

## **NOTICE OF RACE AND GENERAL SAILING INSTRUCTIONS**

**For 2019**

**(Including the 2019 Season, the 2019 Australian Championship, and any other Standalone Regatta)**

### **1. ORGANISING AUTHORITIES**

- 1.1 The Organising Authority (OA) for each regatta is the yacht club hosting that regatta in conjunction with the McConaghy 38 One Design Class Association.

### **2. RULES**

- 2.1 The 'rules' are as defined in The Racing Rules of Sailing (2017-2020) and World Sailing Addendum Q – Umpired Fleet Racing (attached to this Notice of Race and Sailing Instructions).
- 2.2 Boats shall comply with the 2017-2020 YA Special Regulations Equipment Category 7 requirements. In addition:
- (a) boats shall have Navigation Lights, V-sheet, 2 x red flares and 2 x orange flares conforming to SOLAS and not exceeding the manufacturers expiry date; and
  - (b) boats shall have a functional hand held VHF radio for both safety purposes and Race Committee communication.
- 2.3 An Appendix to this Notice of Race (NoR) and Sailing Instructions (SI's) will be published within 1 week of each regatta, detailing specific schedules and information pertinent to that regatta. When details in the appendix conflict with this NoR and SI's, the appendix shall apply.

### **3. REGATTAS**

- 3.1 The following regattas are planned for 2019:

Regatta	Dates in 2019 (scheduled racing)	Venue*
Act 1 of 2019 Season	9-10 February	CYCA
2019 Australian Championships	15-17 March	RPAYC
Act 2 of 2019 Season	11-12 May	RSYS
Act 3 of 2019 Season	29-30 June	MHYC
Act 4 of 2019 Season	20-21 July	RPAYC
Act 5 of 2019 Season	28-29 September	RSYS
Act 6 of 2019 Season	2-3 November	MHYC

\* The club hosting the regatta is subject to class determination

### **4. ELIGIBILITY**

- 4.1 Each regatta is open to all MC38 Class yachts as defined by the MC38 Class Rule.
- 4.2 Owners or Charterers shall be current members of the International MC38 Owners Association Inc.
- 4.3 For each regatta, boats shall have third-party insurance covering the scheduled days of racing of at least AUD\$10,000,000 (ten million Australian dollars) for any one-claim event.

## 5. ENTRY AND REGISTRATION

- 5.1 Entries in the 2019 season championship occur when an entry in one of the Acts in NoR 3.1 is accepted.
- 5.2 Each regatta will have a separate entry process and a separate entry fee that shall be detailed in the appendix for each regatta.
- 5.3 By the close of Registration at each regatta, boats entered in that regatta shall submit the following documentation to the OA:
- (a) Completed Sail Declaration form; and
  - (b) Completed Crew List, including each crew's ISAF Sailor Classification Code.
- 5.4 The OA of the regatta may extend the time limit to NoR 5.3 at its discretion.
- 5.5 Crew members may elect to either weigh in at each event or use weight recorded at Act 1 of the 2019 series. Crew weights recorded at Act 1 will be available for reference at weigh in at each event and may be used by crew members at all events in 2019, unless the crew elects to re-weigh at a subsequent event. Crew members who did not weigh in for Act 1 must weigh in at a regatta prior to racing. Any new weights taken and entered at a regatta will be recorded as the official weight for that crew member for future events in 2019 (unless a crew member elects to re-weigh). Only the last recorded weight may be used by a crew member in lieu of them re weighing.

## 6. COMMUNICATION

- 6.1 Changes to the Sailing Instructions ashore will be posted two hours prior to the first scheduled warning signal on the day they take effect. Changes made afloat will be indicated by the display of Code Flag "L" displayed on the Race Committee Signal Boat. The change may be communicated either orally or in writing.
- 6.2 When flag AP is displayed ashore, '1 minute' is replaced with 'not less than 30 minutes'. This changes RRS Race Signals "AP".
- 6.3 The Race Committee intends to broadcast race information on VHF before and during each race. The VHF channel will be advised in the event NoR and SI Appendix.
- 6.4 The Class flag shall be the flag containing the MC38 class logo or Code Flag "W".

## 7. TIME LIMIT

- 7.1 Boats failing to finish within 15 minutes after the first boat finishes shall be scored Did not Finish 'DNF'. This amends RRS 35, A4 and A5.

## 8. MARKS

- 8.1 The starting line will be between the signal mast of the Race Committee Signal Boat displaying an orange flag and the course side of a chequered black and white inflatable mark on the port end of the line.
- 8.2 The finishing line will be between the signal mast of the Committee Vessel displaying an orange flag and a chequered black and white inflatable mark nearby.
- 8.3 Mark 1 and the Gate marks will be yellow inflatable cylindrical buoys.
- 8.4 Mark 1a (the offset mark) will be an orange inflatable cylindrical buoy.
- 8.5 The "Change Mark" will be a yellow with black band inflatable cylindrical buoy.
- 8.6 A Regatta Appendix may modify the description of the mark(s) found above.

