

# **EQUIPMENT RULEMAKING PROCEDURES**

## **VERSION 1.0**

### **NOVEMBER 2011**

This document describes the procedures to be used by The R&A and the USGA for evaluating and implementing future golf equipment rule changes, as well as the process for changing an associated test method or the introduction of new interpretative guidelines.

It is hoped that these procedures will increase the transparency of the equipment rule-making process and facilitate the participation of manufacturers and other interested parties in that process. In the event of unique circumstances or situations, these procedures may be subject to modification.

These procedures apply to the equipment-related Rules only. They are not intended to be part of the process of changing any other Rule of Golf. They are subject to ongoing review and modification.

#### **Number Procedure**

#### **I Publication of Research Projects**

- 1.1 The R&A and the USGA will publish information in a timely manner on research topics which they believe have a reasonable chance of resulting in an equipment Rule change proposal, or a change in test equipment or test method. Other types of research, such as academic research sponsored by either The R&A and the USGA (or both) or analysis of performance statistics, may also be published.
- 1.2 Where applicable, the information provided will include a description of the research and the reason why the research was conducted. Additional project details will be disclosed by The R&A and the USGA as they determine to be appropriate.
- 1.3 Manufacturers may be invited to participate in the research, offer comments and opinions on the research and recommendations about how it was conducted, and share research that they have conducted themselves.
- 1.4 The publication of any such information will take potential marketplace disruption into consideration.

#### **2 Publication of Comments Received**

- 2.1 Comments which are provided to The R&A and the USGA in response to a proposed Rule change, including the identification of the source of the comments, will be published on the respective websites of The R&A and the USGA.
- 2.2 Appropriate controls will be in place to prevent comments from being published without the submitter's permission. Submitters will be asked to include a completed permission form with their comments either:
  - 2.2.1 Giving permission for the comments to be published verbatim; or
  - 2.2.2 Giving permission for publication of a modified version of their comments, which redacts any sensitive and/or proprietary information. The submitter would be required to provide the modified document for publication. The contents of the modified document, however, must be substantially similar to the non-published version; or
  - 2.2.3 Withholding permission for the comments to be published.

- 2.3 The R&A and the USGA will consider all comments equally, whether or not the submitter gives permission for the comments to be published.

Inappropriate comments, or comments received from anonymous sources, will not be published.

- 2.4 Published comments will be available on The R&A and the USGA websites for a limited period.

### **3. Publication of the Details of Individual Submission Rulings**

- 3.1 Details of individual submissions will not generally be published. They will remain confidential information between the submitter and The R&A and/or the USGA. However, there may be instances when such a decision represents a new precedent or a modification to, or a clarification of, an interpretation of the Rules.

- 3.2 Information regarding the application of a new interpretation may be published if either of the following conditions is met:

3.2.1. The R&A and the USGA consider the Rule interpretation to be precedent-setting or a change to a previous interpretation of the Rules.

3.2.2. The R&A and the USGA believe that the interpretation is likely to be beneficial to others in terms of understanding what is and is not permitted under the Rules.

- 3.3 Where appropriate, The R&A and the USGA will discuss the timing of a notice regarding the new or revised interpretation with the submitter(s) prior to its publication.

- 3.4 Depending on the specific situation, the information may be published on the respective websites of The R&A and the USGA and/or via a Notice to Manufacturers. In addition, it will also be included in the next updated version of the Guidebook.

### **4. Provisions to Facilitate the Transition to Newly Adopted Rules**

- 4.1 The R&A and the USGA will endeavour to avoid implementing any stipulations on the commercial activities of manufacturers and/or retailers when adopting new equipment Rules or interpretations. However, in the event of an extraordinary Rule change or unusual circumstances, The R&A and the USGA will consider whether invoking stipulations involving some aspects of equipment sales and/or manufacturing would be called for.

