

PROTEST COMMITTEE DECISION Case No: 2 Wednesday Autumn Series R7 3/4/24

PARTIES

Boat or Committee or Person	Class/Fleet	Represented By/Not Present
Cheeky	Division 3	Marco Tapia
Dancelot	Division 3	Geoff Jenkinson

WITNESSES

Name	Boat - Role
Neil Arthur	Cheeky - Headsail Trimmer
Peter Walsh	Dancelot - Headsail Trimmer

Case Summary:

Protest by Cheeky concerning an incident with Dancelot

Procedural Matters (including Case type: e.g. Protest, Request for Redress, Reopening request etc)

Facts Found:

1. Protest valid
2. SE breeze 10 knots
3. Cheeky close hauled on Starboard tack and Dancelot close hauled on Port tack after the start
4. Cheeky hailed Dancelot several times
5. Dancelot did not alter course
6. Cheeky had to bear away to avoid a collision
7. No contact occurred

Conclusions & Rules:

1. Rule 10 states '*When boats are on opposite tacks, a port-tack boat shall keep clear of a starboard-tack boat*'.
2. Rule 14 states '*A boat shall avoid contact with another boat if reasonably possible. However, a right-of-way boat, or one sailing within the room or mark-room to which it is entitled, need not act to avoid contact until it is clear that the other boat is not keeping clear or giving room or mark-room.*'
3. Case 50 states '*When a protest committee finds that in a port-starboard incident S did not change course and that there was not a genuine and reasonable apprehension of collision on the part of S, it should dismiss her protest. When the committee finds that S did change course and that there was reasonable doubt that P could have crossed ahead of S if S had not changed course, then P should be disqualified*' .

Decision:

Protest upheld, Dancelot disqualified

Jury:

Richard Hudson (Chair), Steven Merrington and Allen Stormon

Signed: R.Hudson

Date, time: 10/04/2024, 1800hr