

**Middle Harbour Yacht Club
Farr 40 Australian Open Series - 2019/20
040 Outlaw v 6508 Finn**

Hearing at MHYC, on 18 January 2020 at 15:00 Hours.

Outlaw was represented by: David. Chapman

Finn was represented by: Jordan Reece

CONFLICT OF INTEREST

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

FACTS FOUND

1. Race 3 was sailed in wind SW 20 to 25 kt.
2. There was an incident involving Outlaw and Finn at the Gate on the 1st lap of a two lap race, in which there was contact causing serious damage to port aft quarter of Outlaw and minor damage to Finn.
3. Finn retired in acknowledgement of breaking rule 18.2.
4. The damage suffered by Outlaw was Stanchions damaged, non compliant with Safety Regulations and unable to continue racing.
5. Immediately before the incident Outlaw was placed 1st and in a controlling position.
6. Immediately before the incident Finn was placed 2nd
7. Edake was placed 3rd, about 2 BL outside and behind Finn.
8. There was a further significant margin to the next boat.
9. Edake finished first.
10. Outlaw retired.
11. Finn retired.
12. Outlaw expects to effect repairs and continue racing in all races tomorrow.

CONCLUSION AND RULES THAT APPLY

- A. Finn did not give mark room to Outlaw as required by rule 18.2b.
- B. Finn did not avoid contact with Outlaw when it was reasonably possible to do so. Finn broke rule 14.
- C. It was not reasonably possible for Outlaw to avoid contact. Outlaw did not break rule 14.
- D. Outlaw's score in Race 3 was made significantly worse through no fault of her own by physical damage because of Finn breaking rule 18.2b. Outlaw is entitled to redress in accordance with rule 62.1b.
- E. It is likely that, but for the incident, Outlaw would have won race 3.

DECISION

Outlaw is given redress being points for 1st place in Race 3.

John Allan
Chairman

Protest Committee: John Allan NJ, Erica Kirby NJ, Nicky Bethwaite,