

**Protests Nos. 1 and 2 Race 4 on 21 May 2023**

**Farr 40 Competition 2023**

**1 Goodform v Race Committee**

**2 Race Committee v fleet**

Hearing at MHYC, on 21 May 2023 at 16:30.

Goodform was represented by: Rayshele Martin

Edake was represented by: Malcolm Page

Bluetack was represented by: Patrick Delaney

Outlaw was represented by: Joe Turner

Race Committee: Steve Tucker (RO)

**PROCEDURAL MATTERS**

**Conflict of interest**

Protest Committee members declared that they had conflicts of interest as follows: Rob Armstrong was on the MHYC mark boat and saw the incident. .

The Parties consented to all members being members of the protest committee in accordance with rule 63.4(b)

**Other Procedural Matters**

Protest No 1 and Protest No 2 related to the same incident and the protest committee heard the protests together in accordance with rule 63.2.

**Validity**

1. Goodform protest was delivered within the time limit and deemed valid.

**FACTS FOUND**

1. The race was sailed in a westerly wind 15 to 25 kts.
2. Goodform Edake Outlaw and Blueback were approaching the gate for the final upwind leg when the Race Committee signalled a change of axis over the radio.
3. The new upwind mark was not laid in accordance with SI 12.1.
4. The order of boats at the last downwind rounding was Edake first followed consecutively by Outlaw, Bluetack and Goodform.
5. Goodform sailed around the upwind mark initially set for the course and sailed the course scoring 1<sup>st</sup> place.
6. Edake Outlaw and Bluetack sailed around the newly laid mark and finished. All 3 boats were scored NSC.

**CONCLUSION AND RULES THAT APPLY**

- A. Edake, Outlaw and Bluetack did not sail the proper course as the new mark was not laid in accordance with SI 12.1.
- B. The Race Committee made an improper action in not changing the mark in accordance with SI 12.1. The place of Edake, Outlaw and Blueback in the race and series has been, through no fault of their own, made significantly worse. Rule 62.1 (a).

**DECISION**

**Edake, Outlaw and Bluetack are granted redress and are to be scored 1, 2 and 3 respectively.**

**No change to the score of Goodform which was scored 1.**

Kerry Burke  
Chairman

**Protest Committee:** Kerry Burke, Rob Armstrong Catherine Rofe