

# DECISION

Protest and Request for Redress

**Request Number: 06**

**Heard Jointly With Number(s): 07**

**Event: 2018 Asian Sailing Championship Race Number:**  
**Hearing Date: 2018-06-23**

## PARTIES AND WITNESSES

**Initiator:** 49er (Helm) - SGP 33 - YI NIAN KOH

**Respondent(s):** 49er (Helm) - IND 627 - 49er 2 - NARENDRA SINGH RAJPUT

## VALIDITY

**Objection to Jury:** No

**Within Time Limit:** Within Time Limit

**Incident Identified:** Yes

**Proper Hail:** Protest hailed Both parties protested.

**Red Flag Displayed:** Not required

**DECISION:** Request Valid

## PROCEDURAL MATTERS

### FACTS FOUND

Procedural matters:

1. Both parties confirmed Protests 6 and 7 were related to the same incident and so Protests 6 and 7 were heard together.
2. SGP33 is also seeking Redress.
3. Video evidence tendered by SGP. Video verified depicting the incident.

Facts:

1. In Race 6, SGP 33 had rounded Mark M1 after leg 1 and was on Starboard broad reach to hoist the spinnaker in leg 2.
2. IND 627 rounded Mark M1 about 3 boat lengths behind and was also on Starboard tack and hoisted her spinnaker.
3. SGP 33 slowed down during the spinnaker hoist and IND627 caught up on the windward side.
4. IND627 port side of her bow collided with SGP33 on her starboard side causing SGP33 to capsize to leeward, thus exposing her daggerboard above the waterline..
5. The collision resulted in serious damage to SGP33's daggerboard and scuffed her rudder blade.
6. IND627 scuffed her bow sprit in the collision and also tore her spinnaker when she lowered it after the collision.
7. SGP33 retired from Race 6 and subsequently retired in Races 7 and 8 when she could not replace the damaged daggerboard in time.
8. IND627 continued to race in Race 6 and subsequent races 7 and 8.
9. There was no injury and neither boats did any penalty turn.
10. There is doubt if SGP33 can continue racing in the remainder of the series due to the damage.

**Diagram:** Diagram not endorsed

## CONCLUSIONS AND RULES THAT APPLY

1. IND627 to windward failed to keep clear of SGP33 to leeward, as required by RRS 11.
2. IND627 also broke RRS14.
3. It was not reasonably possible for SGP33, the right-of-way boat, to avoid contact with IND627 when it was clear that IND627 was not keeping clear.
4. SGP 33 met the requirements to be given Redress under RRS 62.1(b)

## DECISION

**Date & Time:** 2018-06-23 18:00 WIB

1. IND 627 DSQ in Race 6
2. Redress is given to SGP 33 in accordance with RRS A 10 for Race 6, 7 and 8.
3. (Update 24 June 2018) SGP 33 is unable to race after the incident so Redress is revised that SGP 33 will be awarded in race 6, 7, 8 and 9 points equal to the average, to the nearest tenth of a point (0.05 to be rounded upward), in race 1 to race 5, according to Case 116. No other boat's position to be effected.

## PROTEST COMMITTEE

**Chaired By:** Leonard Chin (MAS)

**Committee Members:** Xinzhu Gu (CHN), Sungchul Jeong (KOR), Gerina Nenggola putri (INA), Yaumi Safirah (INA)