

Royal Sydney Yacht Squadron

RSYS MORNA CUP

Protest Hearing

AFR Midnight Rambler/8338 vs Balance/7771

Hearing at the RSYS on Tuesday 17th November 2009

Event Incorporating: RSYS Offshore Series Race 5
CYCA Short Offshore Pointscore Race 4

AFR Midnight Rambler, represented by; Shane Guanaria

Balance, represented by; Bruce McRae

FACTS FOUND

1. AFR MIDNIGHT RAMBLER and BALANCE were on starboard tack, BALANCE was 10 boat lengths ahead and sailing 8 boat lengths to leeward.
2. Both boats were sailing at approximately 7 knots.
3. BALANCE tacked onto port tack exiting her tack at 6 knots.
4. When the boats were less than a boat length apart AFR MIDNIGHT RAMBLER altered course to pass astern of BALANCE.
5. The time between BALANCE's tack and when the boats came together was 30 to 40 seconds.
6. There was reasonable apprehension in the mind of AFR MIDNIGHT RAMBLER that a collision would have occurred.

CONCLUSION

BALANCE as port tack boat failed to keep clear of AFR MIDNIGHT RAMBLER, a starboard tack boat.

RULES APPLICABLE

Rule 10, ISAF Case 50.

DECISION

BALANCE is to be scored DSQ.

Lister Hughes

Chairman

17th November 2009

Protest Committee: John Conroy, Howard Elliott, Lister Hughes.