

Cruising Yacht Club of Australia

Grant Thornton Short Ocean Race

Protest No. 1

Race 5

Allegro 6321 v Race Committee

Hearing at the CYCA, New Beach Rd., Darling Point, 11th November 2010 at 19:00 Hours.

Protest Committee: Bernie van't Hof, Douglas Talty and John Kirkjian,

Allegro represented by: John Taylor

Race Committee represented by: Bob Brenac

FACTS FOUND:

1. The race Committee elected to shorten the course at Mark A3
2. At the time the race committee commenced the procedure to shorten the course Allegro had already rounded Mark 3A and was proceeding towards Mark B

CONCLUSION:

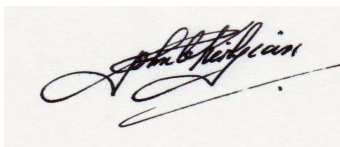
1. There was an improper act or omission of the race Committee in shortening the course at Mark 3A after Allegro had already rounded the mark
2. Allegro is entitled to redress.

RULES APPLICABLE:

RRS: 62.1(a), 64.2 & Appendix A 10(a)

DECISION

1. Allegro is granted redress in accordance with Appendix A10a



62 REDRESS

62.1 A request for redress or a protest committee's decision to consider redress shall be based on a claim or possibility that a boat's score in a race or series has, through no fault of her own, been made significantly worse by

- (a) an improper action or omission of the race committee, protest committee or organizing authority, but not by a protest committee decision when the boat was a *party* to the hearing;
- (b) injury or physical damage because of the action of a boat that was breaking a rule of Part 2 or of a vessel not *racing* that was required to keep clear;
- (c) giving help (except to herself or her crew) in compliance with rule 1.1; or
- (d) a boat against which a penalty has been imposed under rule 2 or disciplinary action has been taken under rule 69.1(b).

64.2 Decisions on Redress

When the protest committee decides that a boat is entitled to redress under rule 62, it shall make as fair an arrangement as possible for all boats affected, whether or not they asked for redress. This may be to adjust the scoring (see rule A10 for some examples) or finishing times of boats, to *abandon* the race, to let the results stand or to make some other arrangement. When in doubt about the facts or probable results of any arrangement for the race or series, especially before *abandoning* the race, the protest committee shall take evidence from appropriate sources.

A10 GUIDANCE ON REDRESS

If the protest committee decides to give redress by adjusting a boat's score for a race, it is advised to consider scoring her

- (a) points equal to the average, to the nearest tenth of a point (0.05 to be rounded upward), of her points in all the races in the series except the race in question;
- (b) points equal to the average, to the nearest tenth of a point (0.05 to be rounded upward), of her points in all the races before the race in question; or
- (c) points based on the position of the boat in the race at the time of the incident that justified redress.