Protest No. 1 Race 3

MHYC Twilight Post Christmas SeriesMH180 Caviar v 351 High Voltage

Hearing at MHYC, on 24 January 2018 at 18:30 Hours.

**Caviar was represented by: Max Theeboom**

**High Voltage was represented by: Stuart Birdsall**

## CONFLICT OF INTEREST

John Allan and Gordon Ketelby declared no conflict of interest. Peter Hamilton declared a conflict of interest as a competitor in the race.

The parties consented to Peter Hamilton being a member of the protest committee in accordance with rule 64.3( b )(1)

## FACTS FOUND

1. Caviar did not display a a red flag at the first reasonable opportunity after the incident and display the flag until she was no longer *racing*..

## CONCLUSION AND RULES THAT APPLY

1. **Caviar did not inform High Voltage of her intention to protest by displaying a red flag at the first reasonable opportunity as required by rule 61.1( a ). The protest is invalid.**

**DECISION**

**The hearing is closed.**

John Allan
Chairman

**Protest Committee**: John Allan NJ, Gordon Ketelby, Peter Hamilton

**RULES APPLICABLE**

**61 PROTEST REQUIREMENTS**

**61.1 Informing the Protestee**

(a) A boat intending to protest shall inform the other boat at the first reasonable opportunity. When her *protest* will concern an incident in the racing area that she was involved in or saw, she shall hail ‘Protest’ and conspicuously display a red flag at the first reasonable opportunity for each. She shall display the flag until she is no longer *racing*.

**63 HEARINGS**

**63.5 Validity of the Protest or Request for Redress**

At the beginning of the hearing the protest committee shall take any evidence it considers necessary to decide whether all requirements for the protest or request for redress have been met. If they have been met, the protest or request is valid and the hearing shall be continued. If not, the committee shall declare the protest or request invalid and close the hearing. If the protest has been made under rule 60.3(a)(1), the committee shall also determine whether or not injury or serious damage resulted from the incident in question. If not, the hearing shall be closed.