

RICHARD MILLE FIFE REGATTA

10-17 June 2022

The Firth of Clyde and Loch Fyne, Scotland, UK

HEARINGS PROCEDURE

1 HEARINGS REQUEST FORMS

- 1.1 A copy of the Hearing Request Form is attached to this document and it and may also be downloaded on-line from the Jury Notices section of the event website. Completed electronic copies of the form may be emailed to raceoffice@fiferegatta.com.
- 1.2 Hard copies of Hearing Request Forms are available from the mobile Event Merchandise Shop. Completed hard copies of Hearing Request Forms may also be returned to the Event Shop.
- 1.3 To inform competitors of hearings in which they are representatives, parties or named as witnesses. a Protest Hearing Schedule that includes the date, time, and location (hosting platform if virtual) of any hearing will be posted on the Official Notice Board Section of the Event Website under the Jury Notices heading.

2 FACE TO FACE HEARINGS

- 2.1 The preferred option for hearings of any kind is to hold them in a face-to-face format in accordance with The Racing Rules of Sailing (RRS) Part 5: Protests, Redress, Hearings, Misconduct and Appeals, providing the existing local COVID regulations at the time allow.

3 VIRTUAL HEARINGS

- 3.1 Virtual hearings will only take place if face-to-face hearings are not permitted by local COVID Regulations.
- 3.2 In advance of a virtual hearing the Protest Committee (PC) Chair will email all parties, PC members and witnesses to explain the process that will be followed for the hearing. Where possible the email will include details of:
 - The alleged incident.
 - A copy of the hearing request form.
 - The proposed members of the PC.
 - The required boat representatives, other interested parties, and witnesses.
 - Details of the video conferencing platform to be used, including the appropriate meeting invitation link and other relevant information to allow access to the call.

This communication will also confirm whether the PC intends to record the hearing and ask any party intending to record it both to declare that fact and agree to any restrictions that may be imposed by the PC.

- 3.3 The PC chair will also ask for the mobile telephone numbers of all representatives, parties, and witnesses to enable them to be invited to re-join the meeting at the appropriate times (see 3.5).
- 3.4 All representatives, parties, protest committee members and witnesses will be asked to join the call at the start. Please note that it is your responsibility to ensure that witnesses are available for the hearing, if necessary, you can share the meeting link and access information with any person that is required. The PC chair will confirm that everyone is on the call, that sound and vision is working as expected, and that all attendees understand how the process will work.
- 3.5 The hearing should then proceed as normal. Depending on the system being used, any parties/witnesses may either be temporarily removed from the call or be asked to hang up until the PC calls (by telephone) to invite them to re-join when they are required.

- 3.6 Diagrams are often vital to the resolution of a protest. There can be difficulty seeing models and other aids when using video conferencing platforms, so lodging a protest/redress request with a well thought out diagram is often helpful. It is recommended that, where appropriate, Protestors submit diagram with the Hearing Request form - this can be a graphics file, or a photograph taken of a hand drawn image.
- 3.7 Protestees traditionally give evidence (only) at hearings, however it may be helpful to lodge a statement of your case and a diagram of your view of the incident in the same way that a Protestor does prior to the hearing. Please email these to: raceoffice@fiferegatta.com making sure they are clearly labelled with your name and the boat you are representing.
- 3.8 At the end of the evidence, the representatives will be excluded in a similar manner to the parties/witnesses in 2.5 above and the call recording paused whilst the PC deliberates. The representatives should be either asked to wait and re-join the call when the decision is ready to be disclosed, or the PC chair will inform the parties that they are no longer required and a written decision will be promptly emailed to them once the PC has reached a decision.



HEARING REQUEST - also Request for Arbitration

Ref

*This section
for race office
use*

Form issued

hrs

mins

Protest time limit

hrs

mins

Form received

hrs

mins

by

Section 1 - Essential Information

⚠ You must provide the following within the time limit.

THE INCIDENT. Give a brief description of what happened and why you think a rule was broken by a boat or a support person and/or how your score has been made worse through no fault of your own.

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If you are running out of time, you can submit the form now, but you must provide the information in Section 2 before the hearing.

Section 2 - Important Information

If you have time, try to provide this information now

⚠ You must provide the following before the hearing begins, otherwise your hearing request will be invalid.

YOUR BOAT. *(The class and the name or sail number of your boat.)*

OTHER BOAT(S). If you are claiming that a boat or boats broke a rule and/or made your score worse, you must identify them: *(The class and the name or sail number of each boat OR some other identification)*

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OTHER PARTIES. If you are claiming that your score was made worse by the action of a race official:

Tick one of Race Committee, Technical Committee, Protest Committee, Organising Authority

⚠ You must provide the following information before or during the hearing but doing so during the hearing may cause the hearing to be delayed.

TIME AND PLACE OF THE INCIDENT. Describe where and when the incident occurred *(E.g. date, time or race number, leg of the course, etc.)*

Section 3 – Additional Information

⚠ If you are claiming that a boat or boats broke a rule, the rules say that you must inform them that you intend to protest, otherwise your hearing request will be invalid. It is not sufficient just to fill in this form.

If you have time, try to provide the information below. You will be asked to provide this information during the hearing

INFORMING OTHER BOATS. If you are claiming that a boat or boats broke a rule, have you informed them that you intend to protest? If 'yes', describe how and when.

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Privacy Statement
The organizing authority will use the information provided on this form for the purposes of administering a hearing or report under the Racing Rules of Sailing, to which the person completing this form has agreed to be bound by entering the event. The legal basis for processing information relating to those bound by the Racing Rules of Sailing is contract, and the grounds for processing information relating to any person not bound by the Racing Rules of Sailing is legitimate interest. In accordance with the Racing Rules of Sailing, personal information contained on this form may be shared with the RYA and/or World Sailing. The decision of the protest committee or any subsequent appeal may be made public.