

# DECISION

Request No.: 01

## Protest

Event: 34th Phuket King's Cup Regatta Race Number: 5  
Hearing Schedule: 2022-12-05

### PARTIES AND WITNESSES

**Request No.: 01:** Optimist - THA888 - Thanadej Sooparnich

Optimist - Thailand 761 - SHOTA SRATONGSANG

**Interpreters:** Juror Rut Subnarin acted as interpreter.

### 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

1. Jury consisted of 3 members, and was a properly constituted International Jury per Appendix N.1.4(b).
2. THA 761 (protestee) did not attend. The protest proceeded in the absence of THA761 per 63.3(b)

### FACTS FOUND

Incident: **A boat-on-boat incident at the start line pin end.**

1. Winds were 12-15kts
2. THA 888 was on starboard tack approaching the start line to start at the pin end.
3. THA 761 was approaching on port tack.
4. THA 761 luffed to tack ahead of THA 888.
5. Prior to THA 761 reaching a close-hauled course, THA 888 bore away to avoid contact. As THA 888 bore away, THA 888s bow touched THA 761's transom. At the same time, THA 888's port side touched the mark.
6. There was no damage or injury.
7. Neither boat took a penalty.

**Diagram:** Diagram not endorsed

### CONCLUSIONS AND RULES THAT APPLY

**Rules:** RRS 13, 14, 43.1

1. After passing head to wind and before being on a close-hauled course, THA 761 failed to keep clear of THA 888, and broke RRS 13 and RRS 14.
2. It was not reasonably possible for THA 888, the right-of-way boat to avoid contact with THA 761 when it was clear that THA 761 was not keeping clear. THA 888 did not break RRS 14.
3. THA 888 touched the start mark and broke RRS 31, but was compelled to do so by THA 761 breaking RRS 13. THA 888 is exonerated under RRS 43.1(a) for this breach.

### DECISION

THA 761 is DSQ in race 5.

**Date & Time:** 2022-12-05 16:00 +07

**PROTEST COMMITTEE**

**Chaired By:** Deepak Singh Dikhit (IND)

**Committee Members:** Rut Subniran (THA), Benjamin Harding (HKG)