

# ROYAL MOTOR YACHT CLUB PORT HACKING 2017 WEDNESDAY TWILIGHT AUTUMN SERIES

## **B38 *Aeolus* v 5326 *If It Fits***

## **5326 *If It Fits* v B38 *Aeolus***

Hearing at RMYC Port Hacking, on 28 February 2017 at 18:30 Hours.

***Aeolus* was represented by: Michael Croft**

***If It Fits* was represented by: Ian Ford**

**Witnesses for *Aeolus*: Gary Green, Gordon Stewart**

**Witnesses for *If It Fits* Brian Chapman, Bob Wise**

### **PROTEST VALIDITY**

1. The protest committee decided that both protests were valid.
2. Because Protest No 1 and Protest No 2 related to the same incident the protest committee heard both protests together.

### **FACTS FOUND**

1. Race 1 was sailed in wind NE 15 to 20 kts. High tide was within one hour of the incident. Swells were from 1 to 1.5 m.
2. *Aeolus* and *If It Fits* were close hauled on starboard tack approaching the windward mark.
3. *Aeolus* reached the zone first, overlapped to leeward of *If It Fits*.
4. Both boats were sailing high in order to fetch the mark.
5. *Aeolus* was sailing higher and slower than *If It Fits*.
6. When *Aeolus* was one boat length from the mark, the boats rolled together and their rigs touched and locked together causing the two hulls to pivot towards one another with further contact between the anchor and bow of *Aeolus* and the port toe-rail of *If It Fits* 1.5m aft of the stem.
7. *Aeolus* did not pass head to wind at any time before the contact.
8. Damage to both boats was serious.
9. There was no constraint to windward impeding *If It Fits* from keeping clear by sailing higher or tacking.

### **CONCLUSION AND RULES THAT APPLY**

- A. *If It Fits*, overlapped to windward on the same tack did not keep clear of *Aeolus*. *If It Fits* broke rule 11.
- B. *If It Fits* overlapped outside *Aeolus* when the first of them reached the zone did not give *Aeolus* mark-room. *If It Fits* broke rule 18.2(b).
- C. *If It Fits*, did not avoid contact when it was reasonably possible to do so. *If It Fits* broke rule 14.
- D. It was not reasonably possible for *Aeolus*, a right of way boat, to avoid contact acting no sooner than it became clear that *If It Fits* was not keeping clear. *Aeolus* did not break rule 14.

### **DECISION**

***If It Fits* is disqualified in Race 1.**

John Allan  
Chairman

**Protest Committee:** John Allan NJ, John Barter CJ, Michael Wolf CJ, Jim Lupton CJ.