

GFS TWILIGHT PROTEST

FOXY and VBLUE CHIP - GOLD DIVISION, DIVISION 2; AUTUMN TWILIGHT RACE 6 13 March 2019

Protest Committee

Michael Murphy, chairman,

Kristan Romuld

Johan Brinch

Boats

Protestor; Foxy represented by DJ Holster. Michael Ewald witness.

Protestee; Blue Chip represented by Colin Filmer. Witness Phil Lamb.

Event.

On 13 March 2019 in Autumn race 6 Blue chip was close hauled on starboard tack in the vicinity of Onion's Point and sailing approximately NW in a gentle approximately Northerly breeze. Foxy was sailing close hauled on port tack approximately NE. Both boats were sailing slowly and the courses of both boats would bring them together.

As Foxy came close to Blue Chip she tacked in front of Blue Chip and continued close hauled on starboard tack.

At that point Blue chip was sailing faster and continued on to sail to windward of Foxy and to overtake her. The two boats continued on starboard tack but came closer together and Foxy's starboard side near the bow contacted Blue Chip's port side between the mast and the stern. No damage was done.

DJ said when he completed the tack Blue chip was about 2 to 3 m to windward and 3 to 4 m behind Foxy. Michael said he was forward on the boat and did not have as clear a view but thought that Foxy completed her tack to leeward of Blue chip. Colin said Blue Chip was approximately 1 m directly behind Foxy when she became close hauled. He then luffed up to take Blue Chip to windward of Foxy and to eventually sail past. Phil said Foxy's bow passed in front of Blue Chip as she tacked, but when the tack was completed Foxy was to leeward and Blue Chip did not have to change course.

The committee finds that Foxy completed her tack by the barest of margins and kept clear of Blue Chip.

Colin said that when Foxy tacked so close to Blue Chip he had no option but to luff up to give him more clearance and sail on approximately a half m to windward of Foxy and that when the two boats started to converge he had no option to avoid Foxy. DJ said the two boats were about 2 to 3 m apart initially and started to converge and the collision occurred when Blue Chip turned slightly to port. He said he had no time to avoid Blue Chip when she turned. The other witnesses did not support that Blue Chip turned, although thought she may have made minor changes to follow the wind.

The committee does not believe that Blue Chip turned significantly into Foxy.

The committee believes that when Foxy completed her tack Blue Chip had the option of tacking to port and could have avoided sailing to windward and close to Foxy. It also believes that as the two boats sailed alongside, Blue Chip had the option of sailing above close hauled which would have had the effect of slowing her down to let Foxy pass ahead and also kept Blue Chip further from Foxy.

The committee finds that Blue chip did not “*keep clear*” of Foxy as required by r 11

“*r 11*

When boats are on the same tack and overlapped, a windward boat shall keep clear of a leeward boat.”

It also finds that Blue Chip did not avoid contact as required by r 14

“*r14*

A boat shall avoid contact with another boat if reasonably possible. . . .”

Blue Chip infringed both r 11 and 14.

Although Foxy was the right-of-way boat she still had the obligation under r 14 to avoid contact. The committee finds that Foxy could have avoided contact by steering further away from blue Chip as they converged and by swinging to port away from Blue Chip as contact was imminent.

However r 14 (b)

R 14 (b)

. . . a right -of -way boat . . .

(b) shall be exonerated if she breaks this rule and the contact does not cause damage or injury.”

Foxy infringed r 14 but is exonerated.

Penalties.

Blue Chip is disqualified.

Michael Murphy, Chairman

26 march 2019