

DECISION

Protest

Request No.: 05

Heard Jointly With Number(s): 06

Event: Saemangeum Cup International Yacht Race 2022 Race Number: 3
Hearing Schedule: 2022-07-18

PARTIES AND WITNESSES

Request No.: 05: ORC - 4

ORC - 3

Request No.: 06: ORC - 3

ORC - 5

Witnesses: Jury: Jeon Eun
Sook

VALIDITY

Objection to Jury: No

Within Time Limit: Within Time Limit

Incident Identified: Yes

Proper Hail: Protest hailed

Red Flag Displayed: Yes

Decision: Request Valid

PROCEDURAL MATTERS

1. The jury evaluated both cases 5 and 6 as related to the same incident and to hear both cases together under RRS 63.2
2. Observer = Honggoo Kang, Gapsoon Kang, Taewoo Kwon,

FACTS FOUND

1. Windspeed was about 6 knots and sea state calm.
2. 30 seconds before the start, boat 4 was sailing to the start line, close-hauled and on starboard.
3. Boat 3 was sailing to windward of boat 4 on a starboard close reach course.
4. Boat 5 on starboard was sailing in the space between boat 3 and RC vessel on a beam reach course.
5. All the three boats became overlapped and converging towards the start line. The distance between boat 3 and boat 5 was initially about a half boat length.
6. Boat 5 slowly bore away and boat 3 responded by bearing away to avoid boat 5 however contact took place between Boat 4 and 5 amidship.
7. As boat 3 bore away to avoid contact with boat 5, it made contact amidship with Boat 4 leeward of her.
8. Boat 5 was OCS and received an individual recall.
9. Boat 5 tacked to port and then bore away behind the start line and then gybed before restarting on starboard tack.
10. There was no damage or injury for all 3 boats.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: 11,14,29.1, 64.2, SI12,

1. Boat 5 to windward failed to keep clear of boat 3 to leeward, and broke RRS 11. Boat 5 did not avoid contact when it was reasonably possible, and broke RRS 14.
2. Boat 5 was also on course side at the start and complied with RRS 29.1 by promptly returning to the pre course side to restart.
3. Boat 5 in the process of tacking and gybing to restart under the requirements of RRS29.1, took a one-turn penalty as required by SI 12. Boat 5 took the applicable penalty and shall not be further penalized (RRS64.2)
4. Boat 3 to windward failed to keep clear of boat 4 to leeward, and broke RRS 11. Since boat 3 was compelled to break RRS 11 as a consequence of boat 5 breaking RRS 11, she is exonerated under RRS 43.1(a) for this breach.
5. It was not reasonably possible for boat 3 to avoid contact with boat 5 when it was clear that boat 5 was not keeping clear. Boat 3 did not break RRS 14.
6. Boat 4 did not avoid contact when it was reasonably possible, and broke RRS 14. Since boat 4 was right -of-way boat

and the contact did not cause damage or injury, she is exonerated under RRS 43.1(c) for this breach.

DECISION

Date & Time: 2022-07-16 17:50 KST

Protests 5 and 6 upheld. However no further action is required as penalties/exonerations under RRS64.2 are met.

PROTEST COMMITTEE

Chaired By: Leonard S Chin (MAS)

Committee Members: Sungchul Jeong (KOR), Katsumi Shibamura (JPN), Byungho Song (KOR)

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