

**Appeal OSA 2003-01
Albacore #8041 vs. Albacore None**

Final Decision August 26, 2003

Appeal Request:

(1) The Protest Committee of the St. James Town Sailing Club's Albacore Open Regatta requests a Confirmation of their Decision under RRS 70.2 in the protest of #80421 (Todd) vs. None (Marek).

#8041 (Todd) protested None (Marek) under RRS 31.2 (Touching a Mark) and RRS #2 (Fair Sailing).

The protest committee is requesting a review and correction and/or confirmation with respect to RRS #2 (Fair Sailing).

Appeals Committee Response:

(a) Under RRS 31.2. The Appeals committee agrees that the Protest Committee was correct in dismissing the Protest.

(b) Under RRS #2 – It appears RRS #2 was protested as a result of the language used at the time by None (Marek). The bad language has to be considered within the norms of language usage on the racecourse within the context of the St. James Town Sailing Club. What is considered unsportsmanlike conduct depends on what is acceptable to the club members and is at best left to a meeting of the offender (if a member) and the clubs Flag Officers of the time. In any case it is not a RRS#2 infraction.

Appeals Committee Decision:

The OSA Appeals Committee confirms the decision of the St. James Town Sailing Club Protest Committee to dismiss the Protest.

OSA Appeals Committee August 2003