

PART 3

JURISDICTION

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SECTION A

01. PROTESTS

01.01. GENERAL

After posting the provisional results, within one hour thereof, a protest of the results may be made to the WPPA Race Commissioner. If no protests are filed within the one-hour limit then the results are considered official and may not be appealed. WPPA shall have the power to review any and all decisions or paperwork resulting from WPPA Pole Position and Grand Prix races, and shall have the power to correct any errors up to 5 (five) days after the event. According to the international dateline and not the race event local time.

NOTE: Results may be posted as provisional subject to any post race technical inspections or for other relevant information to be sought.

Information recorded by the official datalogger/transponder and/or Virtual system information is to be the Official method for examination of any race and /or on water infringement.

TV/Video evidence may be used for course/driving infractions and as above results may be corrected within the 5 day period and notified to all Team Managers.

Any change in posted results may be protested within 5 days of the issue date of the change notice to teams.

01.02. ORGANISATION

WPPA shall appoint a Protest Committee who shall be present at its venue throughout the event.

The Protest Committee shall be composed of the following WPPA and UIM Officials:

- Jury Chairman - no vote.
- Minimum of 3 Jury Members representing WPPA and UIM.
- Protest Committee to be appointed and named prior to drivers briefing in either Race Instructions or Race bulletin. The decision on the protest committee members is the sole responsibility of the WPPA.

01.03. MAKING A PROTEST

Protests and requests for redress must be in writing using a protest form provided by the organiser.

They shall identify:

- a) the protestor and the protestee;
- b) the incident, including when and where it occurred;
- c) the rule or regulation that the protestor believes was broken;
- d) the name of the protestor's representative; and
- e) in the case of a request for redress, the alleged improper action or inaction of the race official/s

However if requirements (a) and (b) are met and the fee is paid, the other requirements may be met before or during the hearing.

The protestor shall notify all named parties, teams or officials of his intention to protest at the first reasonable opportunity.

01.04. TIMING

Protests must be submitted to the jury secretariat not later than one hour after the completion (posting of the results) of the final race of the day.

01.05. FEES

Protests must be accompanied by the proper fee in cash in accordance with the following schedule:

- Class 1 - protest fee Euro 1000.
(In the case of a hearing requiring convening outside of a race event the protesting party will bear the cost of the expenses of the hearing to a maximum of Euro 2000).
- Extreme Cat - protest fee Euro 600.
If the protest is upheld all fees shall be returned.

SECTION B

02. HEARINGS AND DECISIONS

02.01. HEARINGS

All parties shall be notified of the time and place of the hearing. The protest or request shall be made available to them and they shall be allowed reasonable time to prepare for the hearing.

Only the two racing crew, who may be accompanied by either the Team manager or one representative have the right to be present throughout the hearing of the evidence.

If a party to the hearing does not come to the hearing, the Protest Committee may nevertheless decide the protest or request for redress.

A member of a Protest Committee representing the nationality of the party who is a witness to the facts shall not take any further part in the hearing but may appear as a witness. A party to the hearing who believes a member of the Protest Committee is an interested party shall object as soon as possible. For the purposes of this provision, an interested party is any person who may gain or lose as a result of the Protest Committee's decision, or who has a close personal interest in the decision.

At the beginning of the hearing the Protest Committee shall decide whether all requirements of the protest or request for redress have been met. If they have, the protest or request is valid and the hearing shall continue. If not, it shall be closed.

The Protest Committee shall take the evidence of the parties to the hearing and of their witnesses and such other evidence it considers necessary. A member of the Protest Committee who saw the incident may give evidence. The committee shall then find the facts and base its decision on them.

The Protest Hearing will follow the WPPA procedure for a hearing, which is available from the WPPA office and at the commencement of a hearing.

02.02. DECISIONS

If the Protest Committee decides that one of the parties has infringed a rule, it shall award a penalty which it considers fair in all the circumstances and in accordance with the Racing Rules.

When a request for a protest has been made and the Protest Committee decides that protest is upheld, it shall make as fair an arrangement as possible for all teams affected, whether or not they have asked for redress.

After making its decision, the protest committee shall promptly inform the parties of the facts found, the applicable rules, the decision, the reasons for and any penalties involved. Both parties must receive the above information in writing within seven days of the decision. The Protest Committee may re open the hearing or review it's decision if Television/Video evidence becomes available within the 5 day rule. Any decision to review is solely at the discretion of the protest committee.

SECTION C

03. PENALTIES

03.01. PROHIBITED CONDUCT AND ASSOCIATED PENALTIES AS JUDGED BY THE RACE DIRECTOR AND/OR PROTEST OR APPEAL COMMITTEES

In addition to the rules violations and associated penalties described above, the following constitutes a list of prohibited conduct and the associated penalties:

Course Infractions

Observed Infraction - No course infraction penalty shall be assessed to any competitor unless a Course Official has observed the infraction.

Careless Driving - Any action deemed either unsafe or against the spirit of the racing rules by the race officials may result in either a penalty or combination of penalties listed below.

