



SBYC Protest Arbitration Guidelines - 2010

AFTER-RACE SCORING PENALTY (ARSP)

Add new rule A4.3: "A boat that may have broken a rule of Part 2 or rule 31 while *racing* may take a penalty after she has is no longer racing and prior to the start of a protest hearing involving the incident. Her penalty shall be a Scoring Penalty of 40% calculated as described in rule 44.3(c), but not more than that of a DNF score. However, if she caused injury or serious damage or gained a significant advantage in the race or series by her breach, her penalty shall be to retire."

PROTEST ARBITRATION

1. An arbitration meeting will be held prior to a protest hearing for each incident resulting in a protest involving a rule of Part 2 or rule 31, unless the arbitrator deems the incident inappropriate for arbitration. One representative of each *party*, who was on board at the time of the incident, will meet with the arbitrator. If all the *parties* to a protest are not represented, the arbitration meeting shall not be held. No witnesses will be permitted.
2. After hearing the testimony, the arbitrator will offer one of the following opinions:
 - (a) The protest committee would find the protest is invalid. The arbitrator will allow the protestor to withdraw the protest.
 - (b) The protest committee would find that no boat broke a *rule*. The arbitrator will allow the protestor to withdraw the protest.
 - (c) The protest committee would find that one or more boats represented in the arbitration meeting broke a rule of Part 2 or rule 31. The arbitrator will offer each(both) boat(s) the option to accept an After-Race Scoring Penalty, or to retire. The arbitrator will allow the protestor to withdraw the protest.
 - (d) A protest hearing is appropriate.
3. The protest committee will schedule a protest hearing for any protests that are not withdrawn. Any boat that accepted an After-Race Scoring Penalty (ARSP) as described in the Sailing Instructions will not be penalized further as a result of the protest hearing, unless the protest committee concludes that the boat caused injury or serious damage, gained a significant advantage in the race or series, or broke a *rule* other than a rule of Part 2 or rule 31.
4. If a protest is withdrawn, no protest hearing will be held, and the protest cannot be the subject of a request for redress or appeal. This changes RRS 63.1.