

# DECISION

Request No.: 02

## Protest

Event: National 18 2023 National Championships Race Number: 3  
Hearing Schedule: 2023-05-14

### PARTIES AND WITNESSES

Request No.: 02: 428 - Nick Walsh

427 (41) - Charles Dwyer

### VALIDITY

**Objection to Jury:** No

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

**Incident Identified:** Yes

**Proper Hail:** Protest hailed acknowledged.

**Red Flag Displayed:** Not required

**Decision:** Request Valid

### PROCEDURAL MATTERS

Last finisher last race 1556. PTL 90mins. Protest lodged about 1730 (no clear record of time, also no forms available). PC concluded this was first practical opportunity after coming ashore (beat from Cuskinny.) and PTL extended. Protest valid.

### FACTS FOUND

Wind 12 kts, sea flat

428 entered zone on starboard, close hauled, fetching w mark (port rounding).

427 entered zone on port, tacked onto starboard ahead of 428 and was more than 1m ahead of 428 and approx 1BL from mark on completion of tack.

427 was fetching mark on completion of tack

428 took avoiding action and altered course above close hauled but did not create an overlap with 427.

427 rounded the weather mark clear ahead of 428.

**Diagram:** Diagram not endorsed

### CONCLUSIONS AND RULES THAT APPLY

**Rules:** 18.3

Having passed head to wind from port to starboard tack inside the zone, 427 did not cause 428 to sail above close-hauled.

### DECISION

The Protest is Dismissed

Date & Time: 2023-05-14 11:21 IST

### PROTEST COMMITTEE

**Committee Type** Protest Committee

**Chaired By:** Ian Venner (IRL)

**Committee Members:**