

CYCA-Club Marine Wednesday Twilight Series 2016-2017

Race 12

Protest

Maserati ITA 70 v Francesca 6044

Hearing at CYCA New Beach Rd. Darling Point at 19:00 hours 2nd February 2017

Protest Committee: Gurvinderpal Julka, Douglas Talty, Erica Kirby & John Kirkjian

Maserati representative: David Burt

Francesca representative: Brad Carr

Facts:

1. The wind was from the south-east at 20 knots.
2. A collision occurred between Maserati's leeward runner and the antennae on the top of the mast of Francesca on Wednesday 18th January 2017.
3. Maserati hailed protest but did not display a red flag.
4. Francesca was sailing close-hauled on port tack.
5. Maserati was sailing close-hauled on port tack and overtook Francesca two boat lengths to windward.
6. Francesca was hit by a very strong gust of wind and rounded up, across the stern of Maserati, hooking the leeward runner of Maserati with her mast causing damage to Maserati's rigging..
7. The estimated cost of repair to Maserati's rigging is in excess of \$15,000.
8. It was not reasonably possible for Maserati to avoid contact with Francesca.
9. Maserati continued racing.
10. Francesca retired from the race.

Conclusion:

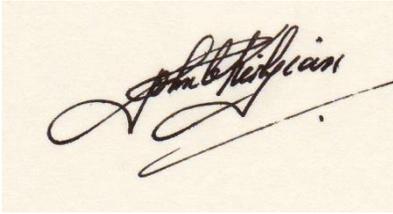
1. Maserati did not display a red flag as required by RRS 61.1(a).
2. Protest was declared valid in accordance with RRS 61.1(a)(4) as there was serious damage to Maserati which was obvious to both boats.
3. Francesca, as right of way boat, altered course without giving room to Maserati to keep clear.
4. Francesca as right of way boat, failed to avoid contact with Maserati when it was obvious that Maserati was unable to keep clear.
5. Francesca having retired from the race for whatever reason no further penalty could be applied to her.

Rules applicable:

11, 14, 16.1, 61.1(a), 61.1(a)(4) & WS Case 99

Decision:

1. Francesca breached rules 14 & 16.1 however no further penalty can be applied.

A handwritten signature in black ink on a light-colored background. The signature is written in a cursive style and appears to read "John C. Kirkjian".

John C. Kirkjian
Chairman