

DECISION

Request Number: 01

Protest

Event: Koh Samui Regatta 2019 Race Number: 4

Hearing Date: 2019-05-29

PARTIES AND WITNESSES

Initiator: IRC Zero - AUS AUS888 - Team Hollywood - David Chapman

Respondent(s): IRC Zero - SGP HKG2112 - WindSikher - Sarab Singh

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 AUS888 claims she was on starboard when HKG2112 came on port and collided with AUS888 resulting in major damage

PROCEDURAL MATTERS

1. HKG2112 came before the hearing to admit being at fault in an incident with AUS888 and retiring. The skipper Sarab Singh signed a note to this effect.
2. The jury panel carried out the hearing under Appendix N1.4(b) as a 3 man panel made up of 3 IJs
3. Heard also under 63.3(b) as the protestee was not present.

FACTS FOUND

1. AUS888 was fetching the windward mark in Race 4 on starboard.
2. The wind was 8 knots with the sea flat
3. Between 7 to 10 boat lengths from the mark, THA72, leeward and HKG2112, windward, both on port were converging with AUS888
4. THA72 bore away to pass behind AUS888.
5. HKG2112 initially bore away and appeared to be clearing.
6. At about half a boat length apart, it was clear that a collision was imminent.
7. AUS888 did not alter course.
8. HKG2112's bowsprit ripped the port aft stanchions together with the lifelines, pushpit and the runner.
9. The damage was serious. There were minor injuries reported.
10. HKG2112 retired from Race 4 because she broke a rule.
11. AUS888 retired from race 4 as her damage was serious..
12. Both AUS888 and HKG2112 did not race in Race 5

Notes:

AUS888 damage details:

6 stanchions broke off together with lifelines, pushpit damaged, runner damaged, hull cracks and a hole created next to the exhaust port just above the waterline of the transom.

Windsikher damage details:

Bowsprit broke off.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

1. HKG2112 on port failed to keep clear of AUS888 on starboard, as required by RRS 10, and by not avoiding contact, HKG2112 also broke RRS14.
2. It was not reasonably possible for AUS 888, the right-of-way boat, to avoid contact with HKG2112 when it was clear that HKG2112 was not keeping clear.
3. Because of physical damage caused by HKG2112 breaking a rule of Part 2 AUS888's score was made significantly worse through no fault of her own and is entitled to redress under RRS62.1(b).

DECISION

Date & Time: 2019-05-30 17:30 +07

1. Protest is upheld.
2. HKG2112 retired and is not penalised further.
3. AUS888 is entitled to redress as follows:
to be scored in Races 4 and 5 the average score from all her races up to and including the last race on Friday (31st May) excluding races 4 and 5

to nearest 10th of a point . No other boat scores to be altered.

PROTEST COMMITTEE

Chaired By: Tom Sheppard (HKG)

Committee Members: Lock Kit (SGP), Leonard Chin (MAS)

Printed: 10 Aug 08:59