

RYA 2014/1

Rule 70.5 (as prescribed by the RYA), Appeals and Requests to a National Authority

A sailing instruction denying the right of appeal under Rule 70.5(a) ceases to apply if the condition in that rule ceases to be satisfied.

SUMMARY OF THE FACTS

The Ramuz Trophy is an inter-club event for clubs affiliated to the Norfolk and Suffolk Boating Association (NSBA). Each club is invited to send a team of two members to represent them in a fleet racing competition.

The 2013 event, organised by Horning SC in conjunction with NSBA, was sailed in seven, 2-person keelboats supplied by the organisers. There were 14 entries. The intended format was for a qualifying series of 4 races, with each team sailing in two of the races. The six teams with the lowest scores from their qualifying races would sail a single race with the winner taking the Ramuz Trophy. The Notice of Race and the Sailing Instructions for the event denied the right of appeal in respect of the qualifying races in accordance with the RYA prescription to rule 70.5.

The Norfolk Broads YC (NBYC) team retired in race 4 owing to a gear failure and requested redress. The final race was abandoned before its scheduled warning signal because of rising wind and the trophy was awarded to the lowest scoring team in the qualifying races.

The protest committee heard the request for redress and redress was not given.

The NBYC team appealed and the race committee questioned the validity of the appeal against a decision relating to a qualifying race.

DECISION ON VALIDITY

The appeal is valid.

Rule 70.5(a) makes the denial of the right of appeal conditional upon the need to determine promptly the result of a race that will qualify a boat to compete in a later stage of an event. When the final race was abandoned before its scheduled warning signal the condition was no longer satisfied and, therefore, the denial of the right of appeal ceased to apply to the qualifying races.

Request for redress by NBYC team, Horning SC