

RULE 4 – ACCEPTANCE OF THE RULES**RULE 4.1**

(a) By participating or intending to participate in an event conducted under the *rules*, each competitor and boat owner agrees to accept the *rules*.

(b) A *support person* by providing support, or a parent or guardian by permitting their child to enter an event, agrees to accept the *rules*.

RULE 4.2

Each competitor and boat owner agrees, on behalf of their *support persons*, that such *support persons* are bound by the *rules*.

RULE 4.3

Acceptance of the *rules* includes agreement

(a) to be governed by the *rules*;

(b) to accept the penalties imposed and other action taken under the *rules*, subject to the appeal and review procedures provided in them, as the final determination of any matter arising under the *rules*;

(c) with respect to any such determination, not to resort to any court of law or tribunal not provided for in the *rules*; and

(d) by each competitor and boat owner to ensure that their *support persons* are aware of the *rules*.

RULE 4.4

The person in charge of each boat shall ensure that all competitors in the crew and the boat's owner are aware of their responsibilities under this rule.

RULE 4.5

This rule may be changed by a prescription of the national authority of the venue.

Rule 4 states that when you decide to race under the World Sailing *Racing Rules of Sailing*, you agree to be governed by those *rules*, and to keep actions made in accordance with the *rules* within the rules system of the sport; i.e., not to take them to any outside court. Note that Appendix J (Notice of Race and Sailing Instructions) requires that the Notice of Race include, when applicable, an entry form to be signed by the boat's owner or owner's representative, containing words such as: "I agree to be bound by *The Racing Rules of Sailing* and by all other *rules* that govern this event" (see rule J1.2(12)).

This agreement becomes especially important when an incident results in a high cost of repair or replacement. Rule 65.1 (Legal Liability and Costs) states, "*Questions of legal liability arising from a breach of a rule, including any claims for monetary damages, shall be governed by prescriptions, if any, of the national authority.*"

In the United States, US Sailing prescribes after rule 65.1 "*...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.*" Furthermore, the prescription states, "*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.*"

In other words, a protest committee can find only the facts; and a protest committee, or appeals committee acting on an appeal, can decide only which boat was at fault under the *rules*. They cannot decide issues of claims for monetary damages.

When you disagree with a protest committee's application or interpretation of the *rules*, you may appeal under rule 70.1 (Appeals and Requests to a National Authority), unless the right of appeal has been denied under rule 70.3, C9.1 (match racing) or D2.6(b)(1) (team racing). If you feel that any of your rights as a competitor have been denied by the organizing authority, race committee, protest committee or technical committee, and it hurt, or may hurt, your score or place in a race or series through no fault of your own, you can request redress under rule 61.4(b)(1) (Redress Decisions) and you can appeal that decision as well.

If ever you feel you've been aggrieved by an action not under the jurisdiction of the *rules*, you can take your grievance to the organizing authority for the race or series, or to US Sailing through Regulation 15 of the US Sailing Regulations.

Finally, note that you are responsible for ensuring that your crew, boat owner and *support persons* are aware of the *rules*, and that they know that

by your participation in the race, they have agreed to accept the *rules*, and that **you** can be penalized if they break any of the *rules* (see the discussion in the definition *Support Person*).