

DECISION

Request No.: 01

Protest and Request for Redress

Event: 2022 International Etchells GC Championships Race Number:
Hearing Schedule: 2022-05-29 08:30

PARTIES AND WITNESSES

Request No.: 01: Etchells - AUS1347 - Fair Dinkum - Ben Leigh-Smith

Etchells - AUS1156 - Sneaky Ninja - Tomako Nakanishi

Witnesses: Ben Leigh-Smith (Fair Dinkum); Tomoko Nakanishi (Sneak Ninja)

VALIDITY

Objection to Jury: No

Within Time Limit: Beyond with Good Reason Lodged 1840, PTL 1639, Lodged asap after boat came ashore and lifted

Incident Identified: Yes

Proper Hail: Protest hailed

Red Flag Displayed: Yes

Decision: Request Valid

PROCEDURAL MATTERS

1. Parties advised of NJ status of Jury and no appeal provisions.

FACTS FOUND

1. Fair Dinkum rounded the top mark in 3rd or 4th position on the second last leg of race 5.
2. Fair Dikum then ran downwind on starboard tack.
3. Sneaky Ninja sailing upwind on port tack attempted to pass astern of Fair Dinkum and the rigs engaged.
4. Fair Dinkum was dismasted.
5. Both boats retired.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: 10, 44.1(b), 62.1(b)

1. Sneaky Ninja on port tack failed to keep clear of Fair Dinkum on starboard tack and broke rule 10.
2. The damage to Fair Dinkum was serious.
3. Sneaky Ninja retired, as required by RRS44.1(b).
4. Fair Dinkum retired due to serious damage as a result of a Sneaky Ninja breaking a rule of Part 2, RRS 10.
5. Fair Dinkum is entitled to redress, RRS 62.1 (b).

DECISION

Date & Time: 2022-05-30 09:00 AEST

1. Redress granted, Fair Dinkum to be scored average points for Race 5. No other boats scores shall be changed.
2. As Sneaky Ninja retired no further penalty is applied.

PROTEST COMMITTEE

Chaired By: Nev Willis (AUS)

Committee Members: Mark Gallagher (AUS), Damien Boldyrew (AUS)