Reckless Driving - Recklessly endangering any craft, patrol boat, medical boat, spectator boat, person, or property shall result in Disqualification from the event.

Helmets and Jackets While on Plane - Any pilot or racing crew member who participates on plane in a race without wearing an approved life jacket/buoyancy suit/floatation device and crash helmet shall be disqualified. At any race site, from the time of arrival and until one hour after the chequered flag of the last event of the day, any race boat occupant failing to wear a life jacket and helmet at any time while a race boat bearing a racing number is on plane shall subject the occupant(s) to an appropriate penalty up to and including Disqualification from that event.

PENALTIES

Penalties can be given for rule infringement and additionally named below:

- Reprimand / Warning
- Yellow Card
- Time penalty
- Lap penalty (Long lap or Race lap - see procedure)
- Fines
- Deduction of Points
- Disqualification
- Temporary Suspension
- Prolonged suspension
- Exclusion

03.02. LONG LAP PENALTY PROCEDURE

N.B.: A Long Lap applied as a penalty is a substitution lap for a race lap.

The Team Manager will be notified by the timing computer and/or via radio by race control if the relevant race boat is under investigation, which may result in an additional Long Lap or Race Lap as a penalty being applied.

It is the responsibility of the Team Manager to inform the relevant boat of any applied penalty.

The Long Lap as a Penalty must be completed at any time during the race that the penalty was applied. Within 2 laps of the notification to the teams. If the penalty is not taken in the correct time a further time penalty of 10 seconds for each lap completed without taking the penalty.

In the case that, for any reason, a Long Lap as a Penalty cannot be completed before the end of the race, the time recorded for the lap when the infringement took place will be replaced by the slowest mandatory Long Lap time recorded by the penalised boat. This corrected Total Race Time for the boat will determine the ranking of the boat in the final results.

In the case of an incorrect application of a Long Lap Penalty or in the event a protest against the application of a Long Lap Penalty being upheld, the Long Lap penalty time will be deleted and replaced by the time recorded for the fastest race Lap. In the case of a long lap penalty being applied post race ie on video evidence, the time is added post race to the boats finishing time. In the case of a boat receiving a long lap penalty post race and not classified as a finisher, the time penalty set according to the race course in which the penalty was given will apply at the next round only if the incident interfered with the race order and/or start.

The Long Lap as a Penalty must be completed at any time during the race that the penalty was applied. Within 2 laps of the notification to the teams. If the penalty is not taken in the correct time a further time penalty of 10 seconds for each lap completed without taking the penalty.

Infringements corrected on post race evidence:

- Start lap - Time added to the first full race lap.
- Long lap - the following race lap is to be replaced with the slowest long lap.
- Race lap - replaced with slowest long lap.

03.03. OTHER PENALTIES

New penalties may be implemented during the season and will be announced at the main Pilots' Briefing.

Two Yellow Cards received by a competitor in the same racing season will result in a Long Lap as a Penalty being applied during the current or next race (or the first race of the following racing season).

Three Yellow Cards received by a competitor in the same racing season will result in Disqualification from the race/round in which the card was issued for.

Destroying or Dislodging Turn Buoy - Every boat must go fairly around the course without damaging, dislodging or destroying any turn buoy unless forced to do so by another boat. In that event, only the offending boat will receive Penalties as listed under Turn Marks.

Local Authority or Government Regulations - Any owner, pilot, assistant or official, whether competing or not, must respect at any time laws and regulations published by the local authorities or government.

On plane in spectator area - Should a race boat fail to come off plane and manoeuvre with caution at less than 12 knots out of a designated spectator fleet, a penalty of Euro 600 fine and Yellow Card will be applied.

Start Violations of starting rules are as C1.34 and Appendix 11-4, 11-3.

SECTION D

04. MISCONDUCT

Rules and regulations exist for the safety and security of competitors, officials, and the public and for the orderly conduct of racing events and must be followed. All team members are required to behave in a responsible and acceptable manner throughout the duration of any event. Any behaviour which acts to disrupt the smooth running of the events the series or could be deemed to have brought the sport in to disrepute may be subject to penalties which may include disqualification suspension from an event reprimands yellow cards expulsion or financial penalties may be applied.

Abuse of Officials - Instances of verbal or physical abuse against any race or event official or competitor will result in a penalty. Penalties may include suspension or disqualification from an event, exclusion from the Championship or the imposition of a points and/or financial penalty.

Reference to teams by nationality used in any way, that is in the opinion of the race officials, deemed derogatory or racist will not be tolerated. Penalties as above will apply.

04.01. ACTION BY THE RACE OFFICIAL/S

- a) When a race official/s, from their own observation or a report received from any source, believes that a competitor may have committed a gross breach of a rule, good manners or sportsmanship, or may have brought the sport into disrepute, they may call a hearing.
- b) The race official/s shall promptly inform the competitor in writing of the alleged misconduct and of the time and place of the hearing.
- c) A jury committee of at least three WPPA Council members shall conduct the hearing. If it decides that the competitor committed the alleged misconduct it shall either
 - 1) warn the competitor or
 - 2) fine the competitor or
 - 3) impose a penalty by excluding the competitor and, when appropriate, disqualifying a boat, from a race or all races of the championship, or by taking other action within its jurisdiction.
 - 4) or Apply either a time or long lap penalty in the race following the hearing.

