

PROTEST FORM – also for requests for redress and reopening

Fill in and tick as appropriate

1. **EVENT** PHS Wednesday Summer Twilight
Organizing authority Port Hacking Sailing RMYC PH Sailing Division
Date 21/2/24 **Race no.** MM Detailing 6

2. **TYPE OF HEARING**

- | | | | |
|-------------------------------------------|-------------------------------------|-----------------------------------------------------|--------------------------|
| Protest by boat against boat | <input checked="" type="checkbox"/> | Request for redress by boat or race committee | <input type="checkbox"/> |
| Protest by race committee against boat | <input type="checkbox"/> | Consideration of redress by protest committee | <input type="checkbox"/> |
| Protest by protest committee against boat | <input type="checkbox"/> | Request by boat or race committee to reopen hearing | <input type="checkbox"/> |
| | | Consideration of reopening by protest committee | <input type="checkbox"/> |

3. **BOAT PROTESTING, OR REQUESTING REDRESS OR REOPENING**

Class **Sail no.** 7076 **Boat’s name** YKNOT Dehler 46

Represented by David Newton.....
Tel., e-mail 0408242717 or david@newtonrealestate.com.au

4. **BOAT(S) PROTESTED, OR BEING CONSIDERED FOR REDRESS**

Class **Sail no.** 5236 **Boat’s name** If It Fits

5. **INCIDENT**

Time and place of incident 6:18pm Start line Port Hacking Estuary Course

Rules alleged to have been broken:

Failed to avoid a collision.
Upwind boat (If It Fits) Failed to yield to downwind boat (YKNOT) holding their line to the start line

Witnesses Mike Wolf onboard Excentric

6. **INFORMING PROTESTEE** How did you inform the protested of your intention to protest?

- By hailing** **When?** Immediately following the collision
Word(s) used: “Protest, here is protest flag displayed”
- By displaying a red flag** **When?** Within 1-2 minutes of collision
- By informing her in some other way** **Give details** See description

7. **DESCRIPTION OF INCIDENT (use another sheet if necessary)**

Diagram: one square = hull length; show positions of boats, wind and current directions, marks.

Approaching the start line for our handicap start @6:18pm we were on Starboard tack with If It Fits to our starboard and also on starboard tack upwind of us headed for the line with the wind coming from the South East at approximately 8 knots and there was no significant tidal influence

All references below are from the [Racing Rules of Sailing](#)

We called for If It Fits to “come up”, as they had no rights over us on the start line and there were no other boats or obstructions up wind of them that would have prevented them altering course to starboard and avoiding the collision

Refer:

SECTION A

RIGHT OF WAY

A boat has right of way over another boat when the other boat is required to keep clear of her.

11 ON THE SAME TACK, OVERLAPPED

When boats are on the same tack and overlapped, a windward boat shall keep clear of a leeward boat.

Those aboard If It Fits called “can’t call up till after the start”

This is incorrect

Refer:

PART 2

WHEN BOATS MEET

The rules of Part 2 apply between boats that are sailing in or near the racing area and intend to race, are racing, or have been racing.

To which we clearly hailed they “have no rights”

They called “buoy room” on the start line mark - that’s not a rule!

Refer:

Section C (rule 18 Mark Room) rules do not apply at a starting mark surrounded by navigable water

We called them up again and we hailed they had no rights and “you can’t go in there” meaning they have no rights to “barge” in between our boat and the starboard start mark

If It Fits then, rather than turning up into the wind to avoid a collision, actually seemed to turn down on a direct collision course (seemingly to avoid hitting the starboard start mark in crossing the line), as we crossed the start line, making contact with our starboard side and rear quarter damaging the gelcoat in several places which will require further examination

Refer:

14 AVOIDING CONTACT

A boat shall avoid contact with another boat if reasonably possible. However, a right-of-way boat, or one sailing within the room or mark-room to which she is entitled, need not act to avoid contact until it is clear that the other boat is not keeping clear or giving room or mark-room.

