

# DECISION

Request No.: 05

## Protest

Event: NZ National Keelboat Championships Race Number: 8  
Hearing Schedule: 2024-04-14 17:00

### PARTIES AND WITNESSES

**Request No.: 05:** 1993 - Jack Frewin

1997 - Josh Hyde

**Witnesses:** Oliver Lloyd - called by  
1993.

### VALIDITY

**Objection to Jury:** No

**Within Time Limit:** Within Time Limit

**Incident Identified:** Yes

**Proper Hail:** Protest hailed

**Red Flag Displayed:** Yes

**Decision:** Request Valid

### PROCEDURAL MATTERS

The arbitrator decided that arbitration is not appropriate.

### FACTS FOUND

- About  $\frac{1}{3}$  up the first beat, 1993 and 1997 were on opposite tacks on a contact course. 1993 on starboard, 1997 on port.
- When the boats were two hull lengths apart, 1997 commenced her tack.
- After 1997 had passed head to wind, but before attaining a close hauled course, 1993 luffed.
- When 1997 attained a close hauled course, the boats were overlapped and separated by less than half a hull length.
- Neither boat took a penalty turn.

**Diagram:** No Diagram Needed

### CONCLUSIONS AND RULES THAT APPLY

**Rules:** 13

1. After passing head to wind and before being on a close-hauled course 1997 failed to keep clear of 1993. 1997 broke RRS 13.

### DECISION

1997 is DSQ in race 8.

**Date & Time:** 2024-04-14 18:44 NZST

### PROTEST COMMITTEE

**Committee Type:** Protest Committee

**Chaired By:** David McIntyre (NZL)

**Committee Members:** Blair Park (NZL), Louis Mayo ()