



# The Sailing Barge Match Rules 2023



## **Suggested Actions Needed To Stop a Repeat of 2017 Incidents in Future Years**

### **1. Seamanship**

Never let the 'red mist' of racing for silverware obscure the need to demonstrate good seamanship and good manners, which are the very essence of being a fine bargeman - to which we all aspire.

### **2. Mainsheetman**

The Mainsheetman is a vital part of a barge racing safely. He should be named on the barge's entry form. He should be named, along with the skipper, at any match briefing in order for all those racing to be aware who that person is. Both skipper and mainsheetman must be present at the match briefing. It is the skipper's responsibility to ensure that he is competent to do the job required of him, which includes anticipating the likely manoeuvres of other vessels in close quarters. When sailing, he must be positioned at the main sheet at all times. If he leaves his post, he must be replaced by someone capable. He must at all times be within speaking distance of the skipper on the wheel. He is the skipper's second pair of eyes. A barge cannot be raced in close quarters safely without him. All the race crew should be encouraged to keep a close look-out throughout the race for any potential hazards and report these to the skipper.

### **3. Calling Around**

When a barge needs to wind round to avoid an obstruction and needs to call another barge round to enable it to do so, should there be any doubt that the second barge has not anticipated the impending manoeuvre, as a last resort, the first barge can blow its horn - one long blast to warn, followed by one short, or two short depending on which way it is turning. This should not be necessary if both barges are keeping a continuous good look-out.

### **4. Being Called Around**

Should a barge be called round, either by voice or signal, it must immediately wind so as to avoid a collision. If it thinks it has been called unnecessarily, it should still wind and lodge a protest.

### **5. Close Quarters**

When two or more barges are sailing in close quarters, i.e. where a collision could occur if either barge alters course or winds round, it is imperative to watch the other barge continuously until the risk no longer exists.

### **6. Right Of Way**

When a barge has right of way over another, it still remains its responsibility to avoid any collision.

### **7. Collisions**

If a collision or near miss occurs, particularly when damage results, the race committee must investigate the incident to find out what has gone wrong and provide learning outcomes to be shared with all in the fleet.

The Sailing Barge Match Rules

First Compiled by Fred Cooper from the RYA racing rules current at the time

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These rules have been accepted by the AOB, the SBA and approved by the Match Committees of:-

The Medway Barge Match

Passage/Pin Mill Sailing Barge Match

Thames Sailing Barge Match

Blackwater Barge Match

Swale Barge Match

Whitstable Barge Match

Southend Sailing Barge Match

Colne Sailing Barge Match

## Introduction

In February 2003 a Match Rules sub-committee was set up by the AOB/SBA to look at the existing Match Rules with the remit to alter/update them. Throughout 2003 various drafts were scrutinised and in February 2004 the new Match Rules were published. At the end of that year they were again updated to reflect rules changes made by the International Sailing Federation (ISAF) for the years 2005-2008. The rules have now been revised and updated in keeping with the ISAF changes 2009-2012. These Rules provided both competitors and committees with sufficient guidance on the most complex situations (especially when read in conjunction with publications that illustrate the rules).

For competitors this provides what you need to know out there on the water; what your rights are; what your obligations are; what you are allowed to do and what you must and mustn't do. This document, originally of May 2009, and revised in January 2018, is published under the auspices of the AOB /SBA.

We would like to draw your attention to the following summaries:

### **SBMR Basic Principles (ii) (iii) and Rules 14 (a) (b) Avoiding Contact**

Sailing Barge Match Rules (SBMR) Basic Principles (iii) reads "may render a departure from these rules necessary to avoid immediate danger."

International Regulations for the Prevention of Collisions at Sea (IRPCAS) Rule 17(a) (i) requires the right-of way barge to maintain her course and speed. Paragraph (a) (ii) allows her to take avoiding action as soon as it becomes apparent that the keep clear barge is not meeting her obligation to keep clear. Paragraph (b) requires the right-of way barge 'shall take such action as will best aid to avoid collision.'

Rule 17 (a) (ii) therefore, allows the right-of-way barge to take avoiding action as soon as it becomes apparent that the keep clear barge is not acting in accordance with the Rules and, according to IRPCAS Rule 16, action to avoid collision should be early. She should of course protest the keep clear immediately.

