating a two-level appeals system. This appendix shall not be changed by the notice of race or sailing instructions.*

*The US Sailing Appeals Committee acts as the national authority under rules 70, 71 and 72.*

*Appeals, requests by protest and association appeals committees for confirmation or correction of their decisions, and requests for interpretations of the **rules** shall be made in compliance with this appendix.*

*Frequently Asked Questions (FAQ) on the appeals system and their answers, including advice on how to prepare an appeal, can be found on the US Sailing website. Go to [ussailing.org/appeals](http://ussailing.org/appeals) and click the 'Appeals FAQ' link.*

### **R1 TO APPEAL OR MAKE A REQUEST**

Appeals, requests by protest committees for confirmation or correction of their decisions, and requests for interpretations of the *rules* shall be made in compliance with this appendix.

- R1.1** (a) To appeal the decision or the procedures of a protest committee or an association appeals committee, no later than 15 days after receiving the written decision being appealed or a protest committee's decision not to reopen a hearing,

the appellant shall send an appeal and a copy of the decision being appealed to US Sailing. The appeal shall state why the appellant believes that committee's decision or its procedures were incorrect;

(b) To appeal when the hearing required by rule 63.2(a) has not been held within 30 days after a *protest* or request for redress was delivered, the appellant shall, within a further 15 days, send an appeal with a copy of the *protest* or request and any relevant correspondence. The appeals committee to which the appeal is forwarded shall extend the time if there is good reason to do so; or

(c) To appeal when the protest committee fails to comply with rule 63.6(b), the appellant shall, within a reasonable time after the hearing, send an appeal with a copy of the *protest* or request and any relevant correspondence. If a copy of the *protest* or request is not available, the appellant shall instead send a statement of its substance.

**R1.2** The appellant shall also submit online the *Appeals & Requests Information Form*, either within the 15 day time limit in rule R1.1(a) or soon thereafter. To find the form, go to **ussailing.org/appeals** and click the '*Appeals & Requests Information Form*' link. The form requests all of the following documents and information available:

- (a) the written *protest(s)* or request(s) for redress;
- (b) if the appeal is from a decision of an association appeals committee, the written decision of the protest committee and the appeal to the association appeals committee;
- (c) a diagram, prepared or endorsed by the protest committee, that shows:
  - (1) the positions of all boats involved at relevant times, and their tracks;
  - (2) the course to the next *mark* and its required side;
  - (3) the speed and direction of the wind;
  - (4) any relevant *mark*, *obstruction* or *zone*; and
  - (5) if relevant, the depth of the water and the speed and direction of any current;

- (d) the notice of race, sailing instructions, any other documents governing the event, and any changes to them;
- (e) the names, postal addresses and email addresses of the *parties* to the hearing, the chair of the protest committee and, if relevant, the chair of the association appeals committee; and (f) any other relevant documents.

**R1.3** To request confirmation or correction of its decision, a protest committee or association appeals committee shall, no later than 15 days after making its decision, send to US Sailing a copy of its decision, the *Appeals & Requests Information Form*, and all relevant documents and comments.

**R1.4** To request an interpretation of the *rules*, a club or other organization affiliated to US Sailing shall send its request to US Sailing (see rule 72). The request shall include assumed facts and be endorsed by an officer of the club or organization. A US Sailing committee is considered to be an organization affiliated to US Sailing.

## **R2 WHERE TO SEND AN APPEAL OR REQUEST**

**R2.1** (a) Send appeals and requests for confirmation or correction either by email to the US Sailing Race Administration Director at **submitappeal@ussailing.org**, or submit them online with the *Appeals & Requests Information Form* (see rule R1.2).

(b) Email requests for interpretations of the *rules* to the US Sailing Race Administration Director at **submitappeal@ussailing.org**.

**R2.2** Except as provided in rule R2.4, the Director will forward an appeal under rule 70.1, or a request by a protest committee for confirmation or correction of its decision under rule 70.2, to

- (a) the association appeals committee for the place in which the event was held, or
- (b) the association appeals committee for the Intercollegiate Sailing Association (ICSA) or the Interscholastic Sailing Association (ISSA) for an event conducted under the procedural rules of the ICSA or ISSA.

However, a different association appeals committee may be substituted if there is good reason to do so.

**R2.3** The director will forward an appeal of a decision of an association appeals committee, a request by an association appeals committee for confirmation or correction of its decision, and a request for an interpretation of the *rules* to the US Sailing Appeals Committee.

**R2.4** The director will forward to the US Sailing Appeals Committee an appeal under rule 70.1 or a request by a protest committee under rule 70.2 if the appeal or request arose from:

- (a) a decision made under rule 69.2,
- (b) a US Sailing national championship,
- (c) an event where the expedited appeals process referred to in rule R8 applies, or
- (d) a race that either started or finished outside of US waters (see rule 70.4).

