

RULE 60.3

A protest committee may

- (a) protest a boat, but not as a result of information arising from a request for redress or an invalid *protest*, or from a report from a person with a *conflict of interest* other than the representative of the boat herself. However, it may protest a boat**
 - (1) if it learns of an incident involving her that may have resulted in injury or serious damage, or**
 - (2) if during the hearing of a valid *protest* it learns that the boat, although not a *party* to the hearing, was involved in the incident and may have broken a *rule*;**
- (b) call a hearing to consider redress;**
- (c) act under rule 69.2(b); or**
- (d) call a hearing to consider whether a *support person* has broken a *rule*, based on its own observation or information received from any source, including evidence taken during a hearing.**

Similar to the race committee, the protest committee may also protest a boat that may have broken a *rule*. Again, it can't protest if it learned of the possible breach from a person with a *conflict of interest* (see definition *Conflict of Interest*), nor based on information it learned either in a *protest* that is found to be invalid, or in any request for redress. If the protest committee feels a boat may be entitled to redress, it can call a hearing to consider redress; and if it believes the actions of a boat or competitor should be reviewed under rule 69 (Misconduct), it can call a hearing under rule 69.2(b).

The protest committee can also protest a boat in two other situations. One is when it learns of an incident that may have resulted in injury to a person or serious damage to a boat from **any** source, including from an invalid *protest* or overhearing competitors discussing an incident in the parking lot. See the discussion of rule 44.1 for a discussion of the terms "injury" and "serious damage."

The other situation is when the protest committee is hearing a valid protest and in the course of the hearing it learns that another boat involved in the incident, but not currently a party to that hearing, may have broken a rule in that incident. If the protest committee wishes to protest that boat, rule 61.1(c) says, "*If the protest*

committee decides to protest a boat under rule 60.3(a)(2), it shall inform her as soon as reasonably possible, close the current hearing, proceed as required by rules 61.2 and 63, and hear the original and the new protests together.” In other words, the protest committee must stop the current hearing, inform the boat it is being protested **in writing** clearly identifying the reason for the *protest* (rule 61.2, Protest Contents), inform all the boats involved of the time and place of the new hearing, and give the boat time to prepare for the hearing (rule 63.2, Time and Place of the Hearing; Time for Parties to Prepare).

The protest committee may also call a hearing under rule 60.3(d) to consider whether a *support person* has broken a rule, which includes a parent or coach (see the definition *Support Person*). Rules *support persons* might break include sailing instructions regarding where support boats are confined to, or rule 69.1(a) (Obligation not to Commit Misconduct; Resolution). *Support persons* and the competitors they are supporting may be penalized under rule 64.5 (Decisions Concerning Support Persons).

An explanation of the US Sailing prescriptions to rule 60.3 occurs at the end of this chapter.