

Middle Harbour Yacht Club Inshore Sprint Series Request for Redress – 5915 Stormaway

Hearing at MHYC, on 11 November 2020 at 19:30 Hours.

Stormaway was represented by: Jack Stenning

CONFLICT OF INTEREST

Protest Committee members declared that they had no conflicts of interest and no party objected to the members hearing the request:

FACTS FOUND

1. Race 2 was started in wind S 15 to 20 kts with gusts over 20 kts.
2. An incident occurred at the start of Race 2 in which Stormaway accidentally collided with a Flying 11 Dinghy which was capsized and not racing.
3. Following the incident Stormaway promptly dropped sails, started her motor and stood by the capsized dinghy to give help.
4. The dinghy was recovered from the racing area by its support boat.
5. Stormaway retired from Race 2.
6. Once it was clear that Stormaway's help was not required there were no circumstances that prevented Stormaway from continuing to race.

CONCLUSION AND RULES THAT APPLY

- A. Stormaway gave help to the capsized dinghy in accordance with rule 1.1. This partially meets the requirements of rule 62.1(c).
- B. Because Stormaway retired while Race 2 was in progress and there were no circumstances that prevented Stormaway from continuing in the race after giving help, her score in Race 2 was not made worse by no fault of her own which is a further requirement of rule 62.1.
- C. Stormaway is not entitled to redress in accordance with rule 62.1.

DECISION

Redress is not given.

Stormaway is to be commended for her actions in promptly giving help in accordance with rule 1.1 and for her further following up to ascertain the welfare of the dinghy's crew.

John Allan
Chairman

Protest Committee: John Allan NJ, John Sturrock, John Crawford

RULES APPLICABLE

62.1 A request for redress or a protest committee's decision to consider redress shall be based on a claim or possibility that a boat's score in a race or series has, through no fault of her own, been made significantly worse by

- (a) an improper action or omission of the race committee, protest committee or organizing authority, but not by a protest committee decision when the boat was a party to the hearing;
- (b) injury or physical damage because of the action of a boat that was breaking a rule of Part 2 or of a vessel not racing that was required to keep clear;
- (c) giving help (except to herself or her crew) in compliance with rule 1.1; or
- (d) a boat against which a penalty has been imposed under rule 2 or disciplinary action has been taken under rule 69.1(b).