Therefore under the SBMR14 (b) IRPCAS Rule 17 (b), the right-of-way barge will only be penalised or disqualified if she allows a situation to develop where contact is made i.e. because she should have taken action as soon as she realised the keep clear barge was not taking action to avoid contact. The keep clear barge will also be penalised or disqualified under SBMR14, and IRPCAS Rule 17 (d) which reads this rule does not relieve the "keep clear barge" of her obligation to keep out of the way."

In a force 2, on a flat sea, 'keeping clear' can be synonymous with avoiding collision, i.e. a barge boats length between the give way barge ducking underneath the right-of-way barge's rudder, but in a force 6 with a running sea means an obligation to leave a barge length or more between the give way barge and the right-of-way barge.

## “Luffing Rights”

There is no rule about luffing rights. However, you have ‘luffing rights’ when you have the right to sail higher than your proposed course, forcing a barge to windward of you to change course to keep clear. Providing you didn’t establish the overlap to leeward of the windward barge, from astern and within two hull lengths, a leeward barge has luffing rights, and may luff right up head-to-wind, but she must give the windward barge room to keep clear (Rules 11 and 16)

Before the starting gun there is no ‘proper course’ so any leeward barge may luff up to head-to wind no matter how the overlap was established (providing that the windward barge can keep clear). But at the moment the starting signal is made, any leeward barge that established the overlap from clear astern within two lengths must bear away to close-hauled (if the first leg is a beat) unless as a result of sailing above closed hauled she sails astern of the other barge (which allows her to tack out of the windward barge’s wind shadow) (Rules 11, 16, and 17)

## Mark Room

There is a new definition called ‘mark room’. Under the old rules, when a right-of-way barge was required to ‘give room’ at a mark, the amount of room was ‘the space a barge needs in the existing conditions while manoeuvring promptly in a seamanlike way’. The position at which an outside barge had to start giving room was a little vague. Now as soon as one of the barges is in the zone (three barge lengths) then the outside barge must give sufficient room to the inside barge to ‘sail to the mark’ in a seamanlike manner. Then at that moment the outside barge must give room for the inside barge to sail her proper course around the mark.

Normally the obligation starts when either barge reached the zone. But there is an important exception. If a barges are overlapped, and the outside barge will need to change course before the zone in order to give room, then she must do so; she can’t wait till the zone and then claim the three lengths was not enough distance to change course to give room.

Another important change in that the mark-rounding rules do not apply between a barge that is leaving a mark and one that is approaching it - the normal right-of-way rules apply between them.

Under the old rules, having an overlap at two lengths from a non-continuing obstruction (such as a big mooring buoy, or a right of way barge, or a shore line) was as important as it was at the mark. The new rules remove the requirement for a barge needing room at an obstruction to be overlapped at a particular distance from it. Now the only criteria for a keep clear barge astern trying to get an inside overlap, is whether the outside barge is able to give room from the time the overlap began. If she can’t then the inside barge has no right to room. (Rule 19.2 (a))

## Zone

For safety, the rule imposes a specific area (three hull lengths) on the approach side of a mark as the point an overlap can or cannot be established. (Local Regulations may increase to four the number of hull lengths determining the zone.) The Zone is critical to the right to room to pass or round a mark. It is relevant only when barges are approaching or rounding or passing a mark. After barges have left the mark astern, the zone has no more relevance.

## Protesting

Any barge may protest, provided that the protesting barge was involved or witnessed an incident. A barge must hail 'protest' as soon as practicable, (it cannot lodge a protest unless it hailed the other barge) so the other barge knows when and what the call was for. A white protest flag must be displayed as soon as possible, it must be conspicuous (it also must be a flag, not a tea towel or other) and you must submit a written protest. The failure to comply with any of these requirements will probably see the invalidation of the protest.

## PART 1

### Basic Principles

#### Sportsmanship and the Rules

(i) Competitors in the sport of sailing are governed by a body of rules that they are expected to follow and enforce. A fundamental principle of sportsmanship is that when competitors break a rule they will promptly take a penalty, which may be to retire.

(ii) The following match rules are to be observed by the committees and the masters and crews of all barges competing in the Sailing Barge Match and must be read in the conjunction with the IRPCAS and the match rules committee's Local Regulations.

