SAILING INSTRUCTIONS

Posted 9/8/10

Abbreviations:

PC – protest committee
RC – race committee
OA – organising authority
NA – national authority
RRS – racing rules of sailing
SI – sailing instructions
IJ – International Jury
NoR – notice of race

1 RULES

1.1 The event will be governed by

(a) the rules as defined in the RRS, including Appendix C, the July 1, 2010 edition of the US SAILING Prescriptions and the USMRC Conditions.

(b) the rules for Handling Boats (SI Appendix C), which also apply to any practice sailing and sponsor races. Class rules of the Ultimate 20 Class will not apply.

1.2 Conflicts, if any, between the NoR and the SI will be resolved in favour of the SI. This changes RRS 63.7.

1.3 Add to RRS 41: ‘(e) help to recover from the water and return on board a crew member, provided the return on board is at the approximate location of the recovery.’

1.4 RRS 49.2 does not apply.

1.5 Change RRS C8.6: ‘When the match umpires, together with at least one other umpire, decide that a boat has broken rule 14 and damage resulted, they may impose a penalty as provided in SI Appendix E, without a hearing. The competitor shall be informed of the penalty as soon as practicable and may request a hearing. The protest committee shall then proceed under rule C6.6. Any penalty decided by the protest committee may be more than that provided in SI Appendix E. When the umpires decide a penalty greater than that provided in SI Appendix E is appropriate, they shall act under rule C8.4. Penalties under this rule may be either deducted from the score of the boat breaking the rule or credited to her opponent.

1.6 US SAILING Regulations 10.01(c):

C. PROHIBITED SUBSTANCES

1. For adult US SAILING championship events, no competitor shall use, either on or off the water: marijuana or any other controlled substance (as defined in 21 U.S. Code 802) the possession of which is unlawful under 21 U.S. Code 841.

2. For Junior and Youth events or for junior or youth competitors in any US SAILING championship, no participant or competitor shall use, either on or off the water: marijuana or any other controlled substance (as defined in 21 U.S. Code 802) the possession of which is unlawful under 21 U.S. Code 841, or alcoholic beverages (distilled spirits, wine and beer, each as defined in chapter 51 of the U.S. Internal Revenue Code and intended for beverage use).
3. An alleged breach of one of these regulations shall not be grounds for a protest. However, when the protest committee believes that a competitor may have breached one of these regulations, it shall follow the process described in racing rule 69.1, and a competitor found to have breached one of these regulations shall be excluded from the remaining races of the series and, where practicable, removed from the regatta venue and sent home. The competitor’s boat shall be disqualified from all races of the series.

1.7 USE OF PERSONAL FLOTATION
Competitors in US SAILING championships or qualifiers for US SAILING championships shall wear a U.S. Coast Guard (USCG) approved personal floatation device (PFD) while on the water, other than for brief periods while adding or removing clothing. Flag Y will not be flown. All competitors must supply their own PFD. This modifies RRS 40.1 and the preamble to Part 4.

2 ENTRIES and ELIGIBILITY
2.1 Only skippers invited by the OA are eligible for the event. The criteria for invitation are listed in the NoR. The skippers are listed in SI Appendix A.
2.2 To remain eligible the entire crew shall complete registration, pay any fees, deposit US $ 1,000 for damage, and complete crew weighing, all from 1200 to 1700 on September 15, 2010, unless extended by the OA.
2.3 The damage deposit is the limit of liability of each skipper for each incident. In the event that a deduction is made from the deposit, the skipper will be required to restore the deposit to the original value to maintain eligibility.
2.4 Each skipper is responsible for the damage or loss to their boat unless responsibility is otherwise assigned by the umpires or PC.
2.5 After the warning signal for a match the registered skipper shall not leave the helm, except in an emergency.
2.6 When a registered skipper is unable to continue in the event, the OA may authorise an original crew member to substitute.
2.7 When a registered crew member is unable to continue in the event, the OA may authorise a substitute, a temporary substitute or other adjustment.