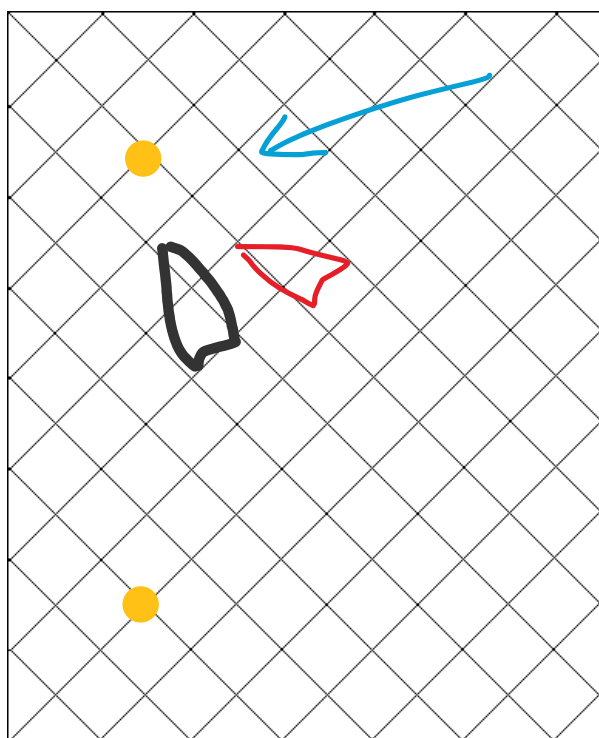
I note that the skipper of If It Fits, Ian Ford, had control of the tiller on the starboard side of his boat

YKNOT tried to avoid imminent collision by turning down wind but If It Fits continued on its collision course till impact without any intention or effort to avoid a collision

We announced protest and displayed a red flag to If It Fits fixing it the the rear safety rail of the boat

If It Fits did not do a 360 turn in light of the infraction of the rules and we observed that they also displayed a protest flag

We will also be claiming damages to our boat from the Skipper Ian Ford who I note has been at fault in a collision with our boat previously. We have never had a collision with any other racing boat



THIS SIDE FOR PROTEST COMMITTEE USE

Number Heard together with numbers.

Fill in and tick as appropriate.

Withdrawal requested Signature Withdrawal permitted.

Protest time limit 2 hours

Protest, or request for redress or reopening, is within time limit Time limit extended.

Protestor, or party requesting redress or reopening, represented by David Newton

Other party, or boat being considered for redress, represented by Ian Ford

Names of witnesses Graeme Amey, Gary Fielder, Richard Ford and Bob Wyes

Interpreters Nil

Remarks

No objection about interested party.

Written protest or request identifies incident.

'Protest' hailed at first reasonable opportunity.

No hail needed; protestee informed at first reasonable opportunity.

Red flag conspicuously displayed at first reasonable opportunity.

Protest or request valid; hearing will continue Protest or request invalid; hearing is closed.

FACTS FOUND

1. At 5 boat lengths from pin end of start line, the two boats overlapped on the same tack with Yknot to leeward (ROW) and if it fits (GW) to windward.
2. The two yachts sailed a converging course for some time with the overlap enduring.
3. The windward (GW) yacht continued to allow the distance to close up.
4. At or near the start line the leeward yacht was compelled to bear away to avoid a collision with the windward yacht. However, a collision occurred with contact being made on aft starboard quarter of Yknot and gunnel of if it fits.

Diagram of boat is endorsed by committee Committee's diagram is attached.

CONCLUSIONS AND RULES THAT APPLY

The windward boat "if it fits" is disqualified.

The rule that applies is Rule 11.

DECISION

Protest: dismissed Boat(s) "if it fits" is disqualified

penalized as follows : "if it fits" receives points for starters +2.
disqualified

Redress: not given given as follows :

Request to reopen a hearing: denied granted

Protest committee chairman and other members.

Chairman: Neville Wittey, Committee: Jim Lupton and Ken Teiffel

Chairman's signature *Neville Wittey*

Date and time 27/02/2024 8pm