



HEARING DECISION BY A PROTEST COMMITTEE

Filing Heard with Race
 Event

TYPE OF HEARING Protest Redress Reopening Support Person

PARTY: Protestor / Requester / Person Reporting

Boat (sail #, name, etc.)
 -OR- Committee
 Person/Represented by

PARTY: Protestee / Committee / Reported Person

Boat (sail #, name, etc.)
 -AND/OR- Committee
 Person/Represented by

WITNESSES Name (Role)

WITNESSES Name (Role)

BEFORE THE HEARING (without parties present)

----- Relevant information -----

Committee member conflict of interest? Yes No
 Committee member witness? Yes No
 US Sailing Prescriptions 63.1 & 63.2 satisfied? Yes No N/A

PROCEDURAL MATTERS (with parties present)

Party needs time to prepare? Yes No N/A
 Hearing proceeds without party? Yes No N/A
 Objection based on conflict of interest? Yes No
 Representatives on board at time of incident? Yes No N/A

VALIDITY OF PROTEST OR REQUEST

Filed within relevant time limit? Yes No Extended
 Identifies incident (protest) / reason (request)? Yes No N/A
 Identifies where and when (protest)? Yes No N/A
 Identifies any rule believed broken? Yes No N/A
 'Protest' hailed (first reasonable opportunity)? Yes No Exception
 Flag displayed (conspicuously, at first reasonable opportunity, and until no longer racing)? Yes No Exception
 Crew in danger, injury, or serious damage? Yes No N/A
 Informed some other way? Yes No N/A
 Other validity requirements satisfied? Yes No N/A

VALIDITY CONCLUSION

Protest or request is valid? Yes → Hearing proceeds No → Hearing closes



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PARTY | **PARTY**

FACTS FOUND (Number 1, 2, etc. for easy reference)

Procedural Matters:
 1. Hearing No.1 was heard together with Hearing No. 2 in accordance with RRS 63.2 since both hearings arose from very closely connected incidents.
 Facts Found:
 1. The BODA organizing authority received an email from BER 1052, 27 May 2022 at 18:09 (Request for Redress No. 1) and BER 1216, 27 May 2022 at 19:33 (Request for Redress No. 2) stating that they had received a positive COVID-19 test result and would not be able to compete May 28 and May 29 due to Bermuda Government quarantine protocol.
 2. BER 1052 and BER 1216 are to be tested again for COVID-19 prior to the June 5 race day.
 3. BER 1052 and BER 1216 had both included a request for redress for races scheduled for May 28 and May 29 due to Bermuda quarantine regulations restricting them from competing.
 4. The BODA organizing authority informed BER 1052 and BER 1216 in writing that they would be excluded from competition May 28 and May 29 in the 2022 BODA North-South American Trials due to COVID exposure and government of Bermuda quarantine regulations.
 5. Neither boat competed in racing May 28 and May 29, with 4 races run each day, totaling 8 races.
 6. The final day of racing is June 5, with 4 races scheduled.

Committee's diagram is attached Committee endorses diagram by boat (sail # / name)

CONCLUSIONS AND APPLICABLE RULES (Number 1, 2, etc. for easy reference)

1. The organizing authority excluding the competitors from the 2022 BODA North-South American Trials due to a positive COVID-19 test and were notified in writing, in compliance with RRS 76.1.
 2. SI 4 states, "4. CODE OF CONDUCT [DP] Competitors and support persons shall comply with reasonable requests from event officials. Failure to comply may be misconduct. Reasonable actions by event officials to implement COVID-19 guidance protocols or legislation, even if they later prove to be unnecessary, are not improper actions or omissions."
 3. There was neither an improper action nor omission of the organizing authority. Therefore, the requirements for redress in RRS 62.1(a) are not met.

DECISION AND SCORING CHANGE, IF ANY (Number 1, 2, etc. for easy reference)

1. Redress not given to BER 1052 or BER 1216 for races run on May 28 and May 29.
 2. The organizing authority may allow BER 1052 and BER 1216 to compete in races scheduled on June 5, provided that the competitors comply with Bermuda Government COVID-19 guidance protocol and legislation, as stated in SI 4.
 3. In the event that BER 1052 or BER 1216 receive a positive COVID-19 test result prior to the June 5 race day and are restricted from competing, the organizing authority is instructed to reimburse the sailors registration fee and the race committee is instructed to revise the series scoring.

PROTEST COMMITTEE (List Chair and other members)

Sign & date:

WRITTEN DECISION REQUESTED?

By whom?

Time & date?

Time & date provided?