



## INFORMATION FROM THE PROTEST COMMITTEE TO COMPETITORS

### 1. Rule 42

The following points may help understand the application of rule 42.

- Official ISAF Interpretations about rule 42
- When a boat's second rule 42 protest in the regatta is signalled in a race that is subsequently postponed, recalled or abandoned, the boat may compete in the restarted race. However, for each boat, every yellow flag protest counts in the total number of such protests.
- Although judges will signal a rule 42 protest as soon as possible, this might be after the boat has crossed the finishing line. In the case of a boat's first protest, the boat must take the two turns penalty, return to the course side of the finishing line and finish.

If a boat is yellow-flag protested, the competitor may ask the judges for an explanation after the completion of the race. It can be done either on the water or by asking the protest committee office to arrange a meeting with the judges..

For a boat to be given redress, conclusive evidence must be presented to the jury that the judges made an error when protesting the boat. The only evidence that the protest committee will consider to be conclusive is when a boat is protested for an action that is permitted as a result of flag O being displayed. Redress will be limited to the removal of the protest from the boat's record and the granting of average points for the race in question if the boat retired in accordance with Appendix P2.2 (i.e. the redress will not include any allowance for penalty turns taken.)

### 2. Observers at hearings

It is intended that hearings are open to observers but this will be subject to the space available in the hearings and at the discretion of the protest committee. Preference will be given to the parties to the hearing who may always bring one person to observe, although in some circumstances the panel may decide to restrict observers. Observers sit further back from the parties and are not permitted to speak. If the hearing is adjourned, observers and parties are not permitted to speak to each other. Mobile phones must not disturb the hearing and no photographic or recording equipment are permitted in the room during the hearing.

### 3. Requests for redress for alleged 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, conclusive evidence must be presented to the protest committee that the race committee has made an error in recording the OCS. Even video

evidence is rarely conclusive. In the absence of conclusive evidence to the contrary the protest committee will uphold the race committee's OCS decision.

Evidence of the relative positions of two boats that are scored differently is not conclusive evidence that either boat started properly.

#### **4. On the Water**

Sailing is essentially a self policing sport. It is expected that competitors 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 jury may lodge protests in accordance with rule 60.3, or the jury may issue a warning. The jury will not normally protest unless they observe an apparent breach of good sportsmanship. Examples of such breaches are:

- reckless sailing – sailing likely to result in damage or injury
- apparent deliberate breaches of rules
- intimidating other boats – often evidenced by unnecessary shouting or foul language.
- failing to take a penalty after knowingly touching a mark
- team racing – sailing to benefit another competitor to the detriment of your own position

#### **5. Rule 69**

Any form of cheating, including not taking a penalty after a clear breach of the rules or not telling the truth in a hearing, is considered to be a breach of sportsmanship and may give rise to a hearing under rule 69 resulting in heavy penalty.

#### **6 Video Evidence**

If a party to a hearing wishes to bring video evidence it is their responsibility to provide the equipment required to view the video.

#### **7 Protest Committee Chairman**

Competitors, team leaders and coaches may discuss procedure and policy with the Protest Committee chairman. He may be contacted through the race office and will be available each day before and after sailing.

David Brunskill

Class Judge