## 9. COURSES

- 9.1 The Race Committee Signal Boat will signal the Course Number and the approximate magnetic bearing and distance in nautical miles from the Race Committee Signal Boat to the first mark.

Course 2	Start - 1 - 1a - Finish (Downwind)
Course 3	Start - 1 - 1a - Gate - Finish (Upwind)
Course 4	Start - 1 - 1a - Gate - 1 - 1a - Finish (Downwind)

Course 5	Start - 1 - 1a - Gate - 1 - 1a - Gate - Finish (Upwind)
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9.2 Marks 1 and 1a shall be rounded to port. Mark 1a is an offset mark and will be positioned to port of Mark 1.

9.3 Except when there is a change of course, the Gate will be positioned approximately 50m from the Race Committee Signal Boat. The Gate may be laid after the starting signal. If only one Gate mark is set, boats shall round the single mark to port.

## 10. CHANGE OF THE NEXT LEG OF THE COURSE

10.1 To change the next leg of the course, the race committee will lay a new mark (or move the finishing line) and remove the original mark as soon as practicable. In the event that the position of Mark 1 is changed, Marks 1 and 1a will be replaced by a new single Mark 1 and boats will round the new Mark 1 and proceed directly to the Gate or to Mark 2, or to the Finishing Line, as appropriate. When, in a subsequent change a new mark is replaced, it shall be replaced by an original mark.

## 11. AREAS THAT ARE OBSTRUCTIONS

11.1 While racing, boats shall not sail:

- (a) within the area of water between the registered moorings and the adjacent shoreline. This includes Police or NSW Maritime moorings but excludes naval and shipping moorings;
- (b) within the area bounded by the Cardinal Marks:
  - (i) around the Sow and Pigs reef; and
  - (ii) near Dobroyd Head
- (c) between the Cardinal Mark(s) nearby and the shore of:
  - (i) Shark Island; and
  - (ii) Bradleys Head
- (d) within the area of water between yellow markers in the vicinity of:
  - (i) Garden Island; and
  - (ii) Chowder Bay.

11.2 These areas rank as obstructions. Penalties for breaking this SI shall be Addendum Q 4.1.

## 12. GUESTS

12.1 Guests may be permitted if this is stated in the Appendix to the NoR and SI's for a regatta.

12.2 While racing, guests shall not position any part of their legs outboard of the sheer line. Furthermore, in races other than the Invitation Race, guests shall remain aft of the mainsail traveller and shall not participate in the crew work on the boat.

## 13. SCORING

13.1 Scores are attributed to the owner or charterer of the boat in each regatta. For the purpose of scoring, the Class Authority is solely responsible for determining who the owner or charterer is.

13.2 Regatta Scoring: Each boat's score shall be the sum of all her races (no discards). One (1) race is required to be completed to constitute a regatta.

13.3 Season Championship Scoring:

- (a) Finishing places in an Act are used as the score for the season (1<sup>st</sup> in an Act = 1 point, 2<sup>nd</sup> in an Act = 2 points, 3<sup>rd</sup> in an Act = 3 points etc)
- (b) An owner or charterer that does not enter an Act will be scored as 1 point more than the number of entrants in that regatta.
- (c) The 2019 Australian Championship is a stand alone regatta to determine the 2019 Australian Champion. The results of this regatta will not be included when scoring the 2019 Season Championship.

#### **14. ADVERTISING**

- 14.1 Each boat shall display an MC38 Battle Flag on the forestay when it is berthed. Breaches of this rule will not be grounds for protest by a boat. This changes RRS 60.1(a).
- 14.2 Boats may be required to display sponsor flags or decals at each regatta. Details of any such requirement will be contained in the Appendix for that regatta.

#### **15. BERTHING & HAUL-OUT**

- 15.1 From the time of the first Race Committee briefing until the end of the Prize-giving ceremony, boats shall be berthed at the location as determined by the OA when not sailing.
- 15.2 Except with and according to the terms of prior written permission of the Class Authority, boats shall not be hauled out from 1000hrs on the first scheduled day of racing at a regatta that the boat has entered until the boat has completed racing in the regatta.

#### **16. COMMERCIAL SHIPPING IN SYDNEY HARBOUR**

- 16.1 Boats shall not interfere with the Commercial or Defence shipping of the Port. The attention of skippers is drawn to NSW Maritime Authority regulations regarding the right of way of vessels entering or leaving port, ferries displaying orange diamonds and vessels engaged in towing. NSW Maritime regulations specify "Priority over Sail – some Commercial Ferries on Sydney Harbour display an orange diamond shape which grants priority of way over sailing vessels. Do not attempt to cross the path of an approaching ferry displaying this signal". □
- 16.2 All yachts must abide by traffic directions of Sydney Ports and NSW Boating Service Officers. Any yacht directed to stop or alter course by NSW Maritime Boating Service Officers shall do so immediately.
- 16.3 Any yachts reported by NSW Maritime as having contravened NSW Maritime regulations shall be disqualified without a hearing. This amends RRS 63.1.

