

# DECISION

Request No.: 02

Protest by TC

Event: 2022 Aust. Int. A Div. Cat. Champs. Race Number: 8  
Hearing Schedule: 2022-01-13

## PARTIES AND WITNESSES

**Request No.: 02:** Technical Committee

A Class - A Class Flying - AUS88 - Ronstan - Darren Bundock

**Witnesses:** John Dowling TC; Darren Bundock AUS88.

## VALIDITY

**Objection to Jury:** No

**Within Time Limit:** Within Time Limit

**Incident Identified:** Yes

**Proper Hail:** Hail not required

**Red Flag Displayed:** Not required

**Decision:** Request Valid

## PROCEDURAL MATTERS

## FACTS FOUND

1. The distance from the shore to the race area for the 2021-22 Australian International A Division Catamaran Australian Championships is approximately 1.5nm and requires boats to sail out of a large marina via a narrow channel.
2. In races 1 to 7 of the championship AUS88 was crewed by Mr Darren Bundock.
3. During the second downwind in race 7 AUS88 suffered damage to their starboard rudder gantry, capsized and RET from race 7.
4. Once they had RET from race 7 AUS88 attempted to repair the damage which could not be done due to complexity of the repair.
5. NED888 offered "equipment" to fix the damage to AUS88, this was not possible due to design differences between both boats.
6. Before the start of race 8, Mr Bundock approached the Race Committee Vessel and advised the Race Officer that due to damage to AUS88 he would sail NED888 in race 8. The Race Officer recorded the advice provided by Mr Bundock.
7. NED888 crewed by Mr Bundock placed 3rd in Race 8.
8. Immediately on return to shore after racing AUS88 completed and lodged an Equipment Change Request for race 8 citing damage to the starboard rudder which was not repairable on the water.
9. At approximately 1715 The Equipment Change request lodged by AUS88 was denied citing Class Rule C.7.1; and SI 19.1.
10. At approximately 1800hrs on 12/11/2022 the Jury Chair received a Hearing Request Form from the TD advising that the Technical Committee was protesting AUS88.
11. In changing boats to NED888, AUS88 replaced items/equipment that was not lost or damaged beyond repair.

**Diagram:** Diagram not endorsed

## CONCLUSIONS AND RULES THAT APPLY

**Rules:** Class Rule C.7.1; SI19.1

1. The Chair of the Technical Committee correctly determined that AUS88 actions were contrary to Class Rule C.7.1 and SI19.1. As AUS88 had replaced items that were not lost or damaged beyond repair.

## DECISION

**Date & Time:** 2022-01-14 14:29 AEST

1. AUS88 is to have a 40% scoring penalty applied to their score in race 8, the scores of other boats shall not be changed.

## PROTEST COMMITTEE

**Chaired By:** Erica Kirby (AUS)

**Committee Members:** Mark Gallagher (AUS), Nev Willis (AUS), Greg Kemp (AUS), Jan Kemp (AUS), David Irvine (AUS)

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