

APPEAL No 2012/1

Rule 62.1 (b)

Rule 64.2

ISAF RRS Q&A Booklet F04

SUMMARY OF THE FACTS

Series: Royal Hong Kong Yacht Club Farquhar & Paddington Green Series 2012.
(Etchells)

As a result of a collision in Race 2 of the Farquhar Series, Etchells 912 was damaged severely. Etchells 1344 acknowledged fault, retired and agreed to pay all damages. It took several weeks for the damage to be repaired during which Etchells 912 was unable to compete in further racing. She missed the remainder of the Farquhar Series and the Race 1 of the Paddington Green Series. Etchells 912 requested redress and the Protest Committee met on February 27. It decided that redress should only be given for Races 3 to 6 of the Farquhar Series, being average points for the number of competitors. It decided not to give any redress for the Paddington Green Series.

Etchells 912 has appealed the PC's decision.

Although it is not formally published, it is recognized that the Royal Hong Kong Yacht Club's Etchells Class normally awards annual prizes for a "Super Series" based on the results of each individual series raced throughout each season.

DECISION

Protest hearing to be reopened

GROUNDINGS FOR DECISION

The HKSF Racing Rules and Appeals Committee considers there to be several questionable points which must be taken into account in a reopened hearing:

1/ in considering redress for the Farquhar Series, the PC has not taken into account ISAF RRS Q&A Booklet (Mar 2012) F04. This states that a series can only be scored when a majority of scores can be based on actual finishing positions in completed races. In this case only one race out of six was completed by Etchells 912, in which case redress should not be given for the series.

2/ in considering redress for the Paddington Green Series, the PC has not taken into account the fact that repairs were still on going during Race 1. Redress should be applied to the race in which Etchells 912 was unable to compete in the Paddington Green Series (Race 1). (This should only be based on the results of the other races in the Paddington Green Series and cannot take into account past series.)

3/ the PC has not taken into account how to score the Super Series. For the sole purposes of scoring any Super Series, a notional series score should be given for the Farquhar Series. This should either be an average series score based on the other series within the Super Series or made up from average race points based on the other races within the Super Series.

GUIDELINES FOR REOPENING THE HEARING

In order to reach a final decision, the reopened hearing needs to be publicized so that the other competitors can be aware of when the result will be published. In accordance with RRS 62.2, competitors have 2 hours in which to request redress once a decision has been published. Once the 2 hour time limit is over, the result becomes final.

Lastly, the Protest Committee members should remember to introduce themselves.

***HKSF RR&AC
May 2012***