

OCC Racing

Protests and Requests for Redress

Due to the nature of yacht racing, from time to time during the season, a boat may consider they were disadvantaged by a rule infringement by another boat or a race committee decision.

If an issue is not resolved in the post race discussion, the following extracts contain the relevant information as to what is required, should you wish to proceed with a protest or request for redress.

The Race Committee encourages greater understanding of the Racing Rules of Sailing. Requests for arbitration redress and protests are an accepted part of gaining a greater knowledge of the rules by all participants.

OCC Sailing Instructions 2011 - 2012

2.2 For any protests where only a rule of Part 2 is alleged to have been broken, an arbitration hearing will be offered prior to any formal hearing.

2.3 Rule 44.1 is changed so that the 720° turn is replaced by a 360° turn.

21. PROTESTS AND REQUESTS FOR REDRESS

Protest requirements as per Rule 61 apply. The protest time limit per Rule 61.3 is 30 minutes after the last boat to finish. Should a protesting boat anticipate being unable to comply, they should notify the OOD on Chanel 77.

The protest committee shall extend the time if there is good reason to do so, but note the limit refers to minutes, not hours or days. Time frame for all protest hearings – heard within 1 week after lodged.

Part 5 of RRS attached

PART 5

PROTESTS, REDRESS, HEARINGS, MISCONDUCT AND APPEALS

SECTION A

PROTESTS; REDRESS; RULE 69 ACTION

60 RIGHT TO PROTEST; RIGHT TO REQUEST REDRESS OR RULE 69 ACTION

60.1 A boat may

- (a) protest another boat, but not for an alleged breach of a rule of Part 2 unless she was involved in or saw the incident; or
- (b) request redress.

60.2 A race committee may

- (a) protest a boat, but not as a result of information arising from a request for redress or an invalid *protest*, or from a report from an *interested party* other than the representative of the boat herself;
- (b) request redress for a boat; or
- (c) report to the protest committee requesting action under rule 69.1(a).

However, when the race committee receives a report required by rule 43.1(c) or 78.3, it shall protest the boat.

60.3 A protest committee may

- (a) protest a boat, but not as a result of information arising from a request for redress or an invalid *protest*, or from a report from an *interested party* other than the representative of the boat herself. However, it may protest a boat
 - (1) if it learns of an incident involving her that may have resulted in injury or serious damage, or
 - (2) if during the hearing of a valid *protest* it learns that the boat, although not a *party* to the hearing, was involved in the incident and may have broken a *rule*;

- (b) call a hearing to consider redress; or
- (c) act under rule 69.1(a).

61 PROTEST REQUIREMENTS

61.1 Informing the Protestee

- (a) A boat intending to protest shall inform the other boat at the first reasonable opportunity. When her *protest* concerns an incident in the racing area that she is involved in or sees, she shall hail 'Protest' and conspicuously display a red flag at the first reasonable opportunity for each. She shall display the flag until she is no longer *racing*. However,
 - (1) if the other boat is beyond hailing distance, the protesting boat need not hail but she shall inform the other boat at the first reasonable opportunity;
 - (2) if the hull length of the protesting boat is less than 6 metres, she need not display a red flag;
 - (3) if the incident results in damage or injury that is obvious to the boats involved and one of them intends to protest, the requirements of this rule do not apply to her, but she shall attempt to inform the other boat within the time limit of rule 61.3.
- (b) A race committee or protest committee intending to protest a boat shall inform her as soon as reasonably possible. However, if the *protest* arises from an incident the committee observes in the racing area, it shall inform the boat after the race within the time limit of rule 61.3.
- (c) If the protest committee decides to protest a boat under rule 60.3(a)(2), it shall inform her as soon as reasonably possible, close the current hearing, proceed as required by rules 61.2 and 63, and hear the original and the new *protests* together.

61.2 Protest Contents

A *protest* shall be in writing and identify

- (a) the protestor and protestee;
- (b) the incident, including where and when it occurred;
- (c) any *rule* the protestor believes was broken; and
- (d) the name of the protestor's representative.

However, if requirement (b) is met, requirement (a) may be met at any time before the hearing, and requirements (c) and (d) may be met before or during the hearing.

61.3 Protest Time Limit

A *protest* by a boat, or by the race committee or protest committee about an incident the committee observes in the racing area, shall be delivered to the race office within the time limit stated in the sailing instructions. If none is stated, the time limit is two hours after the last boat in the race *finishes*. Other race committee or protest committee *protests* shall be delivered to the race office no later than two hours after the committee receives the relevant information. The protest committee shall extend the time if there is good reason to do so.

62 REDRESS

62.1 A request for redress or a protest committee's decision to consider redress shall be based on a claim or possibility that a boat's score in a race or series has, through no fault of her own, been made significantly worse by

- (a) an improper action or omission of the race committee, protest committee or organizing authority, but not by a protest committee decision when the boat was a *party* to the hearing;
- (b) injury or physical damage because of the action of a boat that was breaking a rule of Part 2 or of a vessel not *racing* that was required to keep clear;
- (c) giving help (except to herself or her crew) in compliance with rule 1.1; or
- (d) a boat against which a penalty has been imposed under rule 2 or disciplinary action has been taken under rule 69.1(b).

62.2 The request shall be in writing and be delivered to the race office no later than the protest time limit or two hours after the incident, whichever is later. The protest committee shall extend the time if there is good reason to do so. No red flag is required.

THIS SIDE FOR PROTEST COMMITTEE USE

Number Heard together with numbers

Fill in and tick as appropriate

Withdrawal requested Signature Withdrawal permitted

Class Fleet Race Protest time limit

Protest, or request for redress or reopening, received within time limit Time limit extended

Protestor, or party requesting redress or reopening, represented by

Other party, or boat being considered for redress, represented by

Names of witnesses

Interpreters

Remarks

No objection about interested party

Written protest or request identifies incident

'Protest' hailed at first reasonable opportunity

No hail needed; protestee informed at first reasonable opportunity

Red flag conspicuously displayed at first reasonable opportunity

Protest or request valid; hearing will continue Protest or request invalid; hearing is closed

FACTS FOUND

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Diagram of boat is endorsed by committee Committee's diagram is attached

CONCLUSIONS AND RULES THAT APPLY

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DECISION

Protest: dismissed Boat(s) is (are) disqualified from race(s)
penalized as follows :

Redress: not given given as follows :

Request to reopen a hearing: denied granted

Protest committee chairman and other members

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Chairman's signature

Date and time