

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

Protest No. 3

Race 2

Sidewinder DAUS 189 v Surf Ski

Hearing at the Royal Sydney Yacht Squadron, Kirribilli on the 7th January 2009 at 16:30 Hours.
Protest Committee: John Kirkjian, Timothy Cox & Chris Harper

DAUS 189 represented by: Carl Ryves
Surf Ski represented by: Tim Harrison

FACTS FOUND

1. DAUS 189 was sailing close hauled on port tack
2. The Surf Ski was to windward of DAUS 189 and clearly visible to her
3. A collision occurred between DAUS 189 and the Surf Ski causing damage to the Surf Ski.
4. DAUS 189 was not keeping a proper look out as required by the IRPCAS
5. DAUS 189 rendered assistance to the person in the Surf Ski.

CONCLUSION

1. DAUS 189 was at fault for failing to keep a proper lookout and for failing to take action to avoid a collision as required by the IRPCAS and RRS 14
2. The damage to the Surf Ski was serious.
3. DAUS 189 is not entitled to redress RRS 62.1(c) as the loss of time and distance was caused by her own fault.

RULES APPLICABLE:

IRPCAS 5 & 8 and RRS 14, 62.1(c),

DECISION:

1. DAUS 189 request for redress is refused.

John C. Kirkjian
Chairman