

Notice to all Racers from the QYC Race Committee, June 24, 2011

PROTESTS

All protests are to be made in writing and given to a member of the Protest Committee before 6:00 PM of the day following the race.

A boat protesting an infringement of RRS Part2 by another boat may choose to submit the protest to arbitration, following the procedure outlined in a notice by the Race Committee on the bulletin board at the Harbor House dock and on the QYC website, quissettyachtclub.org

PROTEST ARBITRATION

The purpose of arbitration is to speed up the protest process and to offer a simpler and more educational format for resolving disputes involving rules. The following procedures shall be followed during the arbitration process:

1. An arbitration is not a protest hearing. While the general procedures of hearing a protest are used in arbitration, the arbitrator is not bound by the rules of Part 5 (Protests, Hearings, Misconduct and Appeals) that govern the conduct of a protest hearing. Any participant in an arbitration hearing may request that the protest be heard by the Protest Committee.

2. Arbitration is limited to protests involving only two boats and only when the rules of Part 2 apply. If it becomes clear that other rules are applicable, or another boat may be involved, the protest shall be forwarded to the Protest Committee.

3. Only the arbitrator, protestor and protestee are permitted to attend. No witnesses shall be allowed. If a competitor believes his case requires a witness, the protest shall be forwarded to the Protest Committee.

4. Before the hearings begin, the arbitrator shall test validity and approve any request to withdraw a protest. The arbitrator shall declare the protest valid or may suggest that the protest be withdrawn when it is clearly invalid. If the validity of the protest is unclear, the arbitrator shall refer the protest to the Protest Committee.

5. The decision of the arbitrator shall be one of three opinions, based on the testimony presented:

1. There was no breach of a rule. If the protestor agrees, the protest is withdrawn. If the protestor disagrees, the matter goes to the Protest Committee for a hearing.

2. There was a breach of a rule by one or both boats involved. The representative of the offending boat has the option of accepting a scoring penalty or submitting the matter to the Protest Committee for a hearing. If the penalty is accepted, the matter cannot be reopened, made the subject of a redress request, or appealed.

3. The matter should go to the Protest Committee for a hearing.

6. When the protest is referred to the Protest Committee, the arbitrator shall not be a member of that Protest Committee, but may observe the hearing and be called as a witness.