

DECISION

Protest

Request No.: 05

Heard Jointly With Number(s): 04

Event: RS Aero World Championship 2019 **Race Number:** 5
Hearing Date: 2020-01-02

PARTIES AND WITNESSES

Request No.: 05: RS Aero 5 - AUS 2694 - Black Rock YC, VIC - Lachie Hartnett
RS Aero 5 - GBR 3060 - Maidenhead SC - Sammy Isaacs-Johnson
Request No.: 04: RS Aero 5 - GBR 3060 - Maidenhead SC - Sammy Isaacs-Johnson
RS Aero 5 - AUS 2694 - Black Rock YC, VIC - Lachie Hartnett
Witnesses: Megan Ridgway - AUS3006

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

Protest 4 and 5 were heard together.

FACTS FOUND

1. Protest 4 and 5 were heard together.
2. On the run, GBR3060, AUS2694 and AUS3006 all on port gybe and overlapped.
3. GBR3060 being the leeward boat, AUS2694 to windward of GBR3060, and AUS3006 to windward of AUS2694.
4. AUS3006 gybed onto starboard, converging on AUS2694.
5. GBR3060 continued on a parallel course with AUS2694.
6. AUS3006 hailed starboard to AUS2694.
7. AUS2694 hailed GBR3060 for room to keep clear of AUS3006.
8. AUS2694 received no response from GBR3060.
9. AUS2694 gybed onto starboard, ending on a converging course with GBR3060.
10. AUS2694 luffed to pass astern of AUS3060.
11. AUS2694's bow made contact with GBR3060's port stern quarter.
12. There was damage to the port stern quarter gunwale of GBR3060.
13. No boats took a penalty.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

When AUS3006 gybed onto starboard, AUS3006 became right-of-way boat and an obstruction to AUS2694 and GBR3060, who were overlapped to windward of her.
GBR3060 was required to give AUS2694 room to keep clear of AUS3006 when AUS2694 gybed onto starboard. AUS2694 continued to be the right-of-way boat, but now under RRS 10.
GBR3060, outside boat at an obstruction, failed to give AUS2694 room to pass the obstruction, and broke RRS 19.2(b).
GBR3060 on port, failed to keep clear of AUS2694, on starboard, and broke RRS 10.
GBR3060 did not avoid contact with AUS2694, and broke RRS 14.
It was not reasonably possible for AUS2694, the right of way boat, to avoid contact with GBR3060, and did not break RRS14.

DECISION

GBR3060 to be scored DSQ in Race 5.

Date & Time: 2020-01-02 19:43 AEDT

PROTEST COMMITTEE

Chaired By: Grant Baldwin (USA)
Committee Members: Mark Townsend (USA), Christian Boillot (AUS), Tracy Heritage (AUS), Bill Bell (AUS)

