

RMYCT Protest Committee Decision

Event: RKR Div 1 and Shield, Race 1, 28 September 2024

PARTIES

Boat/Class/Fleet/RC/PC	Represented By
Santana	Richard Martin

Hearing date
30/09/2024

Protest or request valid / ~~Protest or request invalid, hearing is closed~~

Case Summary: A request for redress following contact between Santana and Excessive resulting in damage.

Procedural Matters: The protest committee was comprised of representatives of at least two competing clubs as required by Sailing Instruction 13.4.

Witnesses: NA

Facts found:

1. During RKR Race 1, two division one boats, Santana (Swan 43) and Excessive (Adams 10.6) were involved in a port/starboard incident halfway down the second downwind leg of the course.
2. Santana's spinnaker was damaged and unable to be used as a result of the incident.
3. Santana had no other suitable spinnaker that could be used.
4. Santana sailed without a spinnaker for half a downwind leg of the Shield Race common course and one-and-a-half downwind legs of the Div 1 course.
5. Excessive took the appropriate penalty as a result of the incident, which was to retire.

Conclusion & Applicable Rules:

1. 10 (On Opposite Tacks), 44.1.b (Penalties at the time of the incident), 62.1.b (Redress).
2. Excessive broke Rule 10 and took the appropriate penalty.
3. Santana is entitled to redress.

Decision:

1. Excessive is not further penalised.
2. Santana's handicap in RKR Shield race 1 shall be reduced by 0.75 percent (.855 to .848) and its corrected finishing time shall be recalculated.
3. Santana's handicap in RKR Div 1 race 1 shall be reduced by 1.5 percent (.855 to .842) and its corrected finishing time shall be recalculated.
4. The finishing places of all other boats shall not be changed.

Protest committee:

Evan McHugh (RJ, Chair), Geoff Edman

Parties advised:

EVENT

LOGO

HEARING REQUEST FORM and OTHER REQUESTS FOR ACTION BY THE PROTEST COMMITTEE

Received Date: <u>28/9/24</u> Time: <u>1625hrs</u> By: <u>Simon T.</u>		Protest Time Limit:	Case Number: <u>1</u>
1. Date of Race: <u>28/9/24</u>		Series: <u>RICR</u>	Race Number: <u>1</u>
2. TYPE OF HEARING <input checked="" type="checkbox"/> Protest – (an allegation that one or more boats broke a rule) <input checked="" type="checkbox"/> Request for redress <input type="checkbox"/> Request to reopen a hearing (RRS 66)			
<input type="checkbox"/> Request to have a hearing full jury (RRS N1.4(b)) <input type="checkbox"/> Report for DP Penalty (RRS 64.8) <input type="checkbox"/> Report concerning a Support Person <input type="checkbox"/> Report of Misconduct (RRS 69)			
3. MY DETAILS – The INITIATOR – the protestor, the person making the allegation, request or report			
Class/Fleet: <u>1</u>	Sail No/Boat Name: <u>SANTANA m236</u>	OR	Committee:
Represented By:	Name: <u>RICHARD MARTIN</u>	Telephone: <u>0414 60055</u>	e-mail:
4. The RESPONDENT – protestee, committee for redress, support person, person reported for misconduct.			
Class/Fleet or Committee: <u>DIU 1</u>	Sail No/Boat Name/Person: <u>M49 DAVID NICHOLS</u>	Telephone (if known): <u>0409 487 481</u>	
5. INFORMING the PROTESTEE – If you are protesting, how did you inform the boat of your intention to protest?			
By mailing: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes			
Displaying Red Flag: <input type="checkbox"/> Not required <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes			
Informed some other way: <input type="checkbox"/> No <input type="checkbox"/> Yes			
6. The INCIDENT When and Where?		Diagram (if relevant): Include wind and current.	
Brief Description. STARBOARD TACK (SANTANA) ON REACH RUNNING ASSY M49 ON PORT TACK (WORKING) FAILED TO KEEP CLEAR AS HG APPROACHED (BOW TO BOW) HG (M49)'S ROUNDED UP HIS SPREADERS RIPPED A HOLE IN OUR ASSY. WE HAILED & HOISTED OUR PROTEST FLAG			
Rules that apply: <u>PORT / STARBOARD</u>		Names of witnesses: <u>DAVID BROWN / CREW</u>	

Continue on the back of this form or other paper if necessary.

SCOTT HAMILTON
"POURUS"

LOGO

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