

Addendum to the 2016 Pop Tops Sailing Instructions

PROTEST ARBITRATION

Rule 44 is modified to allow a boat either to take the penalty described in RRS 44.1 and 44.2 while on the water or to take a 20% Scoring Penalty for a breach of a rule of Part 2 after the incident but prior to the protest hearing by acknowledging the infringement before arbitration or by accepting the opinion of the arbitrator.

After a protest has been lodged, one designated representative from each boat, who shall have been on the boat when the incident occurred, may appear together before an arbitrator appointed by the protest committee. No witnesses shall be allowed.

The arbitrator will have each party describe the incident, limiting each party to approximately two minutes.

After hearing the testimony, the arbitrator will express one of the following conclusions:

1. No rule was broken. The protester has the option of withdrawing the protest. If he decides to do so, he signs to this effect on the protest form. The protest is then withdrawn and shall not be reopened or appealed. If the protester does not withdraw the protest, it will be submitted to the protest committee in the normal manner.
2. A rule was broken by one of the boats involved. The representative of the offending boat has the option of either accepting a 20% penalty or submitting the matter to the protest committee for a protest hearing. If the penalty is accepted, the matter is closed and cannot be submitted to a hearing, be reopened, appealed or submitted for redress.
3. The protest should be submitted to the protest committee in the normal way. When protests are submitted to the protest committee, the arbitrator shall not be a member of the protest committee hearing the protest, or be called as a witness or be present in the protest committee room. The arbitrator shall not discuss the matter with protest committee members until after the protest committee's decision has been posted.

Application of the 20% penalty shall be calculated in accordance with rule 44.3.