Apply either a time or long lap penalty in the race following the hearing.

- d) The race official/s shall promptly report a penalty, but not a warning, to the national authorities of the venue, of the competitor and of the team owner.

04.02. ACTION BY A NATIONAL AUTHORITY

- a) When a National Authority receives a report alleging a gross breach of a rule, good manner or sportsmanship, or a report alleging conduct that brought the sport into disrepute, it may conduct an investigation and, when appropriate, shall conduct a hearing. It may then take any disciplinary action within its jurisdiction it consider appropriate against the competitor or team owner, or other person involved, including suspending eligibility, permanently or for a specified period of time, to compete in any event held within its jurisdiction, and suspending WPPA eligibility.

04.03. ACTION BY WPPA

Upon receipt of a report by the race official/s of misconduct by a competitor or team owner, WPPA shall inform all National Authorities, which may also suspend eligibility for events held within their jurisdiction. The WPPA Executive Committee shall suspend the competitor's WPPA eligibility if his/her National Authority does not do so.

SECTION E

05. APPEALS

THE APPEALS PROCEDURE

05.01. FILING AND TIMING REQUIREMENTS

An appeal against a penalty imposed under these rules must be filed in writing with the WPPA Race Administrator and accompanied by a Euro 2000 Class1, Euro 1000 - Extreme Cat appeal fee in cash or certified payment method, within 10 days or prior to the next race if less from the offending party's receiving notice of the penalty. Failure to appeal within this time will constitute a waiver of all appellate rights. If an appeal is filed within 2 hours of the notification as stated above, the Team Owner can request a hearing prior to the end of the event. The WPPA Jury Chairman will assemble the available Members of the WPPA Council and the WPPA Race Director to collect a vote regarding the final decision.

05.02. ORGANISATION

WPPA shall form an Appeals Committee of not less than 3 members who shall hear appeals against Protest Committee decisions. Members of the Appeals Committee shall be selected by the WPPA Executive Committee and approved by the WPPA Council. WPPA shall appoint a Chairman of the Appeals Committee. No member of an appeal board who has taken part as a competitor or Official in the race concerning which a judgement is to be given, or knows himself to have directly or indirectly an interest in one of the parties involved may judge the appeal.

WPPA shall be responsible for all expenses incurred by members of the Appeals Committee in connection with their duties.

05.03. MAKING AN APPEAL

A party to a hearing may appeal against a Protest Committee's decision, or its procedures, to the WPPA Appeals Committee.

A Protest Committee may request confirmation or correction of its decision.

Within 10 days of receiving the Protest Committee's written decision, the appellant shall send the appeal, or the Protest Committee shall send its request, together with the copy of the decision and any relevant documents to the Secretary General of the WPPA. The appeal shall state why the appellant believes the Protest Committee's decision or its procedures were wrong.

05.04. CONSIDERING AN APPEAL

The Secretary General shall circulate the appeal papers to the members of the Appeals Committee by email or by such other method as is most convenient prior to the hearing of the appeal.

The Appeals Committee may meet or discuss appeals by email correspondence and such other means of communication as shall be convenient prior to the hearing of the appeal. The Chairman shall decide when sufficient discussion has taken place and at that stage, shall call for a conclusion. If the members of the appeal committee are not in agreement as to the decision, the Chairman shall then take a vote. In the case of a tie in votes, the Chairman shall have a second or casting vote.

05.05. THE DECISION

The Appeals Committee may uphold, change or reverse the Protest Committee's decision or declare the protest or request for redress invalid.

The decision of the Appeals Committee shall be final.

The Secretary General shall send the decision of the Appeals Committee to all parties to the hearing and to the Protest Committee, which shall be bound by the decision.

05.06. HEARINGS

The WPPA Technical Committee shall afford the accused a hearing on all charges. The WPPA President may appoint a committee to investigate the facts surrounding the alleged rules violations and report their findings and/or recommendations back to the Technical Committee prior to any hearing on the matter.

05.07. APPEAL FEES

Fees will be returned to the member only if the appeal is upheld. After the stipulations above have been met, WPPA and the Technical Committee shall have the power to take such action as it deems appropriate under the circumstances. If the appeal is unsuccessful the team will bear the cost of the hearing expenses incurred by the organizers (Travel, accommodation etc) to a maximum of Euro 2500.

05.08. DECISIONS

The decision of the WPPA Council shall be final and subject only to review by the approval of the WPPA President or to an Independent Sport Resolution/Arbitration panel.

Decisions shall be rendered no later than 30 days after the hearing. Each Member of the Appeals Committee will be allowed one vote.

The losing party of any hearing taken to the Independent Sport Resolution/Arbitration panel will bear the cost of the hearing fee due to the panel.

05.09. SHIPMENT OF PARTS

If the resolution of an appeal requires the shipment of a part or parts to a technical committee, then the owner of said part(s) shall be responsible for all shipping and handling charges.

