

## Special Regulations Interpretation

### 2017-2021 Special Regulations – Incident Reporting

Issued 15 June 2020

#### 1. Question:

What are Australian Sailing's guidelines on the extent of the jurisdiction an Organising Authority has under [Special Regulation](#) 2.02.5 when an incident occurs when a boat is being delivered to or from the race?

#### 2. Answer:

The jurisdiction of an Organising Authority under SR 2.02.5 extends from the time the entry departs from its location for the venue for the purposes of starting the race and the delivery is clearly and reasonably associated with that race.

The jurisdiction of the Organising Authority continues until the earlier of the time the entry completes its delivery from the race's finishing location to its home port; or the time the entry completes its delivery to another location that signifies the boat is undertaking a new passage or has a new reason for being at sea, thus ending any clear and reasonable association with the race.

#### 3. Issue:

Clubs are motivated to review and learn from significant incidents when it is reasonable that they do so because it benefits the sailing community.

There have been incidents around the globe that have occurred outside of a race but involved a boat that was being delivered either to or from the race. Clubs have asked what their responsibilities are when the boat has an incident but is not racing. SR 2.02.5 requires the organising authority to follow any guidelines issued by Australian Sailing.

#### 4. Background:

There has been variation in the way incidents that occur outside of a race are reviewed, including sometimes by the Organising Authority, the national authority, or the relevant maritime regulator. However, when the review of these incidents has been completed, they have always highlighted valuable lessons leading to improved safety.

World Sailing and Australian Sailing have introduced this regulation and guidelines to ensure that the sport takes responsibility for reviewing incidents associated with racing and does so in a consistent way. The regulation does not seek to impose, imply or apportion blame for an incident or liability for a vessel's safe passage.

The important question is whether the incident can reasonably be said to be associated to the race. An incident occurring after the end of a race, or before the race, or possibly even away from the race location could be considered under SR 2.02.5 if a clear and reasonable association to the race is established. The Organising Authority is the most appropriate body to ensure the incident is reviewed in accordance with SR 2.02.5 and

Australian Sailing Limited  
ABN 26 602 997 562

Level 1, 22 Atchison Street  
St Leonards NSW 2065

Locked Bag 806  
Milsoms Point NSW 1565  
Australia

T +61 2 8424 7400

E [office@sailing.org.au](mailto:office@sailing.org.au)

W [www.sailing.org.au](http://www.sailing.org.au)

Program Partner



Affiliated with



[sailing.org.au](http://sailing.org.au)

World Sailing's guidelines for incident reviews and reporting so that that lessons learned are available to the sailing community.