Racing Rules of Sailing

Rule 63.6

A submission from US SAILING

Proposal

63.6 Taking Evidence and Finding Facts

The protest committee shall take the evidence of the parties to the hearing and of their witnesses and other evidence it considers necessary. A member of the protest committee who saw the incident shall disclose that fact as soon as possible during the hearing and shall give evidence if asked to do so may give evidence. A party to the hearing may question any person who gives evidence. The committee shall then find the facts and base its decision on them.

Current Position

As above.

Reason

Parties to a hearing should have the opportunity to hear all the evidence and to question all witnesses. If a member of the protest committee has seen the incident, the member should state that fact early in the hearing. The current rule can result in evidence coming to light during the decision stage of the hearing when the parties are not present and are unaware that the evidence exists. It is only fair that the protestor and protestee have the opportunity to hear what the protest committee member thought he or she saw in order to be able to ask questions and present possible alternatives about positioning, timing, and identification.