

World Sailing Racing Rules Question and Answer Service

Q&A 2024.001

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Meaning of “may be” in rule 62.1

Situation

A request under rule 62.1, Redress can be based on a ‘possibility’ that a boat’s score or place ‘may be’ made significantly worse.

Question 1

What situations will this apply to?

Answer 1

This provision applies to any situation when the protest committee decides that a boat’s score in races not sailed yet or in the series may be made significantly worse by any of the reasons stated in rule 62.1 (a) to (d), and hence it will apply when a boat’s score has not been affected yet but the facts found determined that it will be eventually affected if the circumstances do not change.

Some examples of such scenarios could include:

- A rule in the notice of race or the sailing instructions, or an amendment to either of those documents, has been written ambiguously or is not consistent with the racing rules, the class rules or another document governing the event.
- After boats had prepared, entered, and travelled to an event, a rule in the notice of race has been changed in a way that was disadvantageous or unfair to one or more of the boats entered.
- A right-of-way boat has been damaged in an incident with another boat who took an appropriate penalty (or was penalized) and cannot be repaired on time for racing on the following day.

The appropriate redress in each case will depend on the facts the protest committee finds, and in the first two scenarios the redress might be to direct that the relevant document is amended. In the last scenario listed above, the protest committee may be able to decide immediately how that redress for a future race or races will be calculated, or it may wish to reopen the case to include new facts or to delay the decision until the situation is clearer.

Question 2

Can the words ‘may be’ also apply to a boat’s request when she already has a finishing position or score (including DNF) in the race concerned?

Answer 2

No. In such a case, her claim will be that her score or place in that race ‘has been’ affected. This may or may not be justified, but that is a matter for the protest committee to decide.