

DECISION

Protest

Request Number: 04

Heard Jointly With Number(s): 05

Event: 2019 Monsoon Regatta Race Number: 5
Hearing Date: 2019-07-24

PARTIES AND WITNESSES

Initiator: Optimist - Main - IND 1576 - Laxman Vishlavath

Respondent(s): Optimist - Main - IND 1303 - Akshat Kumar Dohare

Witnesses: 1580

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

1. There was another protest #5, by 1303 against 1585
2. The original hearing #4 was started and then adjourned to be heard with hearing #5, when it became clear that the two protests were concerned with the same incident.
3. Under 63.3(b) the hearing took place without 1585.

FACTS FOUND

1. Sail nos 1576 and 1303 were both sailing downwind on a run to mark 2P to be left to Port. They were overlapped on port tack with 1576 as leeward and outside. 1585 was also on port overlapped outside 1576, sailing higher and faster.
2. When leading boat 1576 entered zone, 1585, the outer most boat was sailing towards the mark on a converging course with 1576.
3. 1576 shouted for room to 1585, but there was no response from 1585.
4. 1576 (outside 1303) was forced to sail higher to avoid contact with 1585 (outside her), and in doing so luffed 1303 above her course to the mark.
5. 1303 was forced to round the mark astern of both 1576 and 1585.
6. 1576 also touched the mark with his boom as she gybed to round.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

1. 1576, as outside overlapped with 1303 at the zone, failed to give 1303 mark-room, as required by RRS 18.2(b). 1576 also broke RRS 31.
2. 1585, the outermost boat at the zone, failed to give 1576, and 1303 mark-room, as required by RRS 18.2(b).
3. 1576 was compelled to break RRS18.2(b) and RRS31 by the actions of 1585 and is exonerated under RRS 64.1(b) and RRS21(b) respectively.

DECISION

1. 1585 is DSQ in race no 5

Date & Time: 2019-07-24 16:30 IST

PROTEST COMMITTEE

Chaired By: Benjamin Harding (HKG)

Committee Members: Mark Pryke (AUS), Gurvinderpal Julka (IND), Jagdish Singh (IND)

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