#### **17. SUPPORT VESSELS**

- 17.1 Except in the case of an emergency, boats entered in a regatta shall not communicate with support boats from the time the boat leaves the dock on a scheduled race day until the boat has completed racing for the day.

#### **18. PRIZES**

- 18.1 Prizes may be awarded for 1st, 2nd & 3rd in each regatta. Other prizes may be awarded at the discretion of the McConaghy 38 One Design Class Association.
- 18.2 The title of MC38 Series Champion – shall be awarded to the winning owner or charterer for the particular series. Other prizes may be awarded at the discretion of the McConaghy 38 One Design Class Association.

#### **19. RESPONSIBILITIES**

- 19.1 All those taking part in the regatta do so at their own risk and responsibility. Specific attention is drawn to RRS 4, which states; "The responsibility for a boat's decision to participate in a race or to continue racing is hers alone". The OA, sponsors, the International MC38 Class Association and the Race Committee are not responsible for any damage or injury either afloat or ashore.
- 19.2 The OA, sponsors, the International MC38 Class Association and the Race Committee are not responsible for the seaworthiness of a boat whose entry is accepted or the sufficiency or adequacy of its equipment.
- 19.3 All those taking part in the regatta are reminded of their obligations as set out in the Yachting Australia Special Regulations clause 1.02 Owner's Responsibility.
- 19.4 **Risk Warning:** The OA advises owners, skippers and anyone who participates in yachting events conducted by the OA that participation in the sport of yachting, whether racing or otherwise, can be dangerous and can result in harm, personal injury and property damage. The OA is not responsible for any harm or injury suffered by any person in any yachting event conducted by the OA of whatever nature. All participants acknowledge that competing in yachting events may be dangerous and may result in harm or personal injury and participate in such events aware of such dangers and voluntarily accept any risk of harm.

- 19.5 It is the responsibility of owners and skippers to ensure that each boat nominated on the entry form complies with the 'rules' as detailed in NoR 2. All competitors who sign the entry form will have been deemed to have made a declaration to the OA that the nominated boat will at all times whilst racing comply with the rules, including:
- (a) the person who signs and lodges the entry form with the OA warranting to the OA that he or she will draw the attention of any person who competes on the boat being entered to the risk warning in NoR 19.4;
  - (b) the person who signs and lodges this entry form with the OA acknowledging receipt of the risk warning above and releasing the OA from any claim or liability whatsoever for any harm or personal injury suffered by him, or by any person claiming through him, in any event conducted by the OA.

## 20. CONTACT DETAILS

### **International MC38 Class Association Inc.**

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## **Addendum Q for MC38 Class Racing - Umpired Fleet Racing (valid to end of 2020)**

This addendum has been approved by World Sailing (WS) in accordance with rule 86.2 and WS Regulation 28.1.3. These sailing instructions change the definition Proper Course, and rules 20, 28.2, 44, 60, 61, 62, 63, 64.1, 65, 66, 70, 78.3 and A5.

### **Q1 CHANGES TO RACING RULES**

*Additional changes to rules are made in instructions Q2, Q3, Q4, and Q5.*

#### **Q1.1 Changes to the Definitions and the Rules of Part 2 and Part 4**

- (a) Add to the definition Proper Course: 'A boat taking a penalty or manoeuvring to take a penalty is not sailing a *proper course*.'
- (b) When rule 20 applies, the following arm signals are required in addition to the hails:
  - (1) for 'Room to tack', repeatedly and clearly pointing to windward; and
  - (2) for 'You tack', repeatedly and clearly pointing at the other boat and waving the arm to windward.

#### **Q1.2 Changes to Rules Involving Protests, Requests for Redress, Penalties and Exoneration**

- (a) The first sentence of rule 44.1 is replaced with: 'A boat may take a One-Turn Penalty when she may have broken a rule of Part 2 (except rule 14 when she has caused damage or injury), rules 31 or 42, or MC38 Class Rule C.7.1 and C.7.2 while racing.'
- (b) -
- (c) Rule 60.1 is replaced with 'A boat may protest another boat or request redress provided she complies with instructions Q2.1 and Q2.3.'
- (d) The third sentence of rule 61.1(a) is deleted.
- (e) Rules 62.1(a), (b) and (d) are deleted. In a race where this addendum applies, there shall be no scoring adjustments for redress given under any of these rules for a previous race.
- (f) Rule 64.1(a) is changed so that the provision for exonerating a boat may be applied by the umpires without a hearing, and it takes precedence over any conflicting instruction of this addendum.

