

## **RPAYC Protest Hearing – Wednesday 20 December 2023**

Event: Thursday Twilight Summer Series 2023-24, Race 5, 14-Dec-23

Protestor: CONDOR (AUS39), represented by Nicole Butcher

Protestee: SECOND TIME AROUND (5491), represented by Gavin Chappell

Protest Validity: Protest is valid (RRS 61)

### **Facts Found**

In Race 5 of the Thursday Twilight Series held on 14<sup>th</sup> December 2023, approximately 2 minutes before the start of Division 1.

1. The wind was gusting 5 to 15 knots South-Westerly to West.
2. Second Time Around was approximately 250 metres behind the Start line and had an issue with her jib restricting her ability to manouvre.
3. Condor became overlapped to leeward of Second Time Around and called Second Time Around to keep clear. Second Time Around responded that they were unable to manouvre. Condor bore away and no contact occurred.
4. Second Time Around bore away.
5. About one minute before the start both boats were on port approaching the start line approximately 2 to 3 metres apart, overlapped with Condor to leeward.
6. Condor called Second Time Around to keep clear. Second Time Around did not respond.
7. Condor did not continue to luff and no contact occurred.

### **Conclusion**

Second Time Around, the windward boat, was obliged to keep clear.

### **Rules Involved**

RRS Rule 11 and Rule 14. Rule 61.

### **Decision**

Second Time Around did not comply with Rule 11 and is Disqualified.

Protest Committee: Richard Hudson (Chair), Stephen Merrington, David West.

Note: Second Time Around has lodged a request to reopen the hearing based on significant new evidence. That request has been adjourned pro tem.