

Cruising Yacht Club of Australia

Protest Hearing

Amante/6609 vs China Easyway/4527

Amante/6609 vs Reve/5930

Amante/6609 vs Chancellor/8824

Amante/6609 vs Into the Mystic/89

Hearing at the Cruising Yacht Club of Australia (CYCA) on 23rd November 2017.

Event: Mount Gay Ocean Pointscore Series, Race 3

Amante, represented by: Dennis Cooper.

China Easyway, not represented.

Reve, represented by, Kevin Whelan.

Chancellor, represented by Neil Williams.

Into the Mystic, not represented.

VALIDITY

1. AMANTE did not get close enough to any of the boats she was protesting to advise them of the protest whilst racing. AMANTE requested the protestee's phone numbers from the sailing office, who stated to AMANTE, they would advise them of the protest.
2. AMANTE displayed a red flag in accordance with rule 61.1(a).
3. The protest is valid.

FACTS FOUND

1. The Cronulla Sailing Club (CSC) laid the yellow inflatable PH Mark on behalf of the CYCA.
2. CSC learnt that the mark was drifting toward Jibbon Beach Bombora, which is a prohibited area as stated in the CYCA General Conditions of Racing 16.4.1.3.
3. CSC put out a general broadcast on VHF 16 & 73 advising all CYCA boats not to round the mark due to its proximity to the Jibbon Beach Bombora.
4. AMANTE had her radios operating in her salon, but did not hear the broadcast, due to all the crew being on deck.
5. CHINA EASYWAY, REVE, CHANCELLOR & INTO THE MYSTIC rounded the GPS position of the mark as stated in the sailing instructions.
6. AMANTE rounded the yellow inflatable mark which was 0.3 nm, slightly west of south from its approximate nominal position.
7. CYCA General Sailing Instruction 5.12 and Ocean Pointscore Sailing Instructions 7.1 require all boats to keep a continuous listening watch on VHF 16 for the duration of the race.

CONCLUSION

1. CHINA EASYWAY, REVE, CHANCELLOR & INTO THE MYSTIC did not sail the course in accordance with rule 28.
2. CHINA EASYWAY, REVE, CHANCELLOR & INTO THE MYSTIC were disadvantaged by the mark drifting and the subsequent radio broadcast of the CSC.
3. Having not maintained a continuous listening watch on VHF 16, AMANTE is not entitled to receive redress for the additional distance she sailed.

RULES APPLICABLE

28, 61.1(a), 62.1(a), WS Case 112, CYCA General Sailing Instructions 5.12 & 16.4.1(3) & Ocean Pointscore Sailing Instructions 5.12

DECISION

1. CHINA EASYWAY, REVE, CHANCELLOR & INTO THE MYSTIC having not correctly sailed the course are to be scored DSQ in each of the divisions they are entered.
2. CHINA EASYWAY, REVE, CHANCELLOR & INTO THE MYSTIC having been disadvantaged through no fault of their own, are granted redress, and are to be reinstated in all the divisions that they are entered results, with the finishing times that have been recorded with applicable handicap adjustments.

Steve Hatch

Chairman

23rd November 2017

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