

ROYAL SYDNEY YACHT SQUADRON

ETCHELLS MINA SERIES

Protest No. 1

Race No. 2

**EAUS 1268 v EAUS 1401
EAUS 1401 v EAUS 1268**

Hearing at the RSYS on Monday 18th February 2019 at 18:00 Hours.

Protest Committee: Lister Hughes, Timothy Cox and John Kirkjian

1268 was represented by: Mike Tyquan

1401 was represented by: David Dunn

FACTS FOUND

1. As both protests relate to the same incident they were heard together with the consent of the parties.
2. Wind was from 030° at a strength of 10 - 12 knots.
3. 30 seconds prior to the starting signal 1268 and 1401 were reaching down the line on port tack with 1268 overlapped to windward of 1401 and half a boat length apart.
4. The overlap between 1401 and 1268 had existed for more than 50 seconds.
5. 1392 was sailing on starboard tack approaching the starting line and on a collision course with both 1401 and 1268.
6. 1392 hailed "starboard".
7. 1401 called "up" a number of times to 1268 and began to slowly luff.
8. 1268 responded to 1401's luff.
9. Before reaching a close-hauled course 1401 hailed "room to tack."
10. 1268 did not respond to 1401 hail for room to tack.
11. 1401 passed through head to wind and a collision occurred between the port bow of 1401 and the starboard mid-section of 1268 causing damage.
12. Contact then occurred between 1392 and 1401.
13. Neither 1401 nor 1268 carried out an alternative penalty.

CONCLUSION

1. 1268 a windward boat honoured her obligation to keep clear of 1401 a leeward who prior to the starting signal was entitled to luff 1268 up to head to wind.
2. 1401 passed through head to wind and failed to keep clear of 1268.
3. When 1401 hailed for room to tack she was not on a close-hauled course and therefore was not entitled to room RRS 20.1.
4. When 1401 hailed for room 1268 obligation was to tack even if the hail brakes RRS 20.1.
5. It was reasonably possible for 1268 to take avoiding action to avoid contact with 1401.

6. It was reasonable possible for 1401 to take avoiding action to avoid contact with 1268 and 1392.

RULES APPLICABLE

RRS: 11, 13, 14, 20.1, 20.2b & 44.2. WS Case 10 question 2.

DECISION

1. 1268 is to be scored DSQ in race 2
2. 1401 is to be scored DSQ in race 2

John C. Kirkjian

Chairman