

DECISION

Request No.: 07

Request to Reopen and Request for Redress

Event: 2024 BPI Boracay 200 and 2024 BPI Boracay Inshores Race Number: 2 of the series
Hearing Schedule: 2024-02-26 17:00

PARTIES AND WITNESSES

Request No.: 07: IRC - HKG2398 - Belatrix - Jun Villanueva

IRC - Belatrix

Witnesses: Bas Sluitman

VALIDITY

Objection to Jury: No

Within Time Limit: N/A

Incident Identified: Yes

Proper Hail: N/A

Red Flag Displayed: N/A

Decision: Request Valid

PROCEDURAL MATTERS

1. Belatrix requested a reopening of Hearing No 3
2. Main reason: Quote "We humbly ask for this hearing to be reopened as we witnessed Mr. George Hackett being called by the protest committee without the presence of Belatrix representatives. "
3. Maria Videeira represented Belatrix.

FACTS FOUND

1. Misty Mountain submitted a valid protest and recorded as Hearing No 3.
2. The Jury scheduled the hearing request set at 1700hrs 25February 2024
3. The Schedule was available on line at 1603 to indicate that Hearing request No 3 between Misty Mountain and Belatrix was scheduled for 1700hrs at the Sea Wind restaurant table in front of the reception counter.
4. The skipper of Misty Mountain arrived at 1700 for the hearing.
5. The jury waited until 1710 before commencing the hearing under RRS 63.3(b) when Belatrix failed to turn up.
6. Nothing in the rules puts an obligation on the jury to locate the parties for the hearing.
7. Belatrix could not give any good reason for not attending the hearing as scheduled.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: RRS 66.1

1. The protest committee did not make a significant error in the original hearing. Therefore, the requirements in RRS 66.1 for reopening the hearing are not met.

DECISION

The reopening of Hearing No 3 is denied

Date & Time: 2024-02-26 17:15 HKT

PROTEST COMMITTEE

Committee Type: Protest Committee

Chaired By: Leonard S Chin (MAS)

Committee Members: