

RYA RULES DISPUTES – WHAT TO DO

The best way of dealing with incidents (rules disputes) on the water, if no boat takes a penalty at the time, is to offer a choice of:
(i) an **ADVISORY HEARING**, (ii) **RYA ARBITRATION** or (iii) a **PROTEST HEARING**

ADVISORY HEARING



USE THIS IF YOU JUST WANT TO LEARN WHETHER YOU WERE IN THE RIGHT OR WRONG

- An incident has occurred and no party wishes to protest, but instead want to learn for the future from what happened
- No protest form is required
- All parties meet informally with a Rules Adviser
- The parties describe what happened
- The Rules Adviser explains what rules may have been broken and whether anyone was in the wrong
- No one is disqualified or penalised, although a boat in the wrong **may** accept an exoneration penalty (specified in the SIs and commonly a 30% scoring penalty) or retire

RYA ARBITRATION



USE THIS IF YOU WANT THE DISPUTE RESOLVED QUICKLY AND SIMPLY. THIS IS NOT AS FORMAL AS A PROTEST HEARING, AND THE POTENTIAL PENALTY NOT AS DAMAGING TO A BOAT'S SCORE

- An incident has occurred and a valid protest is lodged within the normal time limit
- All parties agree to opt for RYA Arbitration and meet with a Rules Adviser
- The parties describe what happened, and the Rules Adviser will decide whether any witnesses should be called
- The Rules Adviser explains what rules may have been broken and whether anyone was in the wrong
- A boat in the wrong is asked to accept the exoneration penalty
- No one is disqualified
- If the exoneration penalty is not accepted, the protest may go to a formal protest hearing
- There are very occasional scenarios when it is not possible or correct to resolve a dispute by RYA Arbitration and instead it has to be taken to a formal protest hearing

PROTEST HEARING

USE THIS IF THE DISPUTE IS COMPLEX, OR IF THERE HAS BEEN INJURY OR SERIOUS DAMAGE, OR IF YOU FEEL AN EXONERATION PENALTY WOULD BE INAPPROPRIATE

- An incident has occurred and a valid protest is lodged within the normal time limit
- A traditional formal hearing of the parties with a Protest Committee (usually of 3 people) will be arranged
- Any boat that has broken a rule will be disqualified

The aim is to encourage everyone to follow *The Racing Rules of Sailing*.

This is only a guideline. For more detailed information see RYA guidance on 'Rules Disputes' in the RYA Racing Rules Guidance booklet at www.rya.org.uk/go/RRSguidance

PROTESTS AND REQUESTS FOR REDRESS

Extracts from ASC Sailing Instructions

Protests and requests for redress shall be delivered to the clubhouse within 30 minutes of the protesting helm reaching the shore. (Advise the OOD of the protest)

Notices should be posted no later than 30 minutes after the protest time limit to inform competitors of hearings in which they are parties or named as witnesses. Hearings should be held in a suitable location as notified by the OOD.

Protest may be in the form of a Advisory, Arbitration or formal Protest Hearing. Use the Protest Form for Arbitration and Protest Hearings, copies are available in the clubhouse.

SUMMARY – ADVISORY HEARINGS, RYA ARBITRATION AND PROTEST HEARINGS

	ADVISORY HEARING	RYA ARBITRATION	PROTEST HEARING
Initiation	Oral request	Protest form	Protest form
Validity of Protest notification	Not required	Required	Required
Time Limit for a boat to ask for a hearing	None	Normal protest time limit, arbitration request may be made on the protest form related to the incident	Normal protest time limit
If one boat does not agree to participate -	- the hearing will not take place	- the arbitration will not take place, and it will be heard as a normal protest	- the protest committee will normally proceed if one party decides not to attend
Penalty	A boat may voluntarily accept an Exoneration Penalty if it is available for the rule broken, but she is not required to do so.	Arbitrator may invite (but not require) a boat to accept an Exoneration Penalty if it is available for the infringement, or, if it is not, to retire (RAF)	Normal disqualification or other applicable penalty
If there was injury, serious damage or a boat gained a significant advantage	Exoneration Penalty not available, the boat should retire	Exoneration Penalty not available, the boat should retire	Disqualification for not retiring
Redress	Cannot be awarded, but a Race Committee may correct an error that is identified	Full range of redress options where the issue is not complicated	Full range of redress options
Further options	None	Any party may seek to have the decision reviewed by calling for a full hearing of the protest or request by a protest committee. ¹	The decision may be appealed
Paperwork	None	Completed protest form	Completed protest form

See over for a summary of how to use each hearing.