

Protest No1

# Royal Prince Edward Yacht Club

Combined Clubs – Main Series 2022-2023 Division 2

Protest Hearing – Boat Against Boat

Race 5, 22/10/2022

Boat Protesting: Hector Sail No 6726

Boat Protested: Tangaroa Sail No 5627

Hearing: Royal Prince Edward Yacht Club at 7pm 25 October 2022

Hector represented by: Bertrand Phillippe

Tangaroa Represented by: Tony Gooch (not present)

Procedural Matters:

Conflict of Interest

Protest Committee members declared that they had no conflicts of interest and no party objected to the members hearing the protest.

Validity

The requirements of RRS 61.1 (a) & (c) were met in that a red flag was displayed at the first opportunity and a notice of protest was lodged within the time limits specified in the Sailing Instructions

Other Procedural Matters

Mr Gooch representing Tangaroa formally advised the sailing committee that he would not be attending the hearing however he provided a written submission in the form of a NSW Maritime Incident report.

A copy of the incident report was provided to Hector's representative prior to the hearing as it would now be considered as part of the hearing.

The protest committee agreed to proceed in the absence of Mr Gooch as provided for under RRS rule 63.3 (b)

Facts Found

1. Wind was 20-22 knots and gusting from the northeast
2. Hector completed a tack to port in the vicinity of Bradleys Head, Sydney Harbour
3. Hector slowed to 2-3 knots

4. Tangaroa approached from some distance on a starboard tack aware of Hector ahead on port, as indicated by Tangaroa in the submitted Australian Maritime Safety Authority Incident Report
5. Both boats experienced a gust of wind
6. Tangaroa impacted bow first on the starboard side of Hector one third forward from the stern
7. Tangaroa sailed away on port and completed the race
8. Hector due to damage retired from the race,
9. No crew were reported as injured on either vessel

### Conclusion

In moderate to fresh conditions Tangaroa on a starboard tack impacted the side of Hector on a port tack causing significant damage to Hector. Hector on a port tack failed to give way to Tangaroa on a starboard tack. Tangaroa as the right of way boat failed to take sufficient action to avoid a collision.

### Rules Applicable

RRS Rules 10 & 14

### Decision

Hector breached rule 10 and having retired from the race cannot be penalised further, Tangaroa failed to avoid a collision and therefore breached rule 14, and is to be scored DSQ for race 5

**Greg Mason,**  
Chairman  
25/10/2022

**Protest Committee:** Stephen Warne, Gordon Woolf, Greg Mason