

RYA GUIDANCE

INFORMATION TO COMPETITORS FROM THE PROTEST COMMITTEE

(THIS DOCUMENT DOES NOT IN ANY WAY MODIFY
OR REPLACE THE RULES OF THE COMPETITION)

1 On the Water

Sailing is essentially a self-policing sport. The protest committee expect that boats will take a penalty promptly when appropriate. The primary responsibility for protesting breaches of the rules is with the competitors, not the protest committee. However, in addition to taking action in accordance with Appendix P, the protest committee may lodge protests in accordance with RRS 60.3.

The protest committee will not usually protest for a breach of a rule of Part 2 or rule 31 unless they observe an apparent breach of good sportsmanship (RRS 2). Examples of such breaches are:

- Deliberately breaking a rule without taking the appropriate penalty.
- Failing to take a penalty after knowingly touching a mark, with no justification for exoneration.
- Intimidating other boats – often evidenced by unnecessary shouting or foul language.
- Team tactics – sailing to benefit another boat to the detriment of your own position.
- Reckless sailing – sailing that results in, or is likely to result in, damage or injury.

2 Propulsion

The ISAF Rule 42 Interpretations 2009-2012 are posted on the ISAF website: www.sailing.org/35483.php.

In addition to the ISAF Rule 42 Interpretations, where the Sailing Instructions state that Appendix P (Special Procedures for Rule 42) is in force, the following points may help you understand the application of the appendix:

- Although there are usually two judges in each jury boat, a single judge will signal a yellow flag penalty when satisfied a sailor has broken rule 42.
- When a yellow flag penalty for a breach of rule 42 penalty is imposed in a race that is subsequently postponed, recalled or abandoned, the boat may compete in the restarted race. However, every yellow flag penalty counts in the total penalties for the boat in the series
- Although judges will signal a rule 42 penalty as soon as possible, this might be after the boat has crossed the finishing line. In the case of a boat's first series penalty, she must complete her penalty turns, and return to the course side of the finishing line before finishing.

- If a boat retires after receiving a second or subsequent series penalty but then unavoidably crosses the finishing line, she must promptly inform the race committee that she retires from the race.

A competitor may ask the protest committee for an explanation of a yellow flag penalty after the completion of the race. The request can be made on the water or by asking the race office to arrange a meeting with the judges. A request for redress claiming the judges made an error when penalizing a boat is strictly limited in accordance with RRS P4. If granted, the redress will be limited to the removal of the penalty from the boat's record and award of average points for the race in question if the boat retired in accordance with Appendix P2.2 or P2.3. Redress will not include any allowance for penalty turns taken.

3 Outside Help – RRS 41

The act of recovering a crew member from the water by another boat (racing or not) is allowed under rule 41, Outside Help, as changed by the RYA prescription. The boat will not normally be protested or penalised under the last sentence of this rule unless she has made significant progress in the race before the crew member is returned on board. However, when a boat may have gained a significant advantage as a result of help received, the race or protest committee may protest her. Any penalty is at the discretion of the protest committee. The protest committee will not penalise actions based solely on safety considerations.

4 Requests for Redress, Claiming Race Committee Error in Scoring a Boat OCS or BFD

Boats sometimes want to challenge the race committee's decision to score them OCS or BFD by requesting redress under rule 62.1(a). For a boat to be given redress, the competitor must provide conclusive evidence that the race committee has made an error in identifying the boat as OCS. Video evidence is rarely conclusive. In the absence of conclusive evidence to the contrary, the protest committee will uphold the race committee's decision. Evidence of the relative positions of two boats that are scored differently is not conclusive evidence that either boat started properly.

5 Recording Equipment in Hearings

Recording equipment may not be used in a hearing without the permission of the panel chairman.

6 Video and Tracking Evidence

A party wishing to bring video or tracking evidence to a hearing is responsible for providing the equipment required to view the evidence. It should be possible for all parties and the protest committee to view the evidence at the same time.

Tracking system information available from the event website may be presented where available, but is of limited accuracy. The system can be used to get an indicative position of boats for visualization, but it is not sufficiently precise to be used for race management purposes or protest committee decisions that require exact positioning information. The tracking information will, therefore, not be considered as conclusive evidence in a hearing of a request for redress on a race committee decision about a boat being scored OCS or BFD or about its finishing position.

7 Requests for Reopening

It is the intention of the protest committee to hear requests for reopening as soon as possible, especially on the last day of a qualifying or opening series.

8 Observers at Hearings

Each party may bring observers to a hearing, unless the protest committee decides in a particular case that it is inappropriate. Observers sit further back from the parties and unless authorised by the panel chairman, observers are not permitted to speak, communicate with the parties, use cellular phones, or use photographic or recording equipment. Observers leave with the parties while the protest committee is deliberating.

9 Rule 69

Any form of cheating, including not telling the truth in a hearing is considered to be a breach of sportsmanship which may result in a hearing under rule 69 and a very heavy penalty.

10 Questions on Procedure and Policy

The best time to raise questions is at the team leaders meeting, but competitors, team leaders and coaches may discuss procedure and policy with the chairman of the protest committee.

[Name of chairman]
Chairman, Protest Committee
[Date]