3 COMMUNICATIONS WITH COMPETITORS
3.1 Notices to competitors will be posted on the official notice board located in the Canada’s Cup Room in the BYC clubhouse.
3.2 Signals made ashore will be displayed from the flagstaff on the front lawn at BYC.
3.3 Skippers shall attend the first briefing, which will be at 1830 on September 15, 2010 in the Canada’s Cup Room, unless excused by the OA.
3.4 The first meeting with the umpires will be at 1730 on September 15, 2010, in the Canada’s Cup Room.
3.5 A daily morning meeting will start at 0830 in the Canada’s Cup Room.
3.6 A daily debrief for competitors and umpires is planned each day after racing at a time and place to be posted on the notice board.

4 AMENDMENTS TO SAILING INSTRUCTIONS
4.1 Amendments to the SI made ashore will be posted at least 30 minutes before the start of any race affected and will be signed by the RC and the PC representatives.
4.2 Flag L over the numeral pennant of the most recent amendment will be displayed ashore each day until the boats have departed for the race course.
4.3 Amendments made afloat will be signalled by the display of flag 3rd substitute with three sound signals. An umpire may communicate these either orally or in writing.
5 BOATS AND SAILS
5.1 (a) The event will be sailed in Ultimate 20-type boats.
(b) The sails to be used will be allocated by the RC.
(c) Competitors may be requested to exchange sails during a series to satisfy sponsorship commitments. This will not be grounds for redress. This changes RRS 62.
5.2 The sails that are on the boat are to stay with the same boat throughout the regatta unless a change is authorized by the RC.
5.3 Other restrictions or instructions may be given to the boats orally by an umpire. Flag 3rd substitute is not required.
5.4 The RC will decide which boats are to be used for each stage, and when they decide a boat should not be used, the skipper assigned that boat will be given the temporary use of another boat.
5.5 The RC may permit a substitute boat when it is satisfied that the original boat is damaged and that repairs in the time available are not practical.

6 IDENTIFICATION and ASSIGNMENT OF BOATS
6.1 Boats will be identified by number.
6.2 Boats will be drawn each day at the morning meeting or at the beginning of each stage as decided by the RC.
6.4 Boats will be exchanged in accordance with the pairing list and race schedule.

7 CREW MEMBERS, NUMBER and WEIGHT
7.1 The number of team members (including the skipper) shall be 3 or 4. All registered team members shall sail all races except for changes authorized as provided in SI 2.6 or 2.7.
7.2 The maximum total team weight, determined prior to racing shall be 578 lbs, when wearing at least shorts and shirts. Weight may be checked during the regatta. At any re-weighing, the total weight limit is increased by 22 lbs. Any weighing in excess of this increased limit shall not be penalised, but the team shall reduce its weight to the increased weight limit before racing again.

8 EVENT FORMAT AND STARTING SCHEDULES
8.1 The event format and match pairing lists are detailed in SI Appendix A and B. The matches to be sailed in a flight will be displayed in order of starting on the RC boat.
8.2 (a) In a knock-out series between two skippers, they shall alternate assigned ends for each match. Unless designated in the pairing list, the initial assigned ends shall be determined by a draw. This changes RRS C4.1.
(b) When a knock-out series between two skippers has been decided, further matches between these two shall not be sailed.
(c) Crews will exchange boats after odd-numbered matches of each knock-out series.
8.3 The racing days are scheduled as September 16-19, 2010.
8.4 The latest time for an attention signal on the last day of racing will be 1600.
8.5 The number of matches to be sailed each day will be determined by the RC.
8.6 (a) The RC may terminate any stage or the event when, in its opinion, it is impractical to attempt to hold the remainder of matches under the existing conditions or in the remaining time scheduled. Early stages may be terminated in favour of later stages.
(b) The OA may change the format, or terminate or eliminate any round, when conditions are not expected to permit the completion of the intended format.
(c) Add RRS C10.3(b): ‘When a single round robin is terminated before completion, or a multiple round robin is terminated during the first round robin, the highest score shall be determined as the average points scored per match sailed by each competitor, unless one or more competitor has completed less than one third of the scheduled matches
when the entire round robin shall be disregarded and if necessary the event declared
void.’

8.7 The intended time of the first attention signal each day is 1000.
8.8 Each subsequent flight will be started as soon as practicable after the previous flight.
8.9 When a match cannot start at its intended time, the signals and starts of the following matches
will remain as originally scheduled, leaving a blank start for the pair not starting. No starting
sequence flags will be displayed for a blank start.
8.10 When, in a knock-out series, a winner of a particular series has been determined, subsequent
starts shall be brought forward to eliminate blank starts. Competitors will be so advised orally by
an umpire.