(iii) IRPCAS Part (a), General. Rules 2, Responsibility, part (b)

In construing and complying with these rules, due regard shall be had to all dangers of navigation, and collision and to any special circumstances, including the limitation of the vessels involved, which may render a departure from these rules necessary to avoid immediate danger.

### Definitions

*A term used as stated below is shown in italic type or, in preambles in bold italic type.*

***Clear Astern and Clear Ahead; Overlap*** - One barge is ***clear astern*** of another when her hull and equipment in normal position are behind a line abeam from the aftermost point of the other barge's hull and equipment in normal position. The other barge is ***clear ahead***. They ***overlap*** when neither is ***clear astern***. However, they also ***overlap*** when a barge between them ***overlaps*** both.

These terms always apply to barges on the same ***tack***. They do not apply to barges on opposite ***tacks*** unless rule 18 applies or both barges are sailing more than ninety degrees from true wind.

***Fetching*** - A barge is ***fetching*** a ***mark*** when she is in a position to pass to ***windward*** of it and leave it on the required side without changing ***tack***.

***Finish*** - A barge ***finishes*** when any part of her hull or crew or equipment in the normal position crosses the finishing line in the direction of the course from the last ***mark***.

***Interested Party*** - A person who may gain or lose as a result of a protest committee's decision.

**Keep Clear** - One barge *keeps clear* of another if the other can sail her course with no need to take avoiding action and, when the barges are *overlapped* on the same *tack* if the *leeward* barge can change course in both directions without immediately making contact with the *windward* barge.

**Leeward and Windward** - A barge's *leeward* side is the side that is, or, when she is head to wind, was, away from the wind. However, when sailing by the lee or directly downwind her *leeward* side is the side on which her mainsail lies. The other side is her *windward* side. When two barges on the same *tack* *overlap*, the one on the *leeward* side of the other is the *leeward* barge. The other is the *windward* barge.

**Mainsheetman** - An experienced person with good judgement who can effectively communicate with the skipper. A person who has a good working knowledge of the *Sailing Barge Match Rules* and the *International Regulations for Preventing Collisions at Sea*. The *mainsheetman* shall be able to know if the bearing of another barge indicates a collision or not.

**Mark** - An object the sailing instructions require a barge to leave on a specified side, and a race committee boat surrounded by navigable water from which the starting or finishing line extends. An anchor line and objects attached temporarily or accidentally to a *mark* is not part of it.

**Mark-Room** - *Room* for a barge to sail to the *mark*, and then *room* to sail her *proper course* while at the *mark*. However, *mark-room* does not include *room to tack* unless the barge is *overlapped to windward* and the inside of the barge required to give *mark-room*.

**Obstruction** - An object that a barge could not pass without changing course substantially, if she were sailing directly towards it and one of her hull lengths from it. An object that can be safely passed on only one side and an area so designated by the sailing instructions are also *obstructions*. However, a barge *racing* is not an *obstruction* to other barges unless they are required to *keep clear* of her, give her *room*, or *mark-room* or if rules 24/25 apply, avoid her. A vessel underway, including a barge *racing*, is never a continuing *obstruction*.

**Proper Course** - A course a barge would sail to *finish* as soon as possible in the absence of the other barges referred to in the rules using the term. A barge has no *proper course* before her starting signal.

**Protest** - An allegation made under Part 4, *Protests*, and Hearings Rules 33, by a barge, a Match Committee or a protest committee that a barge has broken the rules.

**Racing** - A barge is *racing* from her preparatory signal until she *finishes* and clears the line and *marks* or retires, or until the Match Committee signals a general recall, postponement or abandonment.

**Room** - The space a barge needs in existing conditions while manoeuvring promptly in a seamanlike way.

**Start** - A barge *starts* when, having been entirely on the pre-start side of the starting line at or after her starting signal, when any part of her hull or equipment in the normal position crosses that line.

**Tack, Starboard or Port** - A barge is on the *tack*, *starboard* or *port* corresponding to her *windward* side.

**Zone** - The area around a *mark* within a distance of three hull lengths of the barge nearer to it. A barge is in the *zone* when any part of her hull or equipment in normal position is in the *zone*.