- 4.2 In the event that The R&A and the USGA believe that such stipulations are necessary, a Notice stating the reason(s) for the proposed stipulations will be provided to interested parties. Comments from manufacturers will be requested and The R&A and the USGA will discuss and consider the feedback provided by submitters. Any significant subsequent changes to the stipulations arising out of comments received will result in an additional Notice and Comment cycle before a decision is finalised.

### **5. Process for Implementation of Rule Change**

- 5.1 Equipment Rule changes can vary quite significantly in terms of degree and impact, so the implementation process will be tailored to the nature of each proposal. Examples of different types of Rule changes include:
- 5.1.1. Rule changes that do not change the conformance status of previous submissions.
  - 5.1.2. Rule changes that may result in previously conforming equipment becoming non-conforming.
  - 5.1.3. Rule changes that represent a relaxation of the existing rule.
- 5.2 The R&A and the USGA continually conduct various types of research concerning golf equipment. When a research topic has the potential to result in an equipment Rule change, an “Area of Interest” Notice will be published by The R&A and the USGA. Subsequently, and where applicable, The R&A and the USGA will publish any research which has been conducted and invite manufacturers, other involved entities and additional interested parties to comment and participate in the research (*as discussed in Section 1. “Publication of Research Projects”*).
- 5.3 Based on the research conducted and the comments received, if The R&A and the USGA subsequently decide to propose an equipment Rule change, a proposal will be published via a Notice and Comment process that may include some or all the following items, as appropriate:
- 5.3.1 An explanation of the perceived problem.
  - 5.3.2 A description of the goals of implementing the Rule change.
  - 5.3.3 Consideration of the effects of the Rule change.
  - 5.3.4 Any additional research conducted subsequent to the “Area of Interest” Notice supporting the Rule change.
  - 5.3.5 A description of the Rule change.
  - 5.3.6 Where applicable, a description of the equipment and procedures used to determine conformance to the Rule.
  - 5.3.7 A proposed implementation plan.
  - 5.3.8 An appropriate time for comments.
  - 5.3.9 If another recent equipment Rule or Rule change has the potential to simultaneously impact the goal of a new equipment Rule or Rule change, this impact will be identified and evaluated.
  - 5.3.10 Other items as relevant.
- 5.4 Throughout the process, manufacturers will be invited to offer their comments and opinions on proposed equipment Rule changes, including information relevant to past changes. After publication of the proposal, a forum on the proposed Rule change may be conducted by The R&A and the USGA.
- 5.5 The comments received, including those written and those received at a forum, if one is held, will be evaluated by The R&A and the USGA. This evaluation may lead to additional research being conducted by The R&A and the USGA and/or changes to the proposed Rule change. Written comments that meet the requirements for publication as discussed in Section 2, “*Publication of Comments Received*”, will be published on The R&A and the USGA websites.

5.6 Once all comments have been received and considered, a final decision regarding the proposed Rule change may be made by The R&A and the USGA. This decision would be published in a timely manner. However, if substantive changes have been made to the original proposal, a subsequent Notice will be issued by The R&A and the USGA for further comment, if they deem it appropriate to do so. After any further comments have been received and evaluated, a final decision regarding the proposed Rule change will be made by The R&A and the USGA.

## **6. Process for Implementation of Change in Test Equipment or Methods**

6.1 The R&A and the USGA continually investigate improvements to test equipment and methodologies. Generally, the objectives for a change to testing equipment will include:

- 6.1.1. The establishment of objective criteria that are measurable using protocols that are reasonable to perform in terms of expertise, time and cost, and that result in data that is reliable, repeatable and that satisfies any relevant correlations; and
- 6.1.2. A preference for the use of a single testing method for both rulemaking bodies; and
- 6.1.3. A preference for protocols that can be performed in the field.

6.2 If The R&A and the USGA believe that an investigation may potentially lead to a significant change in the current test equipment or method used for measuring a specific parameter, an “Area of Interest” Notice will be published to equipment manufacturers. This Notice will include reasons for conducting the research and a description of the research. Manufacturers will be invited to provide their comments or share their own research regarding the existing test method or alternative test methods. If applicable, The R&A and the USGA will publish test equipment research updates and invite comments in a timely manner as they are developed.

