

DECISION

Protest

Request No.: 01

Heard Jointly With Number(s): 02

Event: 2023 Club Marine Sail Brisbane Race Number: 2
Hearing Schedule: 2023-12-09 15:00

PARTIES AND WITNESSES

Request No.: 01: VX One - AUS 246 - Vortex - Greg Kemp

801

Request No.: 02: AUS 301

VX One - AUS 246 - Vortex - Greg Kemp

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. Both Protests involved the same incident and were heard together.
2. Protest 2 valid RRS 61.1

FACTS FOUND

1. 8-10 kt, slight chop.
2. 246 and 801 were running on port jibe to the L hand gate.
3. At the zone 246 was clear ahead of 801.
4. In the zone 801 established overlap to leeward of 246.
5. At the overlap 246 was the inside boat.
6. 801 and 246 jibed.
7. 801 did not give 246 sufficient room to round the mark.
8. 246 and 801 both passed the mark to starboard.
9. 301 had just rounded the mark and was altering course to windward on port tack.
10. 246 with 801 to windward was on a collision course with 301.
11. 246 was unable to alter course and avoid contact due to the proximity of 801 to windward.
12. There was contact between 246 and 301 with significant damage to 301.
13. Post collision 246 stood by 301, and cae ashore to check the wellbeing of 301.
14. All boats retired.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: 14,18,43, 44, 61.

1. 801 did not give 246 mark room and broke RRS 18.2
2. 801 the windward boat on the same tack did not 246 room to keep clear of 301 and broke RRS 11.
3. 246 was unable to avoid contact 301 due to the proximity of 801 and is exonerated for breaking RRS 14, as allowed by RRS 43.1.
4. 246 stood by 301 as required by RRS 1.1 and retired from race 2 complying with RRS 44.1(b) and were subsequently unable to start race 3. RRS 62.1(c).
5. 301 suffered serious damage and is unable to sail any further races in the regatta as a result of a boat breaking a rule of Part 2, RRS 62.1(b).

DECISION

1. Protest 1 as 801 retired no further penalty is applied.

Date & Time: 2023-12-09 16:34 AEST

2. Protest 2 246 is exonerated, protest dismissed.
3. 246 is granted redress in race 2 and 3, average points calculated on the results of race 1,4,5,6.
4. 301 is granted redress race 1 score to stand. Granted redress in race 2 and 3, average points calculated on the results of race 1,4,5,6.

PROTEST COMMITTEE

Committee Type Protest Committee

Chaired By: Neville Willis (AUS)

Committee Members: Mark Gallagher (AUS), David Irvine (AUS)