## **Fundamental Rules**

### **1) Helping Those In Danger**

A barge shall give all possible help to any person or vessel in danger

### **2) Master and Passengers**

(a) When *rac*ing, barges should be crewed as a minimum by a qualified Sailing Barge Master as skipper, together with a competent Mate and a capable *Mainsheetman*

(b) The Maritime and Coastguard Agency are prepared to recognise up to 5 persons as crew and up to 12 persons as passengers, whether fare-paying or not. This rule also applies to class VI barges.

(c) It is at the discretion of the master to co-opt passengers to assist the crew

(d) Each participant in the Match is individually responsible for wearing personal flotation device/harness adequate for the conditions.

### **3) Regulations**

(a) All masters must be aware of and observe relevant International and National Legislation, and any current rules and regulations promulgated by the Port Authorities, with particular reference to crossing main fairway and channels.

(b) In particular the attention of the master is drawn to IRPCAS Part B Steering and Sailing Rules 9a & 9b, which reads;

(1) A vessel proceeding along the course of a narrow channel or fairway shall keep as near to the outer limit of the channel or fairway, which lies to her starboard side, as is safe and practicable.

(2) A vessel of less than 20 metres in length or a sailing vessel shall not impede the passage of a vessel which can safely navigate only within a narrow channel or fairway.

(c) All masters must ensure that the stipulated lifesaving/salvage apparatus is on board, in date and in good order.

### **4) Vessels Not Racing**

The racing rules apply only from the 5 minute gun until the barge is clear of the finishing line. A barge sailing under the racing rules that meets a vessel that is not, must comply with the IRPCAS right-of-way rules, or government right-of-way rules.

### **5) Management of the Match**

By participating in a match conducted under these racing rules each barge agrees;

(a) to be governed by the rules

(b) to accept the penalties imposed and other action taken under the rules, subject to the appeal procedures provided in them, as the final determination of any matter arising under the rules; and



(c) with respect to such determination, not to resort to any court or other tribunal not provided by the rules.

6) **Decision to Race**

The responsibility for a barge decision to participate in a race or continue **racing** is hers alone.

## **Race Organisation**

7) **Governing Rules**

The match committee shall conduct matches as directed by the organising authority and as required by the rules. The match committee is responsible for setting a course which reflects the conditions on the day.

8) **Match Committee**

The match committee, shall as soon as possible after receipt of the completed entry form, provide sailing instructions, local regulations.

9) **Protest Committee**

A protest committee shall be a committee appointed by the match committee consisting of at least 3 persons.

## **PART 2**

### **WHEN BARGES MEET**

#### **SECTION A**

##### **Right of Way**

*A barge has right of way when another barge is required to **keep clear** of her. However, some rules in Sections B and C limit the actions of a right-of-way barge.*

10) **On Opposite Tacks**

When barges are on opposite **tacks**, a **port-tack** barge shall **keep clear** of a **starboard-tack** barge.

11) **On the Same Tack Overlapped**

When barges are on the same **tack** and **overlapped**, a **windward** barge shall **keep clear** of a **leeward** barge.

12) **On the Same Tack, Not Overlapped**

When barges are on the same **tack** and not **overlapped**, a barge **clear astern** shall **keep clear** of a barge **clear ahead**.

### 13) While Tacking

After a barge passes head to wind, she shall **keep clear** of other barges until she is on a close-hauled course. During that time rules 10, 11 and 12 do not apply. If two barges are subject to this rule at the same time, the one on the other's port side or the one astern shall **keep clear**.

## SECTION B

### General Limitations

#### 14) Avoiding Contact

A barge must avoid contact with another barge if reasonably possible. However, a right-of-way barge or one entitled to **room or mark-room**,

(a) need not act to avoid contact until it is clear that the other barge is not **keeping clear** giving **room or mark-room**, and

(b) shall not be penalised under this rule unless there is contact.

#### 15) Acquiring Right of Way

When a barge acquires right-of-way, she shall initially give the other barge **room to keep clear**, unless she acquires right-of-way because of the other barge's actions.

#### 16) Changing Course

16.1) When a right-of-way barge changes course, she shall give the other barge **room to keep clear**.

