

DECISION

Request Number: 12

Protest and Request for Redress

Event: Sail Sydney 2018 Race Number: 6

Hearing Date: 2018-12-08

PARTIES AND WITNESSES

Initiator: Nacra 15 - AUS 061 - Brin Liddell

Respondent(s): 29er - 2866 - Ashlee Daunt

VALIDITY

Objection to Jury: No

Within Time Limit: Within Time Limit

Incident Identified: Yes

Proper Hail: Protest hailed

Red Flag Displayed: Not required

DECISION: Request Valid

PROCEDURAL MATTERS

FACTS FOUND

1. Race 6 for Nacra 15 on leg 1 just after the start above the gate, Race 5 for 29er on leg 4.
2. Wind was 20 knots with waves.
3. Nacra 15 AUS 061 was on port tack on a beat to windward.
4. 29er AUS 2866 was on port tack sailing downwind to the leeward gate.
5. 29er AUS 2866 was overlapped to windward of Nacra 15 AUS 061 and on a collision course.
6. When the boats are 4-5 boats lengths apart Nacra 15 AUS 061 saw 29er AUS 2866.
7. Nacra 15 AUS 061 hails.
8. 29er AUS 2866 did not alter course after the hail.
9. Nacra 15 AUS 061 luffs and then bears away .
10. 29er AUS 2866 saw the Nacra 15 AUS 061 and luffed just before contact occurred.
11. Contact occurred between Nacra 15 mast and 29er mast and they became locked together.
12. Both boats capsized and were stuck together for about 10 minutes.
13. There was serious damage to both boats following the collision.
14. Neither boat finished the race.

Diagram: Protest Committee diagram attached

CONCLUSIONS AND RULES THAT APPLY

1. 29er AUS 2866 to windward failed to keep clear of Nacra 15 AUS 061 to leeward, as required by RRS 11.
2. It was reasonably possible for 29er AUS 2866 to avoid contact with Nacra 15 AUS 061, as required by RRS 14.
3. It was reasonably possible for Nacra 15 AUS 061, the right-of-way boat to avoid contact with 29er AUS 2866 when it was clear that 29er US 2866 was not keeping clear, as required by RRS 14.
4. Nacra 15 AUS 061 score in the race was not made significantly worse through no fault of her own.

DECISION

1. 29er AUS 2866 is not further penalised under RRS 64.1(b)
2. Nacra 15 AUS 061 is not further penalised further under 64.1(b)
3. Redress is not given to Nacra 15 AUS 061

Date & Time: 2018-12-08 18:28 AEDT

PROTEST COMMITTEE

Chaired By: Lister Hughes (AUS)

Committee Members: Damien Boldyrew (AUS), Mark Townsend (USA), Philippe Mazard (FRA), Mike Alison (NZL)