9 RACING AREA
9.1 The intended racing area will be in the Detroit River in front of BYC. However, the RC in its
discretion may move the racing area to lower Lake St. Clair.
9.2 Course Limits
(a) A number of red or orange buoys may be laid close to the shore in front of Bayview and
extending upstream and downstream from Bayview. The area between the straight line
connecting these buoys and the shore is designated as an “obstruction” and the limit of
safe passage for purposes of RRS Part 2.
(b) A number of red or orange buoys may be laid off the eastern (upstream) shore of Belle
Isle. The area between the straight line connecting these buoys and the Belle Isle shore
is designated as an “obstruction” and the limit of safe passage for purposes of RRS Part
2.
(c) The area north of an imaginary line between the flagpoles on either side of the entrance
to the Bayview harbor on the east (upstream) side of the clubhouse is designated as an
“obstruction” and the limit of safe passage for purposes of RRS Part 2.
(d) No part of a boat may cross the imaginary line between any two adjacent buoys referred
to in SI 9.2(a) or 9.2(b) at any time or the imaginary line referred to in 9.2(c) while racing.
There is no penalty for touching any of the buoys referred to in SI 9.2(a) or 9.2(b).
(e) In the absence of the buoys referred to in SI 9.2(a) or 9.2(b), and in areas that are
beyond the ends of the imaginary line formed by such buoys, boats shall not sail within
50 feet of any shoreline.
(f) A boat may not protest another boat for breaking SI 9.2(d) or 9.2(e), but umpires may
take action in accordance with RRS C8.2. This changes RRS C6.2 and C8.2.

10 COURSE
10.1 (a) Course Configuration (not to scale)

Mark W  o

Mark L  o

o------------- o Start/Finish Line

(b) Course signals and course to be sailed
Course signals will be displayed from the RC boat, at or before the warning signal.
Marks W and L shall be rounded to starboard.
Signal Course
No Signal Start - W - L - W - Finish
S Start - W - Finish

c) **Description of Marks**
The RC boat will be identified by a blue “RC” flag.
The starting/finishing line mark will be a red/orange sphere.
Marks W and L will be orange tetrahedrons.
Replacement marks will be a yellow tetrahedron or an original mark W.

10.2 **Starting/Finishing Line**
(a) The starting/finishing line will be a straight line between the course side of a starting/finishing mark and the staff displaying an orange flag on the RC signal boat.
(b) A buoy may be attached to the RC signal boat anchor line just below keel depth. Boats shall not pass between this buoy and the RC signal boat at any time. This buoy is part of the RC signal boat ground tackle.

10.3 **Abandonment and Shortening**
(a) RRS 32 is deleted and replaced with: ‘After the starting signal the RC may abandon or shorten any match for any reason, after consulting with the match umpires when practical.’
(b) Within a flight, when a visual signal is displayed over a numeral pennant, the signal applies only to that match.

11 **BREAKDOWN and TIME FOR REPAIRS**
11.1 Before the attention signal of a flight or within two minutes of finishing or within five minutes of changing into a new boat, whichever is later, a boat may display an orange flag to signal breakdown or damage to the boat, her sails or injury to her crew and request a delay to the next start. She shall proceed as soon as possible to close to leeward of the RC boat and remain there, unless otherwise directed.
11.2 The time allowed for repairs shall be at the discretion of the RC.
11.3 After the attention signal of a flight, a match will not be postponed or abandoned due to breakdown unless the breakdown signal was displayed as required by SI 11.1.
11.4 Except when RRS 62.1(b) applies, failure to effect repairs in the time allowed, or breakdowns after the attention signal, shall not be grounds for redress. This changes RRS 62.

12 **STARTING PROCEDURE**
12.1 Match warning signals will be numeral pennants.
12.2 The number of each flight will be displayed on a board on the RC signal boat at or before the attention signal for the flight.
12.3 The attention signal will be displayed 7 minutes before the first starting signal in each flight. This changes RRS C3.1.
12.4 RRS C3.2(b) is deleted. This changes RRS C3.