16.2) In addition, when after the 5 minute gun a **port tack** barge is **keeping clear** by sailing to pass astern of a **starboard-tack** barge, the **starboard-tack** barge shall not change course if, as a result, the **port-tack** barge would immediately need to change course to continue **keeping clear**.

#### 17) On the Same Tack; Proper Course

If a barge **clear astern** becomes **overlapped** within two of her hull lengths (laterally) to **leeward** of a barge on the same **tack**, she shall not sail above her **proper course** while they remain on the same **tack** and **overlapped** within that distance, unless in doing so she promptly sails astern of the other barge. This rule does not apply if the **overlap** begins while the **windward** barge is required by rule 13 to **keep clear**.

## SECTION C

### At Marks and Obstructions

*Section C rules do not apply at a starting **mark** surrounded by navigable water or at its anchor line from the time barges are approaching them to **start** until they have passed them.*

*When rule 20 applies, rules 18 and 19 do not.*

#### 18) MARK-ROOM

##### 18.1) When Rule 18 Applies

*Rule 18 applies between barges when they are required to leave a **mark** on the same side and at least one of them is in the **zone**. However, it does not apply,*

- (a) between barges on opposite **tacks** on a beat to **windward**.
- (b) between barges on opposite **tacks** when the **proper course** at the **mark** for one but not both of them is to **tack**.
- (c) between a barge approaching a **mark** and one leaving it, or
- (d) if the **mark** is a continuing **obstruction**, in which case rule 19 applies.

##### 18.2) Giving Mark-Room

- (a) When barges are **overlapped**, the outside barge shall give the inside barge **mark-room**, unless rule 18.2 (b) applies.
- (b) If barges are **overlapped** when the first of them reaches the **zone**, the outside barge at that moment shall thereafter give the inside barge **mark-room**. If a barge is **clear ahead** when she reaches the **zone**, the barge **clear astern** at that moment shall thereafter give her **mark-room**.
- (c) When a barge is required to give **mark-room** by rule 18.2 (b), she shall continue to do so even if later an **overlap** is broken or a new **overlap** begins. However, if either barge passes head to wind or if the barge entitled to **mark-room** leaves the **zone**, rule 18.2 (b) ceases to apply.
- (d) If there is reasonable doubt that a barge obtained or broke an **overlap** in time, it shall be presumed that she did not.
- (e) If a barge obtained an inside **overlap** from **clear astern** and, from the time the **overlap** began, the outside barge has been unable to give **mark-room**, she is not required to give it.

##### 18.3) Tacking When Approaching a Mark

If two barges were approaching a **mark** on opposite **tacks** and one of them changes **tack**, and as a result is subject to rule 13 in the **zone** when the other is **fetching** the **mark**, rule 18.2 does not thereafter apply. The barge that changed **tack**

- (a) shall not cause the other barge to sail above close-hauled to avoid her or prevent the other barge from passing the **mark** on the required side, and
- (b) shall give **mark-room** if the other barge becomes **overlapped** inside her.

#### 18.4) Gybing

When an inside **overlapped** right-of-way barge must gybe at a **mark** to sail her **proper course**, until she gybes she shall sail no further from the **mark** than needed to sail that course.

#### 18.5) Exoneration

When a barge is taking **mark-room** to which she is entitled, she shall be exonerated

(a) if, as a result of the other barge failing to give her **mark-room**, she breaks a rule of Section A, or

(b) if, by rounding the **mark** on her **proper course**, she breaks a rule of Section A or rule 15 or 16.

### 19) Room to Pass an Obstruction

#### 19.1) When Rule 19 Applies

Rule 19 applies between barges at an **obstruction** except when it is also a **mark** the barges are required to leave on the same side. However, at a continuing **obstruction**, rule 19 always applies and rule 18 does not.

#### 19.2) Giving Room at an Obstruction

(a) A right-of-way barge may choose to pass an **obstruction** on either side.

(b) When barges are **overlapped**, the outside barge shall give the inside barge **room** between her and the **obstruction**, unless she has been unable to do so from the time the **overlap** began.

(c) While barges are passing a continuing **obstruction**, if a barge that was **clear astern** and required to **keep clear** becomes **overlapped** between the other barge and the **obstruction** and, at the moment the **overlap** begins, there is not **room** for her to pass between them, she is not entitled to **room** under rule 19.2(b). While the barges remain **overlapped**, she shall **keep clear** and rules 10 and 11 do not apply.

