

**INTER-CLUB PROTEST HEARING  
MANLY YC / RANSA**

**L'eau Co vs Lady Canasta and Rattytooye  
Lady Canasta vs L'eau Co  
Rattytooye vs L'eau Co**

Hearing at the Middle Harbour Yacht Club on 28 January 2010 at 1800 hrs.

Event: MYC Twilight Race on 15 Jan 10  
RANSA Twilight Race on 15 Jan 10

**L'eau Co (RANSA) represented by:** Grant Pollock  
**Lady Canasta (MYC) represented by:** Edward Pieck  
**Rattytooye (MYC) represented by:** Ian Dennewald

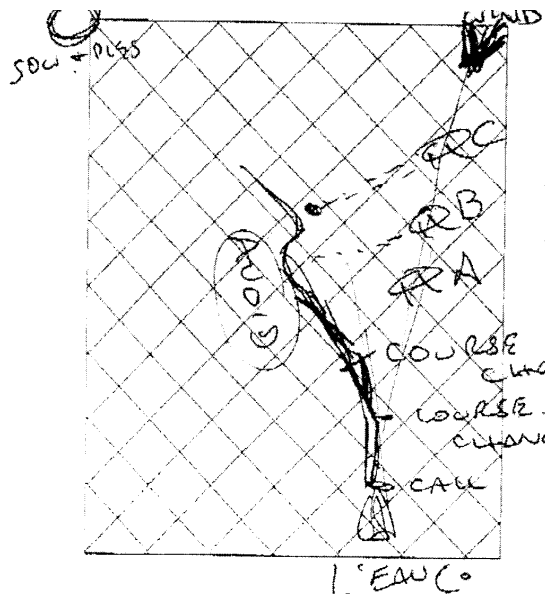
L'eau Co had lodged a protest against Lady Canasta and Rattytooye; Lady Canasta and Rattytooye had each lodged protests against L'eau Co. Neither Lady Canasta or Rattytooye had flown a protest flag at the time of the incident; L'eau Co had displayed a protest flag and her protest was determined to be valid.

**FACTS FOUND**

1. Rattytooye overlapped to windward of Lady Canasta; Lady Canasta overlapped to windward of Kestrel travelling very slowly downwind heading towards YA Chowder Bay South.
2. L'eau Co close hauled on starboard. 3-4 knots, hailed Kestrel, Lady Canasta and Rattytooye all on starboard and to windward.
3. Kestrel bore away and passed clear astern of L'eau Co.
4. The gap between L'eau Co and Lady Canasta closed and L'eau Co luffed to avoid contact between her stern and Lady Canasta and fended off Lady Canasta's bow.
5. L'eau Co bore away to avoid Rattytooye who was 1BL to windward of Lady Canasta.
6. Rattytooye made no alteration of course and a collision occurred between the bow of Rattytooye and the toerail of L'eau Co, approximately midships.

**DIAGRAM**

The PC endorses the diagram on L'eau Co's protest.



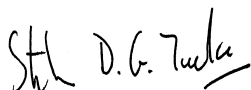
A = Kestrel; B = Lady Canasta; C = Rattytooye

## CONCLUSION

- a. Lady Canasta as windward boat failed to keep clear of L'eau Co the right of way boat.
- b. Lady Canasta did not hail either Kestrel or Rattytooy for room to keep clear of L'eau Co and did not attempt to avoid contact.
- c. Rattytooy as windward boat made no attempt to keep clear of L'eau Co.
- d. L'eau Co as right of way boat altered course but did not give Rattytooy opportunity to keep clear.

**RULES APPLICABLE:** RRS 11, RRS 14, RRS 16.1

**DECISION:** Lady Canasta shall be scored DSQ for her breach of RRS 11 and RRS 14  
Rattytooy shall be scored DSQ for her breach of RRS 11 and RRS 14  
L'eau Co shall be scored DSQ for her breach of RRS 16.1.



**Steve Tucker**

Chairman

28 Jan 2010

Protest Committee: John Kirkjian, Bernie van't Hof, Steve Tucker

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### 11 ON THE SAME TACK, OVERLAPPED

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

### 14 AVOIDING CONTACT

A boat shall avoid contact with another boat if reasonably possible. However, a right-of-way boat or one entitled to *room* or *mark-room*

- (a) need not act to avoid contact until it is clear that the other boat is not *keeping clear* or giving *room* or *mark-room*, and
- (b) shall not be penalized under this rule unless there is contact that causes damage or injury.

**16.1** When a right-of-way boat changes course, she shall give the other boat *room* to *keep clear*.