
RULES DISPUTES QUESTIONS AND ANSWERS

- Q1. Can an arbitration hearing be re-opened under rule 66 at the request of one of the parties or the arbitrator?**
A1. No. Arbitration is closed when the arbitrator has given an opinion on whether any boat may have broken a rule. When that is accepted by all parties, together with a Post-Race Penalty if appropriate, the protestor is invited to withdraw the protest and the arbitration cannot subsequently be reopened. However, if this is not accepted by all parties, the protest will be heard as a normal protest by a protest committee. In addition, the arbitrator can refer the protest to a protest committee if they feel the matter is too complex for arbitration and they are unable to make decision.
- Q2. Can redress be awarded at an arbitration hearing?**
A2. Requests for redress cannot be heard by RYA Arbitration.
- Q3. Can an arbitration hearing outcome be appealed under rule 70?**
A3. No. An arbitration hearing is not a protest committee hearing.
- Q4. What should the arbitrator do should they suspect that, because of the non-binding nature of an RYA Arbitration hearing decision, a competitor is using the service to 'fish for answers' and will then take those answers to a protest committee hearing?**
A4. The arbitrator should close the arbitration hearing without giving any opinion and refer the protest to a full protest committee, and also consider submitting a rule 69 report to the protest committee.
- Q5. Can the arbitrator's opinion be binding?**
A5. No.
- Q6. The Post-Race Penalty is calculated as a percentage of which score?**
A6. As a percentage of the score for Did Not *Finish* - see rule 44.3(c).
- Q7. Do other boats move up one place in the results scores when a boat takes a Post-Race Penalty?**
A7. No – see rule 44.3(c). The scores of the other boats shall not be changed; therefore, two boats may receive the same score.
- Q8. Can a club use a Post-Race Penalty without RYA Arbitration?**
A8. Yes. If stated in the notice of race and sailing instructions, the Post-Race Penalty can be available for boats. The penalty must be accepted before the start of any protest committee hearing or before such other time as stated in the sailing instructions.