

DECISION

Request for Redress

Request No.: 02

Event: 2021 Sail Airlie Race Number: 7
Hearing Date: 2021-04-04

PARTIES AND WITNESSES

Request No.: 02: NACRA 5.8 - 1707 - Rob Wibaux

Race Committee

Witnesses: Rob Wibaux - 1707; Alex Adoberg - 1342; Jeff Osborne - RC

VALIDITY

Objection to Jury: No

Within Time Limit: Within Time Limit

Incident Identified: Yes

Proper Hail: Hail not required

Red Flag Displayed: Not required

Decision: Request Valid

PROCEDURAL MATTERS

FACTS FOUND

1. Visibility good, 12-15kt wind speed, and flat seas.
2. SI say that the NACRA course mark A is a yellow inflatable buoy, and B is an orange inflatable buoy.
3. In Race 7, on leg 1, 1707 led the fleet on an approx. 800m beat to mark A.
4. As 1707 approached mark A, they observed two yellow, and two orange marks laid within 50-100m of each other, one set of marks further to windward.
5. 1707 produced photographic evidence that showed two yellow and two orange marks laid in close proximity to the NACRA fleet mark A position.
6. RC evidence confirmed the close proximity of the four marks.
7. 1707 sailed to the further yellow and orange marks and rounded those marks.
8. 1342 followed 1707 towards the further mark, and then reversed course to round the closer marks.
9. The RC advised that the closer marks were the marks for the NACRA fleet.
10. 1707 in rounding the further marks lost 5 places in the fleet.
11. 1342 in sailing towards the further marks also lost places.

Diagram: Endorsed by Protest Committee

CONCLUSIONS AND RULES THAT APPLY

1. 1707 sailed the course, RRS 28.
2. 1707 and 1342 places in race 7 were made worse by marks of the same colour being laid by the RC in close proximity to the actual NACRA fleet mark A and B, RRS 62.1.
3. 1707 and 1342 score was made worse through no fault of their own due to the confusion caused by the same colour marks being laid in close proximity to the NACRA fleet marks A and B, RRS 62.1.
4. There was an improper action by the RC in laying marks of the same colour in close proximity causing confusion about which mark the NACRA fleet was to round, RRS 62.1(a).
5. 1707 and 1342 are entitled to redress, RRS 62.1.

DECISION

Date & Time: 2021-04-05 07:47 AEST

1. Redress granted.
2. 1707 to be scored points equal to sixth (6th) place in race 7.
3. 1342 to be scored points equal to fifth (5th) place in race 7.
4. There is to be no change to other boats scores.

PROTEST COMMITTEE

Chaired By: Mark Gallagher (AUS)