13 **CHANGE OF POSITION OF THE WINDWARD MARK**
13.1 Changes to the course will be made by signalling a change of course to a replacement mark W.
13.2 **Change of Course Signals** (amends RRS 33 and Race Signals)
(a) Flag C and a coloured flag or board means: ‘The windward mark has been replaced. Sail to a mark the same colour as the flag or board.’
(b) When a change of course after starting only affects some matches, these shall be designated by the appropriate numeral pennant(s).

13.3 **Signalling vessel**
(a) When a change of course is made for the first leg, the signal shall be displayed from the RC signal boat with the preparatory signal for each match affected. The preparatory signal shall be followed by a series of repetitive sound signals.

(b) When a change of course is signalled after the first leg it shall be displayed from a boat in the vicinity of mark L.

14 TIME LIMIT
A boat that does not finish within 5 minutes after her opponent has completed the course and finished will be scored DNF. This changes RRS 35 and A5.

15 COACH BOATS (US SAILING GRADE 3 EVENT RE COACHING)
(a) Coaching at this event will not be permitted.
(b) The organisers will not provide berths for coach boats.
(c) Any interference by a coach boat with the racing or event organisation may result in a penalty applied at the discretion of the Protest Committee to the appropriate skipper or team.

16 MEDIA, IMAGES and SOUND
16.1 If required by the OA:
(a) Television personnel and equipment (or dummies) supplied by the OA shall be carried on board while racing.
(b) Competitors shall wear microphones supplied by the OA during racing and be available for interviews when advised by the OA or RC.
(c) Registered skippers shall wear communications equipment supplied by the OA that will allow commentators to communicate with them whilst racing.
16.2 Competitors shall not interfere with the normal working of the OA-supplied media equipment.
16.3 The OA shall have the right to use any images and sound recorded during the event free of any charge.

17 PRIZES
(a) The principal prize for first place will be the Prince of Wales Bowl, a perpetual trophy that the winner of this event may hold pursuant to agreement with the OA.
(b) The skippers and their crew members placing first, second and third in this regatta will be awarded US SAILING Gold, Silver and Bronze medals, respectively. Other prizes may be awarded.
(c) The winning skipper of this event will receive an invitation to race in the 2011 Knickerbocker Cup, a grade 2 event and World Tour Qualifier. Also, the highest placing skipper in the USMRC who does not receive an invitation to the Congressional Cup from that event’s OA will receive an invitation to race in the 2011 Ficker Cup, a grade 2 event and Congressional Cup Qualifier.
(d) The highest placing, eligible [read the USMRC Conditions referenced above] skipper in this event will qualify to represent the United States in the Nations Cup.
(e) The OA may withhold a prize in the case of misconduct or refusal to comply with any reasonable request, including attendance at official functions.
18 CODE of CONDUCT
(a) Competitors shall comply with any reasonable request from any official, including attendance at official functions and co-operation with event sponsors, and shall not behave so as to bring the event into disrepute.
(b) Competitors shall handle the boats and equipment with proper care and seamanship and in accordance with SI Appendices C and D.
(c) The penalty for breaking this SI is at the discretion of the PC and may include exclusion from further participation in the event, the withdrawal of any prize money or the withholding of deposits.

19 DISCLAIMER
All those taking part in the event do so at their own risk. The OA, BYC, the sponsors and their agents, employees, representatives, Board of Governors, members, race committee and officials accept no responsibility for any loss, damage, injury or inconvenience incurred, howsoever caused.

DATED: 07 September 2010
VERSION: TWO
SI APPENDIX A - LIST OF ELIGIBLE SKIPPERS and PAIRING LISTS/KNOCK-OUT TABLE

<table>
<thead>
<tr>
<th></th>
<th>Skippers</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Shawn Bennett</td>
</tr>
<tr>
<td>2</td>
<td>Mike Buckley</td>
</tr>
<tr>
<td>3</td>
<td>Taylor Canfield</td>
</tr>
<tr>
<td>4</td>
<td>Kent Colpaert</td>
</tr>
<tr>
<td>5</td>
<td>Brad Funk</td>
</tr>
<tr>
<td>6</td>
<td>Mark Johnson</td>
</tr>
<tr>
<td>7</td>
<td>Chris Nesbitt</td>
</tr>
<tr>
<td>8</td>
<td>John Pearce</td>
</tr>
<tr>
<td>9</td>
<td>Dave Perry</td>
</tr>
<tr>
<td>10</td>
<td>Leo Vasiliev</td>
</tr>
</tbody>
</table>
SI APPENDIX B - EVENT FORMAT and SCHEDULE OF RACES

EVENT FORMAT

1  Stage 1 - Round Robin(s)
   (a)  All skippers are scheduled to sail a double round robin - each skipper sails each other
        skipper twice.
   (b)  The four (4) highest scoring skippers shall qualify for the next stage. Places 5-10 in the
        event are determined at this stage.

