

Protests

The word “Protest” can refer to a number of processes; for example (see ISAF rule 60):

- A Boat may protest another boat for infringement of any rule or sailing instruction
[But Note That: a Boat may protest another boat for an alleged breach of a rule of Part 2 (“When Boats Meet”) only if she herself was involved in or saw the incident.]
- A Boat may request Redress due to an “improper action” of the Race Committee (sometimes erroneously called “Protesting the Race Committee”)
- A Boat may request Redress for time lost involved in giving help or ‘Standing By’ a boat in difficulty
- The Race Committee may Protest a boat for infringement of a Rule
- The Race Committee may request a Protest Committee to consider giving redress to a boat

POLICY: The Tudor Sailing Club will endeavour to hold protest hearings **on the day** that the protest is received, if at all possible. If this is not feasible then a date and time for the hearing should be fixed to take place as soon as possible and certainly **within one week** of the incident. Note - both parties must be allowed a reasonable time to prepare for the hearing.

Protest Contents: The protest must be in writing and identify, as a minimum, the protestor and the incident concerned. The protestee may be identified later if necessary, but before the hearing. The protest need not identify the actual rule(s) believed broken at this stage – this can be done later, before or during the hearing.

On Receipt of a Protest

If you (the Race Officer) do not feel confident to deal with the matter then try to find someone from the Sailing Committee to take charge. If no such person is available then it may not be possible to hold the hearing the same day. In this case, leave the protest form(s) in the Race Office and contact a member of the Sailing Committee as soon as possible. Ensure the parties have left contact details on the form(s). Try also to obtain the names and contact details of independent witnesses to the incident in question.

Required Actions by Person Taking Charge: See ISAF Rule 61

Determine whether the protest is valid. If it relates to an ‘**On the Water**’ incident then ask:

Did the Protestor hail “PROTEST” at the first reasonable opportunity after the incident? Did the Protestor display a RED FLAG at the first reasonable opportunity? (Not applicable for dinghy racing)

If the answer is “YES” then ACCEPT the protest. If the answer is “NO” then advise the protestor that the Protest would probably not be accepted in a Protest Hearing. If the Protestor wishes to proceed anyway, or feels that it was not possible to take these actions for a reason which he/she feels would be accepted by a hearing, then accept the protest. The Hearing will begin by establishing whether the reasons for non-compliance are acceptable.

If the Protest has been accepted then notify the parties and organise a hearing. Make sure that the protestee has an opportunity to study the protest before the hearing. Try to obtain three people for the Protest Committee; one of these can be the Race Officer unless there is any conflict of interest.

If the hearing cannot be held the same day:

Decide on a date and time for the hearing if possible and inform the parties to the protest. If it is not possible to set a date and time there and then, make sure that telephone numbers have been left so that parties can be informed of a date and time when one has been fixed.

For more information see **PART 5 of the ISAF Rules, Sections A and B.**