### 20) Room to Tack at an Obstruction

#### 20.1) Hailing and Responding

When approaching an **obstruction**, a barge sailing close-hauled or above may hail for **room** to **tack** and avoid another barge on the same **tack**. After a barge hails, (a) she shall give the hailed barge time to respond;

(b) the hailed barge shall respond either by tacking as soon as possible, or by immediately replying 'You **tack**' and then giving the hailing barge **room** to **tack** and avoid her: and

(c) when the hailed barge responds, the hailing barge shall **tack** as soon as possible.

#### 20.2) Exoneration

When a barge is taking **room** to which she is entitled under rule 20.1(b), she shall be exonerated if she breaks a rule of Section A or rule 15 or 16.

### 20.3) When Not to Hail

A barge shall not hail unless safety requires her to make a substantial course change to avoid the **obstruction**. Also, she shall not hail if the **obstruction** is a **mark** that the hailed barge is **fetching**.

## PART 3

### OTHER RULES

#### 21) Sailing the Course

A barge shall **start**, leave each **mark** on the required side in the correct order, and **finish**, so that a string representing her track after starting and until **finishing** would, when drawn taut,

- (a) pass each **mark** on the required side,
- (b) touch each rounding **mark**.

#### 22) Fouling or Improperly Rounding Marks

(a) A barge which, in rounding a **mark**, fouled it or causes the **Mark Boat** to shift her position to avoid a foul, shall be disqualified unless on her **protest** it is established that she was wrongly compelled to do so by another barge or vessel in which case such other barge shall be disqualified. The barge which fouled the **mark** must immediately retire or hoist a **protest** flag.

(b) When matches are sailed in fog or at night, dead reckoning alone should not necessarily be accepted as evidence that a **mark** has been rounded.

#### 23) Fouling Competing Barges

A barge which, in consequence of her neglect of any of these rules shall foul another barge or compel other barges to foul, shall retire or be disqualified.

#### 24) Running Ashore

A barge in danger of grounding, or fouling a buoy, vessel or other **obstruction**, may use her own anchors, boat, warps, spars or any other gear, to haul off until she is **clear**. Any gear must be recovered before she continues to race.

#### 25) Outside Help

A Barge shall not receive outside help from any outside source, except

- (a) help for an ill or injured crew member;
- (b) after a collision, help from the crew of the other barge

#### 26) Anchoring During the Race

A barge may anchor during the match, but must weigh and recover her anchor, and not slip. No barge shall during the match, make fast to any buoy, stage, pier or other object except for the purpose of rule 24.

**27) Propulsion**

No mode of propulsion other than sails shall be allowed.

**28) Starting the Match**

(a) At the 5 minute gun, barges of the applicable class will become subject to the rules.

(b) Barges entered for subsequent class **starts** are advised to stay well **clear** of the starting area and in any case not to impede barges not in their class and in earlier **starts**.

**29) Finishing the Match**

(a) A barge shall be timed for completing the match as soon as any part of her hull or equipment in normal position crosses the **finish** line in the of the course from the last **mark**, but continues amenable to the rules as long as any part of the hull or spars remains on the line. After thus **finishing** the match she must continue to observe any special rule prescribed by the local regulations as to **keeping clear** of the **finishing** line.

(b) A barge, having crossed the **finishing** line ceases to be amenable to the match rules but must get **clear** as quickly as possible of the **finishing** line; and under no circumstances interfere with barges still to **finish**.

**30) Racing Flags**

Each competing barge will fly an individual **racing** flag, selected from the International Code Flags. The **racing** flag must remain hoisted at the peak of the mizzen, toggle upwards, throughout the match, otherwise the barge will be considered to have retired.

**31) Fog Signals and Lights**

When safety requires, a barge shall sound fog signals and show lights as required by the IRPCAS. Sailing at night if the sailing instructions so state, the rules of 'When Barges Meet', 10-20 are replaced by the IRPCAS right-of-way rules, or applicable government rules

## **PART 4**

### **PROTESTS, HEARINGS**

**32) Right to Protest**

(a) A barge may **protest** another barge, but not for an alleged breach of a rule of part 2 unless she was involved in or saw the incident.

