

DECISION

Protest

Request No.: 01

Heard Jointly With Number(s): 02

Event: 27th Merdeka Day Open Regatta (Malaysia and Sabah Ranking event) Race Number: 5
Hearing Schedule: 2022-08-20 16:25

PARTIES AND WITNESSES

Request No.: 01: ILCA7 - 9

ILCA7 - 5

Request No.: 02: ILCA 7 - BOY - 5 - MOHD REEZMIN ISMAH

LASER STD/ ILCA 7 - BOY - BRUNEI 9 - JEREMIAH ETHAN TAN

Witnesses: ILCA 6 - 1 (Gabrielle)

VALIDITY

Objection to Jury: No

Within Time Limit: Within Time Limit Heard with request no.2 which was not lodged in time.

Incident Identified: Yes

Proper Hail: Protest hailed

Red Flag Displayed: Not required

Decision: Request Valid

PROCEDURAL MATTERS

Hearing No.1 was heard together with Hearing No.2 in accordance with RRS 63.2 since both hearings arose from the same incident.

FACTS FOUND

1. In race 5, the wind was about 7 knots and the sea flat.
2. Boat 9, windward and boat 5 leeward and slightly ahead were both on port tack in the zone of Mark1.
3. Boat 1 on starboard was fetching the mark and converging on a collision course with boat 5.
4. When boat 5 was about a boat length from boat 1, boat 5 tacked without first hailing for room from boat 9.
5. Immediately after completing her tack on starboard, 5 made contact with 9.
6. Both boats were entangled but there was no damage or injury.
7. Boat 5 rounded mark 1 and carried out 2 penalty turns.
8. Both boats finished the race.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: 10,14,15,20.1(a),43.1(a)

1. Boat 9 on port failed to keep clear of boat 5 on starboard, and broke RRS 10 and RRS14 for not avoiding contact.
2. When acquiring right of way through her own actions, boat 5 failed to initially give boat 9 room to keep clear, and broke RRS 15
3. Boat 5 also broke rule 14 for not avoiding contact.
4. Boat 5 tacked without hailing for room from boat 9, an obligation under rule 20 when approaching an obstruction (boat 1).
5. Boat 5 carried out 2 penalty turns but was not done as soon as possible after the incident as required by RRS44.2 and is therefore too late.
6. Since boat 9 was compelled to break RRS10 and 14 as a consequence of boat 5 breaking RRS 15, she is exonerated under RRS 43.1(a) for this breach.

DECISION**Date & Time:** 2022-08-20 18:15 +08

Boat 5 is DSQ in race 5

PROTEST COMMITTEE**Chaired By:** Nurul Ain Md Isa (MAS)**Committee Members:** Melissa Yong (MAS), Insyira Iriena (MAS), Nor Naeilah Nor Hassan (MAS), Muhammad Rezaki Shoib (MAS)**Printed:** 2022-08-21 09:25