

DECISION

Request Number: 11

Protest

Event: Sail Sydney 2018 Race Number: Before Race 1

Hearing Date: 2018-12-09

PARTIES AND WITNESSES

Initiator: Sabot - 1365 - Jude Robinson

Respondent(s): Optimist - 1355 - Thomas Flannery

Witnesses: Eddie Coates, Mark Townsend

VALIDITY

Objection to Jury: No

Within Time Limit: Within Time Limit

Incident Identified: Yes

Proper Hail: Hail not required Contact with serious damage. 61.1(a)(4) applies

Red Flag Displayed: Not required

DECISION: Request Valid

PROCEDURAL MATTERS

FACTS FOUND

1. Before the warning signal for race 1 of the day in the starting area, Sabot 1365 was reaching on starboard tack on a collision course bow to bow with Optimist 1355 reaching on port tack.
2. 1355 held her course and 1365 bore away sharply to avoid a collision.
3. There was contact between the port side bow of 1355 and the starboard quarter gunnel of 1365 causing serious damage to 1365.
4. No boat took a penalty.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

1. The boats were sailing in the racing area intending to race.
2. 1355 on port tack failed to keep clear of 1365 on starboard tack, as required by rule 10. 1355 broke rule 10
3. The contact between the boats caused serious damage to 1365.
4. It was not reasonably possible for 1365, the right-of-way boat to avoid contact with 1355 when it was clear that 1355, the keep clear boat was not keeping clear. 1365 did not break rule 14.
5. It was reasonably possible for 1355, the keep clear boat to avoid contact with 1365, the right of way boat. 1355 broke rule 14.

DECISION

1355 is DSQ from race 3.

Date & Time: 2018-12-09 10:25 AEDT

PROTEST COMMITTEE

Chaired By: Philippe Mazard (FRA)

Committee Members: Howard Elliott (AUS), Mike Alison (NZL), Mark Townsend (USA), Damien Boldyrew (AUS)

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