

Panerai British Classic Week 2017

Cowes

JURY HEARING RESULTS

PROTEST COMMITTEE: Sonia Mayes, Clive Tappenden, Mufti Kling, Bryan Willis (chairman)

Protests 1 2 and 3 involved incidents in which the protestees took the appropriate 'yellow flag' penalty and were subsequently penalised 2%. The Protestors accepted that the penalties had been correctly taken.

Protests 4, 5 & 6 (held together), Race 7, 14th July 2017.

Protest 4: Race Committee protested 17 boats

Protest 5: BOJAR protested 7 boats

Protest 6: DANEGELD protested 'many boats'

All three protests were regarding yachts not complying with Sailing Instruction 8.3.

Validity of the protests:

The Race Committee's protest identified 17 boats, informed them by SMS and lodged the protest within the time limit. The protest was ruled as 'valid'.

BOJAR identified 7 boats but did not inform them. However, all 7 listed in her protest were included in the RC's list.

DANEGELD did not identify boats protested.

The Protest Committee decided Protests 2 and 3 were probably invalid but did not invite submissions on validity as it seemed the Race Committee's list will have included all yachts listed in Protests 2 & 3.

The RC's protest:

17 boats (E17; 3598R; 8716T; K1034; 363R; FRA4396; 1991; 6; GBR7514T; 908; 4585L (M3U); W2; 136; 523R; 165Y; 1750; 4803) broke SI 8.3 by sailing through the finishing line when not about to finish.

SI 8.3 A yacht shall avoid passing through the Finishing Line unless she is about to finish on that line. [DP]

[The notation '[DP]' in a rule in the Notice of Race means that the penalty for a breach of that rule may, at the discretion of the Protest Committee, be less than disqualification.]

Of the protestees present, none argued that they had not passed through the line or that it was their finishing leg. All had simply missed the SI. Courses previously set in the week did not involve any incentive to pass through the finishing line during the race.

After hearing submissions about the meaning and validity of the SI, the Protest Committee withdrew and returned to announce its decision that the SI was clear and that all 17 yachts had infringed it.

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The Protest Committee, having discretion as to the award of a penalty, invited submissions on what would be an appropriate penalty. The Race Committee and the two other protestors gave their view (generally that it should be 3% or more); several protestees gave the view that they gained no advantage; others suggested that if there was to be a penalty, it should be 1-2%.

The Protest Committee retired and returned to announce its decision:

DECISION

Complying with rules is an essential part of the game and, therefore, rather than simply penalising for time gained, a penalty of 2% of elapsed time should be applied, which takes into consideration the length of the race. This would have the effect of penalising those yachts that infringed (in relation to those that complied) but not unduly distorting the results of the Regatta.

DECISION: 2% of elapsed time to be added to the 17 protested boats.

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