2  Stage 2 - Semi-finals
   (a)  The skipper finishing first in the qualifying round robin(s) shall race against the fourth
        placed skipper. The skipper finishing second shall race the skipper finishing third.
   (b)  The first skipper to score at least two (2) points shall proceed to Stage 4. The other
        skippers will proceed to Stage 3.

3  Stage 3 – Petit Finals
   (a)  Skippers will be paired in accordance with a table to be distributed by the RC.
   (b)  The first skipper to score at least two (2) points shall be awarded third place in the
        event. The other skipper will place fourth in the event.

4  Stage 4 - Finals
   (a)  Skippers will be paired in accordance with a table to be distributed by the RC.
   (b)  The first skipper to score at least three (3) points shall be the winner of the event. The
        other skipper will place second in the event.
SI APPENDIX C - HANDLING BOATS

1 GENERAL
While all reasonable steps are taken to equalise the boats variations will not be grounds for redress. This changes RRS 62.

2 PROHIBITED ITEMS and ACTIONS
Except in an emergency or in order to prevent damage or injury, or when directed by an umpire otherwise, the following are prohibited.

2.1 Any additions, omissions or alterations to the equipment supplied.
2.2 The use of any equipment for a purpose other than that intended or specifically permitted.
2.3 The replacement of any equipment without the sanction of the RC.
2.4 Sailing the boat in a manner that it is reasonable to predict that significant further damage would result.
2.5 Moving equipment from its normal stowage position except when being used.
2.6 Boarding a boat without prior permission.
2.7 Taking a boat from its berth or mooring without having paid the required damage deposit or having permission from the RC, or, on race days, while ‘AP’ is displayed ashore.
2.8 Hauling out a boat or cleaning surfaces below the waterline.
2.9 Using a flattener as a reef.
2.10 Attaching lines to the fabric of spinnakers.
2.11 Perforating sails, even to attach tell tales.
2.12 Radio transmission (including mobile telephones), except to report damage or in response to a request from the RC.
2.13 Adjusting or altering the tension of standing rigging, excluding the backstay.
2.14 Using a winch to adjust the mainsheet, backstay or vang.
2.15 Adjusting lifeline tension.
2.16 Using a reef line as an outhaul.
2.17 Omitting any headsail car or turning block before sheeting onto a winch.
2.18 The use of electronic instruments other than compass and watches.
2.19 Marking directly on the hull or deck.
2.20 After the starting signal and while sailing close hauled for more than a few seconds, the main boom position shall be controlled only by using the mainsheet as it exits the block on the cockpit floor, and the vang.
2.21 The use of the shrouds (including any inner shrouds) above the lower bottle screw (turnbuckle) to facilitate tacking or gybing, or to aid the projection of a crew member outboard is prohibited.
2.22 Having the bowsprit extended, except when in the process of setting, flying or taking down the spinnaker or when taking a tack penalty. The bowsprit shall be fully retracted at the first reasonable opportunity after taking down the spinnaker except when taking a penalty.
2.23 Extending the bowsprit before getting on the new leg of the course after entering the two-length zone of a rounding mark without a spinnaker set.
2.24 A breach of SI C 2.20, 2.21, 2.22 or 2.23 is not open to protest by boats but is subject to action by Umpires in accordance with RRS C8.2. This changes RRS C6.2 and C8.2.

