

Protest 01-06-2017

CYCA Race Committee v One More No More (OMNM)

CYCA represented by Justine Kirkjian

OMNM represented by Julian Farren-Price

Facts Found

- 1 Krakatoa was the first boat to arrive at the Fort Denison mark having been clear ahead at the zone and due to lack of wind stopped inside the zone.
- 2 Next to arrive very slowly was Twilight Zone clear ahead of OMNM
- 3 These three boats were stationary inside the zone for a period of time and had racked up side by side with Twilight Zone on the inside, then OMNM in the middle and Krakatoa outside of OMNM with each boat having given the appropriate boat room to round the mark
- 4 Viva La Vita and Crosshaven approached sailing downwind bring the breeze with them.
- 5 Viva La Vita entered the zone clear astern of the three boats already inside the zone as did Crosshaven.
- 6 Viva La Vita was trying to go inside of Twilight Zone and Twilight Zone bore away to try and avoid Viva La Vita
- 7 OMNM anticipating a collision was going to occur and started its engine and reversed astern by approx. 2 boat lengths to avoid the situation.
- 8 Viva La Vita realising she was going to collide with Twilight Zone started its engine and took avoiding action and then promptly retired.
- 9 Crosshaven went astern of the 3 boats and kept clear.
- 10 OMNM lodged declaration setting out the facts and her use of her engine

Conclusion

- 1 When Viva La Vita entered the zone she was required to give mark room to all three boats already within the zone.
- 2 When Viva La Vita forced Twilight Zone to alter course and OMNM to reverse out she was also the windward keep clear boat of both these boats.
- 3 Viva La Vita infringed Twilight Zone and OMNM and retired from the race immediately thereafter.
- 4 OMNM infringed RRS 42 but was forced into this act of seamanship by the infringement of Viva La Vita and should be exonerated.

Rules 18.2(b), 42.1, 64.1(a)

Decision

One More No More infringed RRS 42.1 in an act of good seamanship as a consequence of being compelled to do so by another boat breaking a rule and is exonerated under RRS 64.1(a)

Steven Hatch (Chairman), Lister Hughes, Karl Garavan