

APPENDIX T ARBITRATION

This appendix applies only if the notice of race or sailing instructions so state.

Arbitration adds an extra step to the protest resolution process but can eliminate the need for some protest hearings, thus speeding up the process for events in which many protests are expected.

Arbitration may not be appropriate for all events as it requires an additional knowledgeable person to act as the arbitrator. Further guidance on arbitration can be found in the World Sailing International Judges Manual, which can be downloaded from the World Sailing website.

T1 POST-RACE PENALTIES

- (a) Provided that rule 44.1(b) does not apply, a boat that may have broken one or more rules of Part 2 or rule 31 in an incident may take a Post-Race Penalty at any time after the race until the beginning of a protest hearing involving the incident.
- (b) A Post-Race Penalty is a 30% Scoring Penalty calculated as stated in rule 44.3(c). However, rule 44.1(a) applies.
- (c) A boat takes a Post-Race Penalty by delivering to the arbitrator or a member of the protest committee a written statement that she accepts the penalty and that identifies the race number and where and when the incident occurred.

T2 ARBITRATION MEETING

An arbitration meeting will be held prior to a protest hearing for each incident resulting in a protest by a boat involving one or more rules of Part 2 or rule 31, but only if each party is represented by a person who was on board at the time of the incident. No witnesses will be permitted. However, if the arbitrator decides that rule 44.1(b) may apply or that arbitration is not appropriate, the meeting will not be held, and if a meeting is in progress, it will be closed.

T3 ARBITRATOR'S OPINION

Based on the evidence given by the representatives, the arbitrator will offer an opinion as to what the protest committee is likely to decide:

- (a) the protest is invalid,
- (b) no boat will be penalized for breaking a rule, or
- (c) one or more boats will be penalized for breaking a rule, identifying the boats and the penalties.

T4 ARBITRATION MEETING OUTCOMES

After the arbitrator offers an opinion,

- (a) a boat may take a Post-Race Penalty, and
- (b) a boat may ask to withdraw her protest. The arbitrator may then act on behalf of the protest committee in accordance with rule 63.1 to allow the withdrawal.

Unless all protests involving the incident are withdrawn, a protest hearing will be held.