

# PROTEST COMMITTEE DECISION

Case No: 6

With Case(s):

Race: 1

## PARTIES

Boat or Committee or Person	Class/Fleet	Represented By/Not Present
Aja - 27		Ross MacDonald
Short Echo -20		Not present

WITNESSES	
Name	Boat – Committee - Role
Jack Fenwick	Protest Committee

Valid – Yes/No (if 'No' use Facts Found to document this decision)

**Case Introduction:** (Type of hearing and one or two sentences to set the scene of the case e.g. 'A boat to boat incident at the leeward mark' or 'A request for redress for being scored OCS.')

A boat on boat incident at the top of the beat in race 1

**Procedural Matters:** (Conflicts of Interest, parties not present, extending time limits)

There was no representative from Short Echo present. Hearing continued under 63.3b

Following the incident Aja hailed protest and displayed a red flag

The protest was lodged at 1857 and the time limit was 1930

The schedule was posted at 1909 and the hearing commenced at 2100

The hearing request is valid

A member of the PC gave evidence regarding the extent of the damage on Short Echo

### Facts found:

Approaching the w/w mark just below the port layline Aja was 1 bl to w/w of Short Echo and bow forward

Antix was ahead and to leeward on port

Antix tacked from port to starboard and Aja was then on a collision course to hit Antix around her primary winch

Aja bore away to pass astern of Antix closing the distance to SE

As Aja passed to leeward of Antix there was less than 1m between Aja and Antix

As Aja's mast passed the stern of Antix there was contact between Aja's stbd quarter and Short Echo's port side around the third stanchion

There was a 1 inch puncture in Short Echo

Neither boat took a penalty

### Conclusion & Rules:

Antix on starboard was an obstruction to both Aja & Short Echo as they were both required by RRS 10 to keep clear of her.

Short Echo as the outside boat was required to give Aja room to pass the obstruction under RRS 19.2(b)

Short Echo failed to give Aja the room to which she was entitled and broke RRS 19.2(b).

Short Echo failed to avoid a collision and therefore broke RRS 14

As a windward boat, Aja was required to keep clear of Short Echo and did not do so breaking rule 11. As a boat sailing within the room to which she was entitled she is exonerated from her breach of RRS 11 by RRS 43.1(b).

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It was not reasonably possible for Aja to avoid the collision when it became clear that Short Echo was not giving her room and therefore she did not break RRS 14

***Decision:***

Short Echo is to be scored DSQ in race 1

**Request to Withdraw:**

**Request Approved:**

***Protest Committee:***

Niall McLeod, Bill Wyatt, Jack Fenwick

International Jury: No

***Signed:***

Date, time: 01/09/23 2120