



## **YQ REGULATION 11 : GRANTING RELAXATION/VARIATION OF YACHTING AUSTRALIA SPECIAL REGULATIONS**

(Pursuant to YA SR 1.01.3 (b) and (c))  
(22 July 2008)

### **1.0 Introduction**

- 1.1 This Policy shall apply to YA Special Regulations 2005-2008, referred to as SRs 2005, AND YA Special Regulations 2009-2012, referred to as Special Regulations 2009.
- 1.2 For Category 1 and 2 events Yachting Queensland (YQ) will consider applications for relaxation/variation from a Club for its events or a particular event.
- 1.3 For Category 3 to 7 events YQ may issue general relaxation/variations and consider Applications from a Club or Class Association.

### **2.0 Application**

- 2.1 Applications shall be in writing, fax or electronic transmission and may only be received from a Club or Class, but not individuals.
- 2.2 Application shall be made to YQ and not individual members of the Safety Committee or Board.
- 2.3 Applications for relaxation/variation shall be considered by the YQ Safety Committee or a Technical Committee appointed by the YQ Safety Committee. The Safety Committee and/or the Technical Committee shall meet as required having regard to the urgency of the Application.

### **3.0 Application Criteria**

- 3.1 The Application must meet the following criteria:
  - a. The Club/Class Association making the Application must support the request of the yacht or yachts in category 3 to 7 events.
  - b. The Club/Class Association shall state that the yacht/s are acceptable to race with that Club/Class Association if a relaxation/variation is granted.
  - c. The regulation to be relaxed/varied shall:
    - (i) be imprecise, ambiguous or badly worded, or
    - (ii) if complied with, impose an unanticipated risk, or
    - (iii) not be able to be complied with in a seamanlike fashion, or

- (iv) not be able to be complied with due to the yacht's design, or
  - (v) not provide a 'grandfather clause' in situations where such is reasonable.
- d. Provide specific details as to why the Regulation cannot be complied with in respect of that yacht/ class OR why the Event merits variation of the Regulation.
- e. The level of safety provided by the Regulation is not compromised and specific details of an alternate method of compliance are offered.

#### **4.0 Application Decision**

- 4.1. The decision of the YQ Safety Committee or the YQ Technical Committee is by way of a recommendation for adoption by YQ.
- 4.2. An Application may be declined or granted. If declined the reasons shall be stated.
- 4.3. If YQ proposes not to adopt the recommendation of the Safety Committee or Technical Committee, the matter shall be referred back to the Safety Committee and/or the Technical Committee with reasons as to why the Application should be reconsidered.
- 4.4. The Decision shall be in writing and in the attached format.
- 4.5. A Decision to relax/vary a Special Regulation shall state the conditions, if any, on which it is granted.
- 4.6. YQ shall maintain a Register of all Applications received and the decision on each.

YQ Special Regulations Committee  
 Policy on Granting Relaxation/Variation of Special Regulations  
 Pursuant to YA SR 2005 and 2009-1.01.3 (b) and (c)

**DECISION ON AN APPLICATION FOR RELAXATION/VARIATION**

Applicant Club/Class Association	Date of Application	
Name of Yacht <b>OR</b>	Sail No.	QLD Registration No.
	YA membership No.	
Title of Event	Date	Aquatic Events Permit No.
Regulation to be Relaxed/Varied. SR 2005 or 2009 Part 1 or 2 SR no.		
<b>CONDITIONS OF RELAXATION/VARIATION</b>		
<ol style="list-style-type: none"> <li>1. Applies only to the yacht /Event named above.</li> <li>2. Applies only in events conducted by the Applicant Club in which the named yacht participates.</li> <li>3. Is not of general application to any other yacht or yacht of similar design or for events conducted by any other Club.</li> <li>4. A copy of this Decision shall be carried on board the named yacht and be attached to each Audit Certificate.</li> <li>5. If the Decision is for an Event a copy shall be displayed on the Official Notice Board during the Event.</li> <li>6. The above specified Special Regulation is relaxed/varied to the following extent;           <ol style="list-style-type: none"> <li>a) ( insert the specific details)</li> <li>b)</li> <li>c)</li> </ol>           OR declined for the following reasons;           <ol style="list-style-type: none"> <li>a) (state the specific reasons)</li> <li>b)</li> </ol> </li> <li>7. This relaxation/variation will remain in force until the official end of the event specified, <b>OR</b> for the duration of the current Special Regulations i.e. until 30 June 2009 or 2013 as applicable, <b>OR</b> until the date specified as follows:  <div style="text-align: right; margin-right: 50px;">Specified expiration date</div> </li> </ol>		
The Safety or Technical Committee of YQ Special Regulations Committee <div style="display: flex; justify-content: space-between;"> <span>RECOMMENDS</span> <span>dated</span> </div> <div style="display: flex; justify-content: space-between;"> <span>DECLINES to RECOMMEND</span> <span>dated</span> </div>		
YQ Approves the recommendation of the Safety/Technical committee		dated
Refers the matter back for further consideration		dated
Method by which applicant is notified		date
Signed		date