### **Q2 PROTESTS AND REQUESTS FOR REDRESS BY BOATS**

**Q2.1** While racing, a boat may protest another boat under a rule of Part 2 (except rule 14), rules 31 or 42, or MC38 Class Rule C.7.1 and C.7.2; however, a boat may only protest under a rule of Part 2 or an MC38 Class Rule for an incident in which she was involved. To do so she shall hail 'Protest' and conspicuously display a red flag at the first reasonable opportunity for each. She shall remove the flag before, or at the first reasonable opportunity after a boat involved in the incident has taken a penalty voluntarily or after an umpire's decision.

**Q2.2** A boat that protests as provided in instruction Q2.1 is not entitled to a hearing. Instead, a boat involved in the incident may acknowledge breaking a rule by taking a Penalty as described in rule 44.2. If the protested boat does not take a penalty voluntarily, an umpire will decide whether to penalize any boat and signal the decision as provided in instruction Q3.1.

**Q2.3** A boat intending to

- (a) protest another boat under a rule other than instruction Q3.2, or a rule listed in instruction Q2.1,
- (b) protest another boat under rule 14 if there was contact that caused damage or injury, or
- (c) request redress

shall hail the race committee within five (5) minutes of the last boat to finish. The same time limit applies to protests under instructions Q5.4 and Q5.5. The protest committee may extend the time limit if there is good reason to do so.

**Q2.4** The race committee will promptly inform the protest committee about any protests or requests for redress made under instruction Q2.3.

### **Q3 UMPIRE SIGNALS AND IMPOSED PENALTIES**

**Q3.1** An umpire will signal a decision as follows:

- (a) A green and white flag with one long sound means 'No penalty.'
- (b) A red flag with one long sound means 'A penalty is imposed or remains outstanding.' The umpire will hail or signal to identify each such boat.
- (c) A black flag with one long sound means 'A boat is disqualified.' The umpire will hail or signal to identify the boat disqualified.

**Q3.2** (a) A boat penalized under instruction Q3.1(b) shall take a One-Turn Penalty as described in rule 44.2.

(b) A boat disqualified under instruction Q3.1(c) shall promptly leave the course area.

### **Q4 PENALTIES AND PROTESTS INITIATED BY AN UMPIRE;**

**Q4.1** When a boat

- (a) breaks rule 31 and does not take a penalty,
- (b) breaks rule 42,
- (c) gains an advantage despite taking a penalty,
- (d) deliberately breaks a rule,
- (e) commits a breach of sportsmanship,
- (f) fails to comply with instruction Q3.2 or to take a penalty when required to do so by an umpire, or
- (g) breaks a Sailing Instruction whose penalty refers to Addendum Q4.1,

an umpire may penalize her without a protest by another boat. The umpire may impose one or more One-Turn Penalties to be taken as described in rule 44.2, each signaled in accordance with instruction Q3.1(b), or disqualify her under instruction Q3.1(c), or report the incident to the protest committee for further action. If a boat is penalized under instruction Q4.1(f) for not taking a penalty or taking a penalty incorrectly, the original penalty is cancelled.

**Q4.3** An umpire who decides, based on his own observation or a report received from any source, that a boat may have broken a rule, other than instruction Q3.2 or a rule listed in instruction Q2.1, may inform the protest committee for its action under rule 60.3. However, he will not inform the protest committee of an alleged breach of rule 14 unless there is damage or injury.

### **Q5 PROTESTS; REQUESTS FOR REDRESS OR REOPENING; APPEALS; OTHER PROCEEDINGS**

**Q5.1** No proceedings of any kind may be taken in relation to any action or non-action by an umpire.

**Q5.2** A boat may not base an appeal on an alleged improper action, omission or decision of the umpires or the protest committee. In rule 66 the third sentence is changed to 'A *party* to the hearing may not ask for a reopening.'

- Q5.3**
- (a) Protests and requests for redress need not be in writing.
  - (b) The protest committee may take evidence and conduct the hearing in any way it considers appropriate and may communicate its decision orally.
  - (c) If the protest committee decides that a breach of a rule has had no effect on the outcome of the race, it may impose a penalty of points or fraction of points or make another arrangement it decides is equitable, which may be to impose no penalty.

**Q5.4** The race committee will not protest a boat, except following a report under rule 43.1(c) or 78.3.

**Q5.5** The protest committee may protest a boat under rule 60.3. However, it will not protest a boat for breaking instruction Q3.2 or Q4.2(a), a rule listed in instruction Q2.1, or rule 14 unless there is damage or injury.

**Q5.6** The race committee shall score a boat that did not sail the course the same points as if the boat retired.