

# DECISION

Request No.: 03

## Protest

Event: Key Yachting J Cup Ireland 2023 Race Number: 2  
Hearing Schedule: 2023-08-26

### PARTIES AND WITNESSES

**Request No.: 03:** J109 - J109 - 2160 - Chimaera - Barry Cunningham

J109 - J109 - 1141 - Storm - Pat Kelly

**Witnesses:** Connor Totterdell, Joker Two – jib trim : Johnny Swan, Storm- jib trim : Iuan MacClellan Jings – main trim

### 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

### FACTS FOUND

Approaching the second windward mark:

Chimera was close-hauled on starboard as she entered the zone

Storm entered the zone close-hauled on port on a converging course with Chimera.

Storm passed head to wind from port to starboard and was then fetching the mark.

Chimera was now on a converging course with Storm. Chimera luffed above close-hauled and was then overlapped to windward of Storm.

There was no contact.

Both boats rounded the mark with Chimera overlapped to windward. They then sailed to the offset mark with Chimera clear astern and slightly to windward.

There were boats approaching on port and there were boats astern of Chimera. Storm did not take her penalty on the offset leg.

At the offset mark Storm sailed on for a boat length then bore away and gybed.

Chimera followed Storm round the mark, gybed, then luffed to fill her spinnaker.

Storm did not luff following her gybe on to port. She then bore away and gybed back on to starboard, then tacked.

**Diagram:** Diagram not endorsed

### CONCLUSIONS AND RULES THAT APPLY

**Rules:** 18.3, 44.2

After Storm passed head to wind from port to starboard tack inside the zone and was then fetching the mark, she caused Chimera on starboard tack since entering the zone, to sail above close-hauled to avoid contact. Storm broke RRS 18.3.

By not getting well clear of other boats as soon after the incident as possible before taking the penalty turns, Storm failed to comply with the requirement of RRS 44.2.

### DECISION

Storm DSQ Race 2

**Date & Time:** 2023-08-26 19:45 IST

### PROTEST COMMITTEE

**Committee Type:** Protest Committee

**Chaired By:** Gordon Davies (IRL)

**Committee Members:** Brian Mathews, John Veale