

OPEN MEETING RYA RULES DISPUTE PROCEDURE

X. Exoneration Penalty

X.1. A boat that may have broken a rule of Part 2 of the Racing Rules of Sailing or rule 31 or 42 may, after finishing the race concerned and before the start of any related protest hearing, notify the race committee that she accepts an Exoneration penalty – a 30% scoring penalty in accordance with rule 44.3(c), except that the minimum penalty is two places if that does not result in a score worse than DNF. However, if a boat caused injury or serious damage or gained a significant advantage by her breach her penalty shall be to retire.

X.2. When an Exoneration Penalty is accepted:

- (a) Neither the boat nor a protest committee may then revoke or remove the penalty.
- (b) The boat shall not be penalised further in a protest hearing when the protest committee decides that it was appropriate to the facts found and the applicable rules.

Y. Advisory Hearing

When there is an incident that will not result in the lodging of a protest or a request for redress, a boat, protest committee or race committee may request an advisory hearing with the race office, and notify any boat involved in the incident. An adviser will then call a hearing to learn what may have happened and will state whether any rule appears to have been broken, and by which boat. A boat may as a result notify the race office that she accepts an Exoneration Penalty when it applies to the incident, or choose to retire.

Z. RYA Arbitration

Z.1. When a protest or request for redress is lodged, a boat may at the same time request RYA Arbitration, or the protest committee or race committee may offer it.

Z.2. If the parties and a member of the protest or race committee agree that RYA Arbitration is suitable, an arbitrator (who may be that member of the protest committee) will call a hearing conforming to Section B of Part 5 of the Racing Rules of Sailing, except that the first sentence of rule 64.1 will not apply. Instead, when the arbitrator decides that a boat that is a party to the arbitration hearing has broken a rule for which the Exoneration Penalty is available, the party will be invited to accept that penalty, and, if it is accepted by a protested boat, the protesting boat will be allowed to withdraw the protest, changing rule 63.1.

Z.3. When there is not an agreement to use RYA Arbitration, or when, after RYA Arbitration, a protest is not withdrawn or the Exoneration Penalty is not applicable to the facts, there will be a normal protest hearing, at which the arbitrator may be a member of the protest committee. Rules 66 and 70 (reopening and appeal, respectively) do not apply to the arbitration decision since this is not a protest committee decision or procedure. A boat may still accept an Exoneration Penalty at any time before the start of a protest hearing and receive its protection from further penalisation. She may also retire.

Z.4. When redress is offered and accepted by boats at the RYA Arbitration, all parties, the protest committee or race committee may seek to have this reviewed by asking for a full hearing. When redress is offered and not accepted, or not offered at all, all parties may ask for the request to be heard before a protest committee.