(b) A Match Committee may **protest** a barge but not as the result of a report by a competitor from another barge or other **interested party**. However, it may **protest** a barge

(c) if it learns of an incident involving her that may have resulted in injury or serious damage.

### 33) Protest Requirements

#### 33.1) Informing the Protestee

(a) A barge intending to **protest** shall inform the other barge at the first reasonable opportunity. When her **protest** concerns an incident in the **racing** area that she is involved in or sees, she shall hail '**Protest**' and conspicuously display a white flag from the main rigging at the first reasonable opportunity. She shall display the flag until she is no longer **racing**.  
However

(1) if the other barge is beyond hailing distance, the protesting barge need not hail but she shall inform the other barge at the first reasonable opportunity.

(2) if the incident results in damage or injury that is obvious to the barges involved and one of them intends to **protest**, the requirements of this rule do not apply to her, but she shall attempt to inform the other barge within the time limit of rule 33.2.

(b) A match committee or protest committee intending to **protest** a barge shall inform her as soon as reasonably possible. However, if the **protest** arises from an incident the committee observes in the **racing** area, it shall inform the barge after the match within the time limit of rule 33.2.

#### 33.2) Protest Time Limit

A **protest** by a barge or by the match committee must be submitted to the interested parties, no later than the time limit stated in the sailing instructions, local regulations. If none is stated, the time limit is no later than two hours after the last barge in the match has **finished**. The **protest** committee shall extend the time if there is good reason to do so.

#### 33.3) Protest Contents

A **protest** shall be in writing - including where applicable a diagram showing scale, position of barges, wind and current directions, **marks** - and identify (a) the protestor and protestee;

(b) the incident, including where and when it occurred;

(c) any rule the protestor believes was broken; and

(d) the name of the protestor's representative.

## Hearing and Decisions

### 34) Hearings

#### 34.1) Requirements for a Hearing

A barge shall not be penalised without a **protest** hearing. The protest committee shall hear all **protests** that have been placed unless it allows a **protest** to be withdrawn.

#### **34.2) Time and Place of the Hearing; Time for Parties to Prepare**

All parties to the hearing shall be notified of the time and place of the hearing, the **protest** information shall be made available to them, and they shall be allowed reasonable time to prepare for the hearing.

#### **34.3) Right to be Present**

(a) The parties to the hearing, or a representative of each, have the right to be present throughout the hearing of all the evidence. When a **protest** claims a breach of Parts 2, 3, the representative shall have been on board at the time of the incident, unless there is good reason for the protest committee to rule otherwise. Any witness other than a member of the **protest** committee, shall be excluded except when giving evidence.

(b) If a **party** to the hearing of a **protest** does not come to the hearing, the protest committee may nevertheless decide the **protest**. If the **party** was unavoidably absent, the committee may re-open the hearing.

#### **34.4) Interested Party**

A member of the protest committee who is an **interested party** shall not take further part in the hearing but may appear as a witness. Protest committee members must declare any possible self-interest as soon as they are aware of it. A **party** to the hearing who believes a member of the protest committee is an **interested party** shall object as soon as possible.

#### **34.5) Validity of the Protest**

At the beginning of the hearing the protest committee shall take any evidence it considers necessary to decide whether all the requirements for the **protest** have been met. If they have been met, the **protest** hearing is valid and the hearing shall be continued. If not, the committee shall declare the **protest** invalid and close the hearing.

#### **34.6) Taking Evidence and Finding Facts**

The protest committee shall take the evidence of the parties to the hearing and of their witnesses and other evidence it considers necessary. A member of the protest committee who saw the incident may give evidence. A **party** to the hearing may question any person who gives evidence. The committee shall find the facts and base its decision on them.

#### **35) Decisions**

(a) When the protest committee decides that a barge that is **party** to a **protest** hearing has broken a rule, it shall disqualify her unless some other penalty applies.

(b) After making its decision, the protest committee shall promptly inform the parties to the hearing of the facts found, the applicable rules, the decision, the reasons for it, and the penalties given.

(c) A **party** to the hearing is entitled to receive the above information in writing, providing she asks for it in writing from the protest committee no later than seven days after being informed of the decision. The committee shall then promptly provide the information, including, when relevant, a diagram of the incident prepared or endorsed by the committee.