

# DECISION

Request No.: 12

## Protest and Reopening by PC

Event: ABC Southside Open Dinghy Regatta 2022 Race Number: 1  
Hearing Schedule: 2022-12-13 17:00

### PARTIES AND WITNESSES

Request No.: 12: Protest Committee

Optimist Main Fleet - HKG 522 - Tara Maliah

### VALIDITY

**Objection to Jury:** No

**Within Time Limit:** Beyond with Good Reason

**Incident Identified:** N/A

**Proper Hail:** N/A

**Red Flag Displayed:** N/A

**Decision:** Request Valid

### PROCEDURAL MATTERS

Original Hearing No. 7 was heard on 3 Dec 2022 after the end of racing for the day. The Protest Committee decided that it may have made a error in the conclusions affecting their decisions and reopened this Hearing No. 12 in accordance with RRS 66.1. The original parties were not present.

### FACTS FOUND

The committee confirmed the facts found in hearing 7 were correct.

Neither sailor saw the other boat nor changed course prior to the contact

HKG 522 the right of way boat was slightly ahead of HKG 5 before the contact.

The conclusions formed in that hearing were not correct

In Hearing No. 7 for Race 1, the decision was as follows:

HKG5 DSQ.

HKG522 DSQ.

**Diagram:** Diagram not endorsed

### CONCLUSIONS AND RULES THAT APPLY

Rules: RRS 10 & 14

HKG5 on port as the keep-clear boat, failed to keep a lookout and failed to keep clear and avoid contact and broke RRS 10 and RRS14.

It was not reasonably possible for HKG522 on starboard as the right of way boat to avoid contact with HKG5 when HKG5 failed to keep clear.

HKG522 did not break RRS14 and DSQ is not justified.

### DECISION

only HKG5 DSQ in Race 1.

HKG522 race result in Race 1 reinstate to her finishing position.

Date & Time: 2022-12-13 17:00 HKT

### PROTEST COMMITTEE

**Chaired By:** Alain Choi (HKG)

**Committee Members:** Ben Chong (HKG), Cathy Delany-Hobbs (HKG)