### **R3 FEES**

#### **R3.1**

If the appeal or request is being made to an association appeals committee, US Sailing charges no fee for forwarding that appeal or request. However, an association appeals committee may charge a fee, in which case the association appeals committee will send a notice to the appellant (or, for a request, to the protest committee) stating the fee, to whom the fee is payable, and the address to which the fee must be sent.

#### **R3.2**

If the appeal is being made to the US Sailing Appeals Committee by a member of US Sailing or another national authority, US Sailing charges no fee. The fee is \$85 for all others.

#### **R3.3**

There is no fee for a request for an interpretation of the *rules*, a request from an association appeals committee for confirmation or correction of its decision, or an appeal under rule 70.1 when the protest committee has failed to hold a hearing or to make a decision.

**R3.4** If a fee is required for an appeal, it must be received before the appeal will be considered. For appeals made to the US Sailing Appeals Committee, the fee can be paid by check to ‘US Sailing’ or electronically at [ussailing.org/appealfee](http://ussailing.org/appealfee).

#### **R4 NOTIFICATION OF THE COMMITTEE WHOSE DECISION IS BEING APPEALED**

Upon receipt of an appeal, the appeals committee shall send a copy of the appeal to the committee whose decision is being appealed, asking it for any documents required by rule R1.2 not supplied by the appellant.

#### **R5 COMMITTEE RESPONSIBILITIES**

##### **R5.1 Protest Committee**

A protest committee whose decision is being appealed shall supply the documents requested under rule R4 and any facts or other information requested under rule R5.4. If directed to do so by the appeals committee, it shall conduct a hearing, or reopen the hearing, of the *protest* or request for redress, or conduct a hearing to consider redress.

##### **R5.2 Association Appeals Committee**

An association appeals committee shall act as the national authority under rule 71, subject to further appeal as provided in rule R7.1(a). In addition, an association appeals committee shall

- (a) send to all *parties* to the hearing, and to the protest committee whose decision is being appealed or reviewed, copies of all relevant documents, comments and clarifications it has received, except those supplied by that *party* or committee;
- (b) send its decision in writing to all *parties* to the hearing and the protest committee; and
- (c) consider an appeal it has refused to decide if directed to do so by the US Sailing Appeals Committee.

### **R5.3 US Sailing Appeals Committee**

The US Sailing Appeals Committee shall send to all *parties* to the hearing, to the protest committee and to the association appeals committee whose decision is being appealed or reviewed, copies of all relevant documents, comments and clarifications it has received, except those supplied by that *party* or committee.

### **R5.4 Facts and Other Information**

- (a) An appeals committee shall accept the facts found by the protest committee.
- (b) When an appeals committee decides that the facts found by the protest committee are inadequate, or that it needs other information, the appeals committee shall require the protest committee to
  - (1) provide additional facts or information, or
  - (2) reopen the hearing and report any new facts or information.

The protest committee shall promptly do so and respond in writing.

### **R6 COMMENTS**

The *parties* to the hearing, the protest committee and, if relevant, the association appeals committee may make comments on the appeal or request, on any of the documents listed in rule R1.2, and on any clarifications received under rule R7.2(d). Comments shall be sent in writing to the appeals committee no later than 15 days after the *party* or committee receives the document. The appeals committee need not consider comments sent after that time or comments on comments.

### **R7 PROVISIONS IN ADDITION TO THOSE OF RULES 70 AND 71**

## **R7.1 Right to Appeal or Request Confirmation or Correction**

- (a) A *party* to a hearing may appeal an association appeals committee's decision or its procedures.
- (b) An association appeals committee may request confirmation or correction of its decision.

## **R7.2**

### **Other Provisions**

- (a) No member of the association appeals committee shall take part in the discussion or decision on an appeal or a request for confirmation or correction to the US Sailing Appeals Committee.
- (b) An appeals committee may direct a protest committee to conduct a hearing to consider redress for an appellant or other boats.
- (c) The US Sailing Appeals Committee may direct an association appeals committee to consider an appeal it has refused to decide, or may assign a different association appeals committee to consider an appeal if there is good reason to do so.
- (d) An appeals committee may seek clarifications of *rules* governing the event from organizations that are not *parties* to the hearing.

## **R7.3 Withdrawing an Appeal**

With the consent of the appeals committee, an appellant may withdraw an appeal before it is decided

## **R8 EXPEDITED APPEALS**

An expedited appeals process, which can only be used at NGB (National Governing Body) Qualifying Competitions or US Sailing Selection Competitions (see US Sailing Regulation 12.02 and 12.03), can be found on the US Sailing website. Go to **ussailing.org/rules** and click the 'Expedited Appeals' link.