

APPEAL 129

Farhvegnugen vs. Arctic Tern

Rule 60.3(a), Delivering a Protest

Rule 85.1, Changes to Rules

In order for the sailing instructions or other rules to change a rule, it must refer specifically to the rule and state the change.

Facts and Decision of the Protest Committee

The sailing instructions for an event stated: “Protest forms shall be delivered to the race office via email.” After racing, *Farhvegnugen* (A) attempted to deliver her protest against *Arctic Tern* (B) via the email link in the sailing instructions. After several unsuccessful attempts, A filled out a written hearing request form and delivered it to the race office within the protest time limit. The protest committee decided the protest was valid, and disqualified B. B appealed, claiming, among other things, that the sailing instructions required that the protest form be delivered via email, which it wasn’t.

Decision of the Appeals Committee

Rule 60.3(a) states, “When delivered, a *protest* shall be in writing and identify the protestor, the protestee, and the incident.” Rule 85.1 states: “A change to a *rule* shall refer specifically to the *rule* and state the change. A change to a *rule* includes an addition to it or deletion of all or part of it.” The definition Rule (f) states that the sailing instructions are “rules.”

The sailing instruction requiring the protest forms to be delivered via email did not refer to rule 60.3(a) and state the change to that rule. Therefore, the sailing instruction did not change rule 60.3(a).

B’s appeal is denied. The protest committee was correct to decide that the protest was not invalid on the grounds that the protest was not delivered via email because rule 60.3(a) was not changed. B remains disqualified.

April 2025