6.3 After completion of the research and evaluation of any comments or research provided by equipment manufacturers, The R&A and the USGA will make a decision about proposing any improved or different test equipment or method. If it is decided to propose an improved or different test equipment or method, a proposal will be published and comments requested. A decision not to proceed with any change, or to delay a decision, will also be communicated.

6.4 A proposed test equipment change may include some or all of the following, as appropriate:

- 6.4.1. A description of the test equipment/method change.
- 6.4.2. An explanation of why the equipment/method change is appropriate.
- 6.4.3. A description of the goal of implementing the equipment/method change.
- 6.4.4. Research supporting the need/benefit of the equipment/method change.
- 6.4.5. A proposed implementation plan.
- 6.4.6. An appropriate time for comments to be provided.

6.5 All comments received will be considered, and where permission has been given (*as discussed in Section 2, “Publication of Comments”*), the comments will be published. Comments may include information regarding research carried out by manufacturers, opinions about

the need for the equipment/method change, potential effects on the game, the industry, and the individual company, potential alternative means, and any other information as deemed appropriate by the submitter.

6.6 It is possible that the comments may result in additional research being conducted by The R&A and the USGA. If so, this research will be published. It is also possible that the comments and further research may result in changes to the original proposal and/or to the implementation plan. If such changes are considered by The R&A and the USGA to be significant, a revised proposal will be published with an appropriate amount of time provided for further comments to be received.

6.7 Once all comments have been received and considered, a final decision regarding the proposed test equipment/method and implementation plan will be made by The R&A and the USGA and published in a timely manner.

## **7 Protection of the Purpose and Intent of the Rules**

7.1 The R&A and the USGA are responsible for identifying the purpose and intent of the Rules and any Rule changes. If current Rules language is considered to allow circumvention of the intent or purpose of a Rule or Rule change, The R&A and the USGA will continue to apply the following clauses, as stated in the Rules of Golf, when necessary.

*7.1.1. The R&A and the USGA “reserves the right, at any time, to change the Rules relating to clubs and balls and make or change the interpretations of these Rules.”*

*7.1.2. “Any design in a club or ball which is not covered by the Rules, which is contrary to the purpose and intent of the Rules, or which might significantly change the nature of the game, will be ruled on” by The R&A and the USGA.*

7.2 The R&A and the USGA will use the authority granted by these clauses to make, interpret, and enforce the equipment Rules in an equitable and pragmatic manner. In the absence of such clauses, the equipment Rules would, by necessity to protect the game, become significantly more detailed and more prescriptive in nature.

7.3 To minimise the effect of the application of these clauses on a manufacturer’s development process of any new product concepts and/or prototypes, manufacturers are encouraged to consult with The R&A and/or the USGA early in their development process.

7.4 If it is determined that a particular feature or concept does not meet the intent or purpose of the Rules of Golf, or a specific provision within the Rules of Golf, The R&A and/or the USGA will contact the manufacturer and discuss the decision, including an explanation of why the feature or concept does not meet the intent or purpose of the Rules of Golf or a specific provision within the Rules of Golf. Where applicable, supporting research or test results will be provided to the manufacturer by The R&A and/or the USGA. The R&A and/or the USGA will provide the manufacturer with a reasonable time period within which to provide comments. Any such comments will be considered and the matter will be further discussed with the manufacturer. The R&A and/or the USGA will make a final decision regarding the submission and the manufacturer will be notified accordingly.

7.5 The R&A and the USGA may consider making a subsequent change to the equipment Rules or publish material interpretations to make sure that the purpose and intent of the Rules is maintained. Any such change to the Rules or interpretations would be published in accordance with the established procedures (see Section 3 “Publication of Individual Rulings”

*and Section 5 “Process for Implementing a Rule Change”).*