

# DECISION

Request No.: 02

## Protest

Event: Yachtshare 2022 Int. Finn Class QLD Championships Race Number: 1  
Hearing Schedule: 2022-07-16 14:45

### PARTIES AND WITNESSES

Request No.: 02: Finn - AUS 68 - Mockingjay - Jay Harrison

Finn - AUS 42 - Cogito - Patrick Meehan

### VALIDITY

**Objection to Jury:** No

**Within Time Limit:** Beyond Time Limit PTL 12:33, light winds fleet had to paddle in.

**Incident Identified:** Yes

**Proper Hail:** Protest hailed

**Red Flag Displayed:** Not required

**Decision:** Request Valid

### PROCEDURAL MATTERS

1. Hearing Schedule posted in accordance with RRS 63.2.
2. 3 x calls and 1 x SMS message sent to Protestee advising them of the hearing.
3. At the time of the hearing the Protestee was not present.

### FACTS FOUND

1. The hearing proceeded at the appointed time without the Protestee.
2. Approx 10 min after start.
3. AUS 42 on starboard with AUS 68 converging on port.
4. AUS 68 tacked onto starboard to leeward of AUS 42 with less than 2m separation.
5. AUS 68 hailed AUS 42 to keep clear 3-4 times.
6. There was contact between the boats.
7. There was superficial damage to AUS 42.
8. The crew of AUS 68 suffered minor injury as a result of the contact.
9. No boats completed penalty turns, both boats finished the race.

**Diagram:** Diagram not endorsed

### CONCLUSIONS AND RULES THAT APPLY

**Rules:** 11, 14, 43.1(a), 62.1(b), 63.3(b)

1. The hearing proceeded in accordance with RRS 63.3(b).
2. AUS 42 the windward boat failed to keep clear of AUS 68, RRS 11.
3. AUS 42 did not avoid contact with AUS 68 and broke RRS 14.
4. AUS 68 was unable to avoid contact with AUS 42 and is exonerated under RRS 43.1(a).
5. The crew of AUS 68 suffered an injury as a result of AUS 42 breaking a Rule of Part 2, RRS62.1(b).

### DECISION

Date & Time: 2022-07-16 15:22 AEST

1. AUS 42 is to be scored DSQ in Race 1.
2. AUS 68 is granted redress of average points for Race 1, calculated on all races excluding Race 1.

### PROTEST COMMITTEE

**Chaired By:** Nev Willis (AUS)

**Committee Members:** Mark Gallagher (AUS), David Irvine (AUS)