

DECISION

Request No.: 12

Protest

Event: NSC Cup Series 3 Race Number: 7

Hearing Date: 2019-11-18

PARTIES AND WITNESSES

Request No.: 12: Optimist Silver - SGP 711 - Angyal Chew Chew

Optimist Silver - SGP 3440 - Gordon Allan

Witnesses: NIL

Interpreters: NIL

VALIDITY

Objection to Jury: No

Within Time Limit: Within Time Limit Protest time limit was 1814h and the protest was lodged at 1800h.

Incident Identified: Yes Written protest or request identifies the incident.

Proper Hail: Protest hailed "Protest" was hailed at the first reasonable opportunity.

Red Flag Displayed: Not required

DECISION: Request Valid

PROCEDURAL MATTERS

- 1) Both parties were not present and the hearing proceeded under RRS 63.3(b).
- 2) Finishing vessel informed as soon as possible after finishing as per SI 17.1.
- 3) 3440 presented to the jury secretary before the start of the hearing a declaration that he would like to retire from Race 7 (see picture attached below).

 3440 respondent RET letter.jpg 59.4 KB

FACTS FOUND

- 1) SGP 711 on starboard and SGP 3440 on port at the starting line of Race 7.
- 2) As the two boats were on a collision course, SGP 711 hailed "starboard" repeatedly to SGP 3440.
- 3) Contact occurred between the two boats with no damage or injury.
- 4) Neither boat took a penalty afloat.
- 5) SGP 3440 presented to the jury secretary before the start of the hearing, a declaration that he would like to retire from Race 7.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

SGP 3440 on port failed to keep clear of SGP 711 on starboard, and broke RRS 10. SGP 3440 did not avoid contact and broke RRS 14. SGP 711, the right-of-way boat, did not act to avoid contact when it became clear that SGP 3440 was not keeping clear. Therefore, SGP 711 broke RRS 14. However, SGP 711 is exonerated under RRS 14(b) as the contact did not cause damage or injury. SGP 3440 has taken an applicable penalty and cannot be further penalised under RRS 64.1(b).

DECISION

Protest dismissed.
(Finished: 2015h, 18 Nov)

Date & Time: 2019-11-18 20:15 +08

PROTEST COMMITTEE

Chaired By: Jerrold Ng (SGP)

Committee Members: Joe Chan (NJ) - SGP