

**Appeal OSA 2001-05
Heidi Christina II vs. Raison D'Etre
Decision**

Appeal Request:

1. The appeal has been submitted after a Protest Hearing was held July 14 at PCYC.
2. The appellant's submission contends that the Protest Committee did not determine the correct facts and or apply the correct rules.

Situation and Protest Committee Decision:

The protest as submitted was a protest and a counter protest about the incident in LORC#2 July 14, 2001 at the PCYC regatta. There was a collision between the boats involved causing damage. The protest committee after holding a hearing on July 14, 2001 determined as a fact that Heidi Christina the right of way vessel changed course without giving Raison D'Etre the opportunity to keep clear. The committee determined that Heidi Christina broke RRS 16.1 and was disqualified from the race #2.

Appeals Committee Response:

- (a) This Appeal as submitted is challenging facts as determined in the hearing. As per RRS 70.1 facts are not subject to appeal.
- (b) The Appeal as received does not meet the requirements of RRS app. F2, appellant's responsibilities, specifically RRS F2.1.
- (c) If a party to a hearing is not satisfied that the Protest hearing complied with all the requirements of any part of RRS 63 they should then immediately state to the committee that a copy is required, as an appeal will be filed. The committee is then bound to provide a copy of the hearing information at that time.

Then the Appeal process can start by a timely fining of an appeal intent even is some information may be provided later.

Appeals Committee Decision:

This Appeal is dismissed and the decision of the Protest Committee is upheld.