

## **GFS TWILIGHT PROTEST**

### **TANA and MONKEY BUSINESS – DOWNHARBOUR Race 1 February 2017**

#### **Protest Committee**

Michael Murphy, chairman,

#### **Boats**

A hearing was set down for Tuesday 21/2/2017. Monkey Business notified that she did not admit an infringement of Rule 10, ON OPPOSITE TACKS. Tana notified that she did not wish to proceed with the allegation that Monkey Business had infringed rule 2, FAIR SAILING.

Monkey Business advised that no one would attend the scheduled hearing to represent her.

#### **Preliminaries;**

Considering that Monkey Business was not going to attend a hearing I decided that the protest could be dealt with summarily without the need to form a committee of 3 and could be decided on the evidence contained in the Protest Form. Rule 91.

Pam Joy stated in her signed Protest Form that a red flag had been flown and "Protest" hailed promptly after the incident. I find as a matter of fact that this happened and the protest is valid.

#### **Event**

*Pam Joy states "Tana was sailing down the line on Starboard tack just prior to the gun. Monkey Business was travelling in the opposite direction on Port. Tana hailed Starboard with no response from M B. We hailed again with no response from B M. We then pulled away to avoid M B and hailed Protest."*

#### **Facts found**

I accept as fact that Tana was on Starboard tack and Monkey Business was on Port tack.

I accept as fact that Monkey Business did not keep clear of the Starboard boat, Tana.

I accept as fact that Tana acted reasonably and in good seamanship to pull away from Monkey Business to avoid the possibility of a collision.

#### **Penalties**

Monkey Business has breached rule 10 and is disqualified.

Rule

*"10 ON OPPOSITE TACKS*

*When boats are on opposite tacks, a port tack boat shall keep clear of a starboard tack boat."*

#### **Rehearing**

Either boat may request a rehearing if she wishes to attend a hearing and present evidence.

Michael Murphy, Chairman, 17 February 2017