

## Cape 31 Invitational Regatta 8 -10 February 2019

### Protest 001

#### Procedure and Validity

- Protest hearing delayed for 30 minutes for Magic to retrieve video footage.
- All parties were offered Arbitration, and the option of taking post-race penalties before a protest hearing, as permitted in the NoR, but elected to proceed to full protest hearing.
- Protest valid and hearing

#### FACTS FOUND

- Wind 16 knots and comparably flat sea state.
- MB is close hauled on starboard tack; Magic and Seascape are running on starboard tack to weather of MB. Seascape is clear astern and within one boat length of Magic.
- MB is on a converging collision course with both boats:
  - MB's bow and port aft quarter of Magic
  - Seascape's bow with starboard midships of MB
- Seascape and Magic are running at 13-14 knots; MB is beating at 7.2 knots
- MB hailed loudly "Weather Boat" repeatedly to alert both windward boats from below 5 boat lengths of Magic and Seascape's course. Neither Magic nor Seascape initially took avoiding action and MB altered course to windward and slowing, to avoid a collision.
- Magic then did helm 13° to windward, and Seascape followed behind and more to windward.
- MB continued to luff further to keep clear, luffing above close hauled.
- Magic passed within 1 boat length of MB
- Seascape, behind Magic, passed within 2 metres of MB.
- MB was close but not passed to head to wind, with the headsail luffing significantly, in order to avoid a collision.
- There was no contact.

#### Conclusion

- Magic, to windward of MB, failed to keep clear of MB to leeward, as required by RRS 11.
- Seascape, to windward of MB, failed to keep clear of MB to leeward, as required by RRS 11.

#### Decision

- Magic to be scored DSQ in Race 3
- Seascape to be scored DSQ in Race 3

#### Protest Committee:

Gideon Scott    Adrian Spencer-Jones    Luke Scott [chair]

19h25, Friday 8 February 2019



Received by race office: Number

1 Date and time 17h04

Signature

*[Signature]*

cut off at 17h35

### PROTEST FORM – also for requests for redress and reopening

Fill in and tick as appropriate

1. EVENT *C31 International* Organizing authority Date *08/02/2019* Race no. *3*

2. TYPE OF HEARING

- Protest by boat against boat  Request for redress by boat or race committee
- Protest by race committee against boat  Consideration of redress by protest committee
- Protest by protest committee against boat  Request by boat or race committee to reopen hearing
- Consideration of reopening by protest committee

3. BOAT PROTESTING, OR REQUESTING REDRESS OR REOPENING

Class *C31* Fleet *C31* Sail no. *008* Boat's name *MB*  
Represented by *Bjorn Geiger* Tel., e-mail *082 6583 562*

4. BOAT(S) PROTESTED OR BEING CONSIDERED FOR REDRESS

Class *C31* Fleet *C31* Sail no. *009* Boat's name *Yanmar*  
" " " *0103* *Magic*

5. INCIDENT

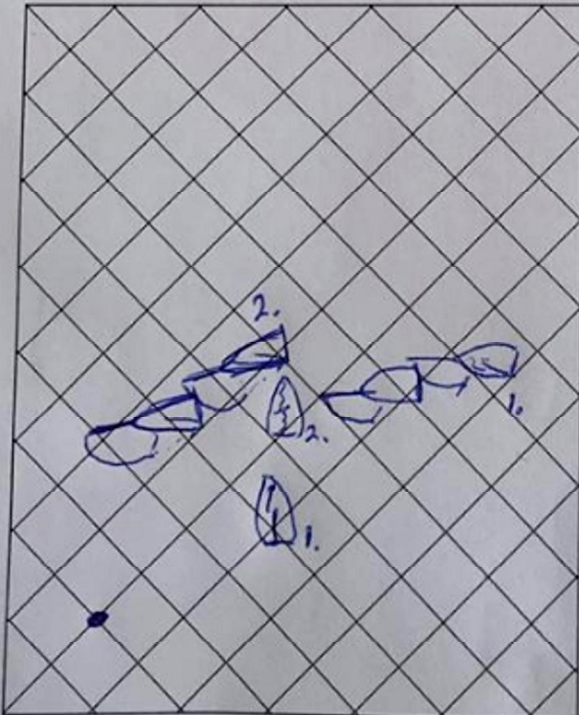
Time and place of incident *3rd race, 2nd upwind*  
Rules alleged to have been broken *rule 11* Witnesses

6. INFORMING PROTESTEE How did you inform the protestee of your intention to protest?

- By hailing  When? *@ the incident* Word(s) used *"protest, weather boat, had to avoid. Protest Yanmar, Protest Magic" x2*
- By displaying a red flag  When? *"*
- By informing her in some other way  Give details

7. DESCRIPTION OF INCIDENT

Diagram: one square = hull length; show positions of boats, wind and current directions, marks.



VMG  
 MB on starboard, beating.  
 Magic and then Yanmar running down, within a boatlength of each other. LON AND MARKS. MB HAILS WEATHER BOAT WELL IN ADVANCE TO AVOID CLOSE INCIDENT (AT THAT STAGE SITUATION COULD BE AVOIDED). NO BOAT REACTED / NO RESPONSE.  
 MB HAD TO GO HEAD DOWN IMM TO AVOID CONTACT WITH MAGIC AND SUBSEQUENTLY  
 SPEED: downwind SPEED ± 12-14 KNOTS  
 UPWIND SPEED ± 7.2 KNOTS