

DECISION BY THE PROTEST COMMITTEE ON THE PROTEST HEARING BETWEEN XS MOMENT AND MERCURY FOR A RACE HELD ON THE 21 OCTOBER 2023

Hearing 1800 hours 1st November 2023 at the Royal Prince Alfred Yacht Club Newport

The Protest Committee interviewed the representatives of the boats involved together to discuss the situation on both boats and the actions taken before a decision was made. Both representatives were present to hear the Protest Committees decision.

In accordance with Rule 65.1 both parties were informed as follows.

Facts found.

- 1 XS MOMENT claimed that they called the words "you need to do a 720 we Protest" MERCURY claimed that only "do 720" was heard. Considering the wind and sea conditions this is not considered by the Protest Committee a significant issue in their decision.
- 2 The protest flag was not displayed till 10 minutes after the incident, (17:15 incident to 17:25 display of flag). XS MOMENT had an injures person on board whose injury was not related to this incident. The Protest Committee were told that the injury had occurred 15 to 20 minutes beforehand and the injured was sitting in the cockpit at the time of this incident. Therefore, the Protest Committee did not consider the situation in the cockpit prevented XS MOMENT displaying the visual signal, red flag, in a timely manner.

Decision

The delay in displaying the protest flag (10 minutes) by XS MOMENT to MERCURY was not prompt and thereby denied MERCURY time and opportunity to take action if they felt any was action on their part was appropriate.

Therefore, the Protest Committee decided that the protest was invalid and the hearing was concluded.

Steve Merrington

Chris Hornsby