

# **International Dragon Class 2009 Australian Championship Incorporating the Prince Philip Cup & Ted Albert Memorial Regatta**

**Protest No.4**

**Race 3**

## **Karabos VIII DAUS 180 & Imagination DAUS 179**

Hearing at the Royal Sydney Yacht Squadron, Kirribilli on the 7<sup>th</sup> January 2009 at 16:30 Hours.

**Protest Committee:** John Kirkjian, Timothy Cox & Chris Harper.

**DAUS 180 represented by: N. Longworth**

**DAUS 179 represented by: M. Cooper**

### **FACTS FOUND**

1. DAUS 180 was sailing close hauled on starboard tack approaching the windward mark.
2. DAUS 179 was sailing close hauled on port tack approaching the windward mark.
3. 2 to 2.5 boat lengths from the mark DAUS 179 crossed ahead of DAUS 180 and began to tack on to starboard.
4. Before DAUS 179 completed her tack there was a collision between the port quarter of DAUS 179 and starboard side of DAUS 180.
5. At this time Amazing Grace and Karabos XI who had been pinching to round the mark were locked together at the mark.
6. DAUS 179 sailed clear of all other boats and carried out a one turn alternative penalty.

### **CONCLUSION**

1. The protest was valid.
2. AUS 179 failed to give room to DAUS 180 as required by RRS 18.3.
3. It was not reasonably possible for DAUS 180 to avoid the contact.
4. DAUS 179 did not obtain a significant advantage by her breach of RRS 18.3.

### **RULES APPLICABLE:**

**RRS:** 13, 14, 18.3 and 44.1

### **DECISION:**

1. Protest is dismissed.

*John C. Kirkjian*  
*Chairman*

### **13 WHILE TACKING**

After a boat passes head to wind, she shall *keep clear* of other boats until she is on a close-hauled course. During that time rules 10, 11 and 12 do not apply. If two boats are subject to this rule at the same time, the one on the other's port side or the one astern shall *keep clear*.

### **14 AVOIDING CONTACT**

A boat shall avoid contact with another boat if reasonably possible. However, a right-of-way boat or one entitled to *room* or *mark-room*

- (a) need not act to avoid contact until it is clear that the other boat is not *keeping clear* or giving *room* or *mark-room*, and
- (b) shall not be penalized under this rule unless there is contact that causes damage or injury.

### **18.3 Tacking When Approaching a Mark**

If two boats were approaching a *mark* on opposite *tacks* and one of them changes *tack*, and as a result is subject to rule 13 in the *zone* when the other is *fetching* the *mark*, rule 18.2 does not thereafter apply. The boat that changed *tack*

- (a) shall not cause the other boat to sail above close-hauled to avoid her or prevent the other boat from passing the *mark* on the required side, and
- (b) shall give *mark-room* if the other boat becomes *overlapped* inside her.