

DECISION

Request No.: 08

Protest and Request for Redress

Event: 2024 BPI Boracay 200 and 2024 BPI Boracay Inshores Race Number: 6
Hearing Schedule: 2024-02-27 15:30

PARTIES AND WITNESSES

Request No.: 08: IRC - Phi 1188 - Hurricane Hunter - Albert Altura

IRC - SVG1367 - Selma star - Marcus/Jun Avecilla

Witnesses: Jeronimo Santos, Rene Guevara

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

1. Albert Altura represented Hurricane Hunter.
2. Marcus Avecilla represented Selma Star.
3. The hearing was scheduled at 1530 hrs and posted on the on-line notice board.
4. The Protest Committee appointed under RRS91(a) is not an International Jury in accordance with Appendix N and its decision is appealable.
5. The Protest Committee is represented by Leonard Chin World Sailing International Judge MASLC2.
6. Photographic evidence was available.
7. Hurricane Hunter is also seeking redress for time lost assessing damage.

FACTS FOUND

1. In Race 6 the wind was 28 to 30 knots with the sea 1 meter and below.
2. Hurricane Hunter on starboard and Selma Star on port were both approaching Mark 1 in the first upwind leg both on a converging course.
3. Hurricane Hunter pre-emptively hailed "starboard" to alert Selma Star.
4. Selma Star attempted to avoid contact but her bow collided with the rear port quarter of Hurricane Hunter.
5. There was fiberglass damage to the hull and stanchion post suffered by Hurricane Hunter and minor injury to the skipper..
6. The bow of Selma Star was damaged but no crew injured.
7. Selma Star carried out a penalty turn and then, carried out a second penalty turn.
8. For all Classes, the Two Turns Penalty specified in RRS rule 44.1 is replaced by a One Turn Penalty.
9. Hurricane Hunter stopped racing for 3 minutes to assess damage .

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: 10,14, 43.1(a), 64.2(a), 62.1(b)

1. Selma Star on port failed to keep clear of Hurricane Hunter on starboard, and broke RRS 10.
2. Selma Star did not avoid contact when it was reasonably possible, and broke RRS 14.
3. Hurricane Hunter also broke RRS14 but since Hurricane Hunter was compelled to break RRS 14 as a consequence of Selma Star breaking RRS 10, she is exonerated under RRS 43.1(a) for this breach
4. Hurricane Hunter's place Race 6 was made significantly worse through no fault of her own own because of the action of Selma Star that was breaking RRS 10 and who took an appropriate penalty .Therefore, the requirements for redress in RRS 62.1(b) are met.

DECISION**Date & Time:** 2024-02-27 15:56 HKT

1. The protest is upheld. Since Selma Star took an applicable penalty, she is not further penalized under RRS 64.2(a).
2. Redress is given to Hurricane Hunter. 3 minutes to be deducted from her elapsed time in Race 6.

PROTEST COMMITTEE

Committee Type: Protest Committee
Chaired By: Leonard S Chin (MAS)
Committee Members: John Quirk NZL

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