

Decision of Protest Committee

Protest Number: 1
Protest Heard With: 2, 3, 4
Date of Hearing: 27th Jan 2018
Regatta: Couta Boat 3 Piers race
Date of Incident: 27th Jan 2018
Race Number: 1
Protests **2016 v 86, 86 v 48, 48 v 92, Protest Committee v 92**
Validity: Protests 1 and 2 were valid, 3 was invalid and closed, the PC then protested 92 under 60.3 (a) (2)

Facts Found:

- 92 was not involved in the incident (protest dismissed)
- Before the starting signal 86 was on starboard and 48 on port with 2016 overlapped on 48's leeward stern quarter.
- 86 and 48 were on a converging course.
- 86 bore away to avoid contact when she was apprehensive that 48 was not keeping clear and then 48 luffed to avoid contact
- 86's helm abandoned the helm position as 48 hit and tangled with 86 on 86's starboard quarter, broke 86's tiller and spun 86 to starboard.
- This put 2016 on a converging course with 86
- 2016 immediately bore away but could not avoid contact.
- All three boats became tangled and there was damage to all boats.

Diagram:

Conclusions and rules that apply

- 48 failed to keep clear of 86 as required by RRS 10 and to avoid contact as required by RRS 14.
- 86 took action to avoid contact with 48 before or no later than when it was clear that 48 was not keeping clear as required by RRS 14 (a) and in accordance with case 50 and case 87
- 86 broke rule 16 when she changed course to a collision course with 2016, however she was compelled to do so by the action of 48 and is exonerated under 64.1 (a).
- It was not reasonably possible for 2016 to avoid contact with 86 or 48.

Decision: **Protest 4 is Dismissed**
48 is Disqualified

Protest Committee: Ben Fels, John Philpott
Chairman's Signature: Ben Fels