

Dubai to Muscat Race 2023 - Discretionary Penalties

For breaches for which a discretionary penalty is provided for, the protest committee has the possibility of awarding a penalty from 0min to DSQ.

To determine the penalty, the protest committee will refer to this document however the protest committee may use, depending on the circumstances, penalties not listed in this document.”.

Discretionary penalties are not simply a list of penalties. The penalties must be adjusted and justified in order to maintain homogeneity of decisions.

The general concept is to establish a basic penalty for each breach and then to increase or decrease it according to the circumstances.

This system provides penalty ranges for the most common breaches.

If the breach is not listed, answers to general questions enable the relevant range to be determined.

Penalties are divided into 5 ranges:

- Range 0: from 0 to 30min
- Range 1: from 30 to 60 min
- Range 2: from 60 to 120min
- Range 3: from 120min to DSQ

The average penalty must be taken into consideration, then determine by questions whether it is appropriate to increase or decrease the penalty in the same range or to adopt another range.

A positive response to the questions below should lead to a reduction in the penalty time:

1. Was the breach accidental (or did it arise out of exceptional circumstances?)
2. Is there a good reason or a justification for the breach?
3. Was the breach declared by the skipper himself?
4. Did someone who is not part of the crew or the team contribute to the breach?

A positive response to the questions below should lead to an increase in the penalty time:

1. Was the breach repeated?
2. Was the breach deliberate?
3. Was the breach due to negligence or lack of attention?
4. Was there any attempt to avoid the breach?
5. Did anyone suffer from the breach?
6. Did the breach give the boat an advantage?

The protest committee may use other questions it considers pertinent in determining whether the penalty should be increased or decreased.

	Range 0	Range 1	Range 2	Range 3
	0-30min	30-60min	60-120min	120min-DSQ
Notice of Race				
2.7 Appendix RV			X	X
2.10 Manual Power	X	X	X	X
2.11 Use of Engine	X	X	X	X
2.15 Use of Person Flotation Devices			X	X
2.18 Infringing RRS Appendix TS			X	X
3.2 Advertising			X	X
4.3 Temporary Discontinuance of Racing			X	X
5.9 AIS			X	

7 Crew Eligibility				X
14 Communications				X
Sailing Instructions				
2.5 Infringing RRS Appendix TS			X	X
8.2 Course Restrictions				X
10 Obstructions				X
11.5 Avoiding the Starting Area		X	X	
11.7 Reporting on VHF before start	X			
12 Race Finish Declaration		X	X	
16.6 Notifications of Retirements etc.			X	X
20.4 Mobile Availability	X	X	X	
20.6 On board Cameras				X
20.8 Radio Communications	X	X	X	X
21 Temporary Discontinuance of Racing	X	X	X	X
Class Rules				
IRC Class Rules	X	X	X	X
OSR Cat 3 plus Cat 2 life-raft and EPIRB				X
RORC Prescriptions		X	X	X
IRC designated one design Class Rules	X	X	X	X

If the penalty is not listed in Table 1 or if several ranges apply to the same breach, the questions below complete the initial set of questions:

Does the breach compromise safety?	Range
No	0 - 2
Possible but not certain	2 or 3
Yes	3
Does the breach give the boat an advantage?	
Absolutely not possible	0 - 2
Possible without affecting the rankings	1 - 3
Certainly changes the position at the finish	3
May the breach give rise to (or did it give rise to) damage or injury?	
No	0 - 2
Possible but not certain	0 - 3
Yes	3