

# DECISION

Protest

Request No.: 03

Heard Jointly With Number(s): 05

Event: Bermuda International Invitational Race Week 2023 Race Number: 7  
Hearing Schedule: 2023-05-02

## PARTIES AND WITNESSES

Request No.: 03: IOD - 18 - Daliane - Bill / Charlie Widnall / Richter

IOD - 21

Request No.: 05: IOD - 21 - Henry Arnold

IOD - 18 - Bill Widnall

IOD - 16 - Peter Wickwire

## 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

Hearing requests #3 and #5 were heard together.

## FACTS FOUND

18 was on starboard tack approaching the zone of the windward mark sailing above the layline, having overstood the mark. Windspeed was 20+ knots

21 was on the port tack layline with 16 to windward also on port tack. About 4 boat lengths from the mark, 21 and 16 bore away below close hauled to pass astern of 2 starboard tackers who were approaching the mark to round ahead of 18.

There was a gap between the first 2 boats and 18.

16 and 21 communicated their intention to duck the first 2 starboard boats and then tack ahead of 18. 16 and 21 passed astern of the first 2 starboard tack boats and 16 then immediately tacked onto starboard.

As soon as 16 tacked, 21 also tacked onto starboard.

18, already on starboard since entering the zone, was forced to alter course to windward and sailed above close hauled in order to avoid 21 before 21 had completed her tack.

There was no contact between the boats. No boat took a penalty.

18 rounded the mark behind both 16 and 21.

**Diagram:** Diagram not endorsed

## CONCLUSIONS AND RULES THAT APPLY

**Rules:** 13; 18.3

21 failed to keep clear of 18 while tacking

21 broke RRS 13 & 18.3

16 broke no rule

## DECISION

21 is DSQ from race 7

**Date & Time:** 2023-05-02 18:25 ADT

## PROTEST COMMITTEE

**Committee Type:** International Jury

**Chaired By:** Egil Wold (NOR)

**Committee Members:** Elspeth Weisberg (BER), Robert Duffy (BER), Frederick Hagedorn (USA), Joe Jospe (CAN)