

PROTEST COMMITTEE DECISION Case No: 1 Wednesday Autumn Series R7 3/4/24

PARTIES

Boat or Committee or Person	Class/Fleet	Represented By/Not Present
Cheeky	Division 3	Marco Tapia
Isolde	Division 3	Peter Helm

WITNESSES

Name	Boat - Role

Case Summary:
Protest by Cheeky concerning an incident with Isolde

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 and Isolde sailing downwind towards the Coasters Retreat mark, both on Starboard Gybe
4. Isode to windward and overlapped with Cheeky
5. Seremisa on windard leg, on starboard, after rounding Coasters Retreat mark
6. Both Cheeky and Isolde were on a collision course with Seremisa
7. As Seremisa was an obstruction, Isode chose as his right to go astern of Seremisa
8. Cheeky was required to allow Isolde room to pass the obstruction, Seremisa
9. No contact occurred

Conclusions & Rules:

1. Seremisa was an obstruction '*An object that a boat could not pass without changing course substantially, if they were sailing directly towards it and one of their hull lengths from it. An object that can be safely passed on only one side and an object, area or line so designated by the sailing instructions are also obstructions. However, a boat racing is not an obstruction to other boats unless they are required to keep clear of it or, if rule 22 applies, avoid it. A vessel under way, including a boat racing, is never a continuing obstruction.*'
2. Rule 19.2B states '*When boats are overlapped, the outside boat shall give the inside boat room between it and the obstruction, unless it has been unable to do so from the time the overlap began*'

Decision:
Protest dismissed

Jury:
Richard Hudson (Chair), Steven Merrington and Allen Stormon

Signed: R.Hudson

Date, time: 10/04/2024, 1730hr