

Racing Rules of Sailing

Rule 61.2 and the Protest Form

A submission from the Chairman of the Racing Rules Committee

Purpose

To change rule 61.2 so that fewer protests are found to be invalid because the protestor failed to state correctly where and when the incident occurred. Also, to modify the Protest Form in light of the changes in rule 61.2.

Proposal 1

Change rule 61.2 as follows:

61.2 Protest Contents

A *protest* shall be in writing and identify

- (a) the protestor and protestee;
- (b) the incident, ~~including where and when it occurred;~~
- (c) **where and when the incident occurred;**
- (~~d~~e) any *rule* the protestor believes was broken; and
- (~~e~~) the name of the protestor's representative.

However, if requirement (b) is met, requirement (a) may be met at any time before the hearing, and requirements (~~d~~e) and (~~e~~) may be met before or during the hearing. **Requirement (c) may also be met before or during the hearing, provided the protestee is allowed reasonable time to prepare for the hearing.**

Current Position for Proposal 1

As above.

Proposal 2

On the first page of the Protest Form, delete items 1 and 5 and replace them with:

1. **EVENT** Race: 1st ☐ 2nd ☐ 3rd ☐th ☐ race on/...../ 20

5. **INCIDENT**

Lap: 1st ☐ 2nd ☐ 3rd ☐th. Leg Where on leg?

Rules alleged to have been broken Witnesses

Current Position for Proposal 2

1. **EVENT** Organizing authority Date Race no.

5. **INCIDENT**

Time and place of incident

Rules alleged to have been broken Witnesses

Reasons

Protests are often found to be invalid because the protestor fails to state correctly where and when the incident occurred. This is most likely to occur at events where several races are held each day over several days. The changes proposed in rule 61.2 will require protestors to identify the incident, but give them the opportunity to correct an error in identifying where and when the incident occurred. When the protestor corrects her statement as to when and where the incident occurred, the hearing may have to be temporarily adjourned to permit the protestee reasonable time to prepare for the hearing. The benefit of reducing the number of protests found invalid on what most competitors and judges view as a technicality outweighs the small cost of occasionally having to adjourn a hearing to permit a protestee to prepare.
