

DECISION

Request No.: 02

Protest

Event: BPI Subic Regatta 2024 Race Number: 1
Hearing Schedule: 2024-04-03 15:45

PARTIES AND WITNESSES

Request No.: 02: IRC - 1 - 8088 - Karakoa - Francis Ordoveza

IRC - 1 - Misty Mountain - George Hackett

IRC - 1 - Centennial - Martin Tangco

Interpreters: NIL

VALIDITY

Objection to Jury: No

Within Time Limit: Within Time Limit

Incident Identified: Yes

Proper Hail: Protest hailed By radio call

Red Flag Displayed: Not required Not required under RRS 61.1(a)(3)

Decision: Request Valid

PROCEDURAL MATTERS

1. Karakoa was represented by Francis Ordoveza (helm).
2. Misty Mountain was represented by George Hackett (helm).
3. Centennial was represented by Juan Miguel Zoca (helm).
4. The race committee attended the hearing as a witness called by the international jury and was represented by Jerry Rollins.
5. Chuck Simmons (crew of Karakoa) attended the hearing as a witness for Karakoa.
6. Fernand Imperial (crew on Misty Mountain) attended the hearing as an observer.
7. Joe Estrada (trainee judge) attended the hearing as an observer.
8. Karakoa informed the race committee of their intention to protest as required by SI 15.1.

FACTS FOUND

1. The course to be sailed for the IRC class for race 1 was point-to-point course 12.
2. Mark 3 was stated in Appendix B of the Sailing Instructions (SI) as a red buoy and was to be rounded to starboard.
3. The coordinates of mark 3 (red buoy) as stated in the SI is N 14° 46.63' E 120°12.32' and this was provided to the RC by the port authority.
4. At the GPS coordinates of mark 3 was a green buoy, not red, with a post labelled "01"
5. Karakoa was ahead of Misty Mountain and Centennial when she was approaching the GPS coordinates of mark 3.
6. All three boats rounded this green buoy with a post labelled "01" to starboard.
7. There was no red buoy visually present around the vicinity of the GPS coordinates of mark 3 as stated in the SI.
8. After rounding this green buoy with a post labelled "01", the boats noticed another green buoy without a post about 0.25nm from the position of the green buoy with a post labelled "01".
9. Misty Mountain and Centennial left this green mark without the post to port and Karakoa left this mark to starboard.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: RRS 28.1

1. Boats arriving at the proximity of the coordinates of Mark 3 did not find a red mark as described in the SI and instead found a green mark with a post labelled "01" and were correct to conclude that it was Mark 3.
2. Notwithstanding that the mark at the coordinates described in the SI was not red but green, boats rounding this mark with a post labelled "01" to starboard did so correctly as the Mark 3 coordinates take precedence over the colour of the mark.

3. Another green buoy without a post, 0.25nm away, was not a mark of the course to be sailed and therefore did not have a specified side to be left on.

DECISION

Protest dismissed.

Date & Time: 2024-04-03 17:18 +08

PROTEST COMMITTEE

Committee Type International Jury

Chaired By: Leonard S Chin (MAS)

Committee Members: Jerrold Ng (SGP), Mark Pryke (AUS), Jack Wu (TPE) John Quirk (PHI)

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