

# DECISION

Request No.: 08

## Protest

Event: 34th Airlie Beach Race Week Race Number: 3  
Hearing Schedule: 2022-08-14

### PARTIES AND WITNESSES

**Request No.: 08:** Perf Cr 1 - Performance Cruising Div 1 - 7 - Wings - Ian Edwards

Perf Cr 1 - Performance Cruising Div 1 - 6037 - Eureka 11 - Gary McCarthy

**Witnesses:** Bradley Reid and Steve Howe - Wings; Bob Robertson - Eureka

### 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

### PROCEDURAL MATTERS

1. The hearing schedule was published advising that the hearing would be asap after the previous hearing.
2. At 1712 a text was sent to the parties advising them to be available for the hearing from 1845.
3. At 1853 the protestee was not present the hearing commenced.
4. The protestee joined the hearing at 1900 and the hearing proceeded.

### FACTS FOUND

1. 8-10kt, light seas.
2. Windward start in the last 45-60sec.
3. Wings and Eureka on starboard tack with wings overlapped to leeward.
4. Wings made multiple hails to Eureka to keep clear.
5. Eureka did not alter course to keep clear.
6. Wings altered course to avoid contact with Eureka when Eureka did not keep clear.

**Diagram:** Endorsed by Protest Committee

### CONCLUSIONS AND RULES THAT APPLY

**Rules:** 11, SI16.4

1. Eureka the windward boat did not keep clear of Wings the leeward boat, RRS 11.

### DECISION

**Date & Time:** 2022-08-14 20:22 AEST

1. Eureka is to have a 50% scoring penalty applied to their score in Race 3.
2. The scoring penalty is to be not worse than a DNF/TLE score.

### PROTEST COMMITTEE

**Chaired By:** Mark Gallagher (AUS)

**Committee Members:** Paul Effeney (AUS), Stephen Merrington (AUS)