

Racing Rules of Sailing

Rules 63.2 & Appendix M2.1, Case 49

A submission from the Chairman of the Racing Rules Committee

Purpose

To make an important principle more readily visible to protest committees and parties to hearings.

Proposal 1

Add the following new paragraph to M2 in Appendix M:

M2.1 When two hearings are scheduled that arise from a single incident, or from very closely connected incidents, they should be heard together in the presence of all the parties involved. This applies to hearings resulting from protests, requests for redress, and hearings under rule 60.3(d) involving a support person. However, any hearings conducted under rule 69 shall not be combined with other types of hearing. (see M5.4).

Renumber M2.1, M2.2, and M2.3 accordingly.

Proposal 2

Add to RRS 63.2

63.2 Time and Place of the Hearing; Time for Parties to Prepare

All *parties* to the hearing shall be notified of the time and place of the hearing, the *protest* or redress information shall be made available to them, and they shall be allowed reasonable time to prepare for the hearing. **When two or more hearings arise from the same incident, or from very closely connected incidents, they may be heard together in one hearing. However, a hearing conducted under rule 69 shall not be combined with any other type of hearing.**

Proposal 3

If either or both proposals 1 and 2 are accepted, delete Case 49.

Current Position

Case 49 clarifies that two protest hearings between boats involving the same incident should be heard together.

Reasons

1. Case 49 establishes an important principle that protest committees should follow. This principle will become more visible to protest committees if it is located in RRS 63.2 or Appendix M or both, rather than *The Case Book*.
 2. The principle stated in Case 49 is expanded logically here to requests for redress and hearings under rule 60.3(d) involving support persons. It is common for a hearing under a Part 2 protest to arise from an incident in which redress has been requested under rule 62.1(a). It is also likely that, in the future, protest hearings under rule 41 will arise from incidents that will also lead to a report that a support person may have broken a rule.
 3. Moving an important principle from a case into the rulebook is a desirable outcome.
 4. The words 'are scheduled' are included in the proposal because this principle would be impossible to implement unless the protest committee could see from the protests, requests for redress and reports under rule 60.3(d) received that two hearings involved the same incident or two very closely connected incidents.
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