

# DECISION

Request No.: 16

## Protest

Event: 33rd Phuket King's Cup Regatta Race Number: 6

Hearing Date: 2019-12-06

### PARTIES AND WITNESSES

**Request No.: 16:** Optimist - THA 508

Optimist - THA 244

**Interpreters:** Rut Subniran (jury)

### VALIDITY

**Objection to Jury:** No

**Within Time Limit:** Beyond with Good Reason

**Incident Identified:** Yes

**Proper Hail:** Protest hailed

**Red Flag Displayed:** Not required

**DECISION:** Request Valid

### PROCEDURAL MATTERS

None

### FACTS FOUND

1. THA 508 was to leeward of THA 244, both on starboard close-hauled overlapped approaching mark 1. THA 508 was below the lay line.
2. THA 508 called for room to tack. THA 244 did not tack.
3. THA 508 luffed slowly but did not pass head to wind.
4. There was contact between two boats with no damage.
5. THA 244 took one-turn penalty soon after rounding the windward mark.

**Diagram:** Diagram not endorsed

### CONCLUSIONS AND RULES THAT APPLY

1. THA 244 to windward failed to keep clear of THA 508 to leeward, and broke RRS 11.
2. THA 244 outside overlapped at the zone, failed to give THA 508 mark-room, and broke RRS 18.2(b). THA 244 also broke RRS 14.
3. It was not reasonably possible for THA 508, the right-of-way boat and a boat entitled to room, to avoid contact with THA 244 when it was clear that THA 244 was not keeping clear and giving room. THA 244 did not break RRS 14.
4. THA 244 took a penalty, but only one turn instead of the required 2 turns.

### DECISION

THA 244 DSQ in race 6.

**Date & Time:** 2019-12-05 16:40 +07

### PROTEST COMMITTEE

**Chaired By:** Ewa Jodlowska (POL)

**Committee Members:** John Doerr (GBR), Rut Subniran (THA)

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