

# CYCA WEDNESDAY TWILIGHT SERIES 2019-2020

Race number 8 Division C

## Atao 7184 V Mercedes IV 1224

Hearing at CYCA on Thursday 5<sup>th</sup> December 2019 at 17:00 hours

Protest Committee: Greg Halls, Karl Garavan and John Kirkjian

Atao was represented by Gary Buttery

Mercedes IV was represented by Peter Stronarch

### **Facts found:**

1. When the starting signal was made by the committee vessel Mercedes IV was on the course side of the starting line on a close-hauled starboard tack.
2. The Race Committee signalled an individual recall.
3. Mercedes IV gybe on to port tack in front of the fleet and attempted to sail back through the fleet to the pre-start side of the starting line.
4. Mercedes IV attempted to pass through a gap between Atao and another boat.
5. A collision occurred between the bow of Mercedes IV and starboard side of Atao causing serious damaged.
6. Both boats retired from race 8.

### **Conclusions**

1. Whilst Mercedes IV was sailing on starboard tack, she was entitled to all her rights under the Racing Rules of Sailing
2. When Mercedes IV gybed and started sailing towards the starting line she lost those rights and was obligated to keep clear of other boats until she was completely on the pre-start side of the starting line.
3. When a boat retires from a race for whatever reason no further penalty is applicable.

### **Rules Applicable:**

1. RRS 22.1 - A boat sailing towards the pre-start side of the starting line or one of its extensions after her starting signal to start or to comply with rule 30.1 shall keep clear of a boat not doing so until she is completely on the pre-start side"
2. WS Case 99 - When a boat's penalty under rule 44.1(b) is to retire, and she does so (whether because of choice or necessity), she cannot then be disqualified.

**Decision:**

1. Atao is to be scored RET
2. Mercedes IV is to be scored RET.

John Kirkjian  
Protest Committee Chairman