

Cruising Yacht Club of Australia

BWPS SERIES RACE 4: CABBAGE TREE ISLAND RACE

Protest Hearing

Eve/8565 vs Reve/5930

Reve/5930 vs Eve/8565

Komatsu Azzurro/3430 vs Reve/5930

Komatsu Azzurro/3430 vs Eve/8565

Hearing at the Cruising Yacht Club of Australia on 16th November 2017.

Eve, represented by: Steven Capell

Reve, represented by, Kevin Whelan

Azzurro, represented by, Shane Kearns

FACTS FOUND

1. REVE was almost head to wind, on starboard tack, travelling less than two knots, close to the starting line shortly before the starting signal was made.
2. KOMATSU AZZURRO on starboard tack, to windward of REVE, passed in front of REVE towards the start line to start.
3. EVE on starboard tack, to windward of REVE and travelling faster, passed in front of REVE but made contact with REVE's bow causing minor damage to EVE's port side at bmax.
4. EVE moving faster than KOMATSU AZZURRO continued forward and hit KOMATSU AZZURRO on her stern catching KOMATSU AZZURRO's backstay, causing damage to her pushpit, electrical, guard rails and considerable damage to other parts of her stern and swung her around.
5. EVE still attached to KOMATSU AZZURRO then hit the committee vessel with her bow sprit causing damage to the port side of the committee vessel.
6. EVE and KOMATSU AZZURRO both retired from the race.

CONCLUSION

1. There are two separate incidents.
2. In the first incident EVE being windward boat failed to keep clear of REVE the leeward right of way boat.
3. In the second incident EVE being clear astern failed to keep clear of KOMATSU AZZURRO clear ahead and right of way boat causing serious damage to KOMATSU AZZURRO.
4. EVE hit the committee vessel breaking Rule 31 and causing damage to the committee vessel.
5. EVE broke Rule 14 by failing to avoid collisions with REVE and KOMATSU AZZURRO.
6. EVE having withdrawn from the race cannot be further penalised.
7. KOMATSU AZZURRO is entitled to redress.

RULES APPLICABLE

11, 12, 14, 31, 64.1(b), WS Case 99.

DECISION

KOMATSU AZZURRO is granted redress, being the average of her points in races 1, 2 and 3 in IRC, ORC & PHS divisions, of the Blue Water Point Score.

Steve Hatch

Chairman

16th November 2017

Protest Committee: Karl Garavan, Steve Hatch, Lister Hughes.