3 PERMITTED ITEMS and ACTIONS
The following are permitted.

3.1 Taking on board the following equipment:
(a) basic hand tools
(b) adhesive tape (but not duct tape)
(c) line (elastic or otherwise of 4 mm diameter or less)
(d) marking pens
(e) tell tale material
(f) watch, timers and hand held compass
(g) shackles and clevis pins
(h) velcro tape
(i) bosun’s chair
(j) spare flags

3.2 Using the items in 3.1 to:
(a) prevent fouling of lines, sails and sheets
(b) attach tell tales
(c) prevent sails being damaged or falling overboard
(d) mark control settings
(e) make minor repairs and permitted adjustments
(f) make signals as per Appendix C6

3.3 Fixing a spinnaker sheet catcher at the bow, providing that it does not extend the length of the boat more than 100 mm and does not require any repair after removal.

3.4 Changing the number of mainsheet purchases.

4 MANDATORY ITEMS and ACTIONS
The following are mandatory.

4.1 The completion of a written damage report before leaving a boat and submitting it to the RC, even if no damage or loss is recorded. Reports shall include any evidence of matters which could cause damage or disadvantage to the boat in future matches.

4.2 At the end of each sailing day:
(a) folding, bagging and placement of the sails as directed
(b) leaving the boat in the same state of cleanliness as when first boarded that day

4.3 At the end of the final day for a particular boat, cleaning the boat (cabin and decks), removing all trash and removing all tape and marks.

4.4 Any request to alter, in any way, the equipment on a boat shall be in writing and worded to permit a yes/no answer.

4.5 Complying with any regulations, including speed restrictions and navigation marks, while leaving or returning to the harbor.

4.6 A breach of items 4.2 and 4.3 will be considered as damage and the cost of rectification will be deducted from the damage deposit.
SI APPENDIX D - EQUIPMENT LIST

The following non-fixed items, provided by the OA, are to be carried on board at all times in their designated place while sailing. Any loss shall be reported on the daily damage report.

SAILS and SAILING EQUIPMENT
Mainsail and set of battens
Headsail
Spinnaker
Two spinnaker sheets
Two headsail sheets
Tiller extension

SAFETY GEAR
Bilge pump

TOOLS
Any supplied tools

GROUND TACKLE
Anchor and chain
Anchor line

MOORING LINES and FENDERS
Two mooring lines
Two fenders

GALLEY EQUIPMENT
As provided by the organisers
SI APPENDIX E – DAMAGE POLICY

Match Racing Penalties for Damage resulting from Contact between Boats

Appendix C6.6 and C8.6 permits the umpires or protest committee to decide the penalty when a boat breaks RRS 14. This document explains how damage will be assessed and gives general guidance on the appropriate penalty. When the protest committee has good reason to do so, it may apply a different penalty.

Damage will be divided into 3 levels

<table>
<thead>
<tr>
<th>Level</th>
<th>Extent</th>
<th>Effect</th>
</tr>
</thead>
<tbody>
<tr>
<td>Level A – Minor Damage</td>
<td>Does not significantly affect the value, general appearance or normal operation of the boat.</td>
<td>Boat may race without repair although some minor surface work may be required after the event. Repairs should not normally require more than 1 hour of work.</td>
</tr>
<tr>
<td>Level B – Damage</td>
<td>Affects the value and/or general appearance of the boat.</td>
<td>The damage does not affect the normal operation of the boat in that race but may need some (temporary) work before racing again. Requires more than 1 hour of work but should not normally require more than 3 hours of work.</td>
</tr>
<tr>
<td>Level C – Major Damage</td>
<td>The normal operation of the boat is compromised and its structural integrity may be impaired.</td>
<td>The boat will need some repair work before racing again. Requires more than 3 hours of work.</td>
</tr>
</tbody>
</table>

Point Penalties - to be applied without a hearing (this amends Appendix C8.6);

<table>
<thead>
<tr>
<th>Level</th>
<th>Round Robin</th>
<th>Knock Outs</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>B</td>
<td>Half point</td>
<td>Three quarters of a point</td>
</tr>
<tr>
<td>C</td>
<td>One point</td>
<td>One point</td>
</tr>
</tbody>
</table>

When both boats break RRS 14, they should both receive a points penalty. If a competitor requests a hearing after a points penalty has been imposed, the protest committee may decide (in the hearing) to give a greater penalty.

Deductions from Damage Deposits

The assessment of damage level is only for the purpose of points penalties, and is not linked to any deductions from the competitor’s damage deposits. Monetary deductions are assessed separately after closer inspection by the OA ‘boat person’, and all damage costs are deducted from damage deposits irrespective of any penalty (or none) imposed under this system.