



ROYAL NEW ZEALAND YACHT SQUADRON

PROTEST HEARING DECISION

PROTESTOR	<i>Carpe Diem</i>	REPRESENTED BY:	Rowan Smith
PROTESTED	<i>Nomos</i>	REPRESENTED BY:	Marguerite Delbet
SERIES:	Doyle Wednesday Night Series	DIVISION:	Heavy C
RACE NO & DATE:	Race 3, 2 February 2022	HEARING DATE:	1730 8 February 2022

VALIDITY/PROCEDURE:

- The protest was valid.

WITNESSES

- Matt Green (*Carpe Diem*)
Nicholas Mead (*Carpe Diem*)
- Boyd Wason (*Nomos*)

FACTS FOUND:

- The wind was 18-23 knots.
- *Carpe Diem* was on starboard and on a course to pass below Orakei buoy.
- *Nomos* on port and on a contact course with *Carpe Diem*, was inside *Carpe Diem* at the zone.
- *Nomos* continued past the Orakei buoy for two boat lengths.
- *Carpe Diem* bore away to attempt to avoid contact with *Nomos*.
- *Nomos* gybed and there was contact between the port stern of *Nomos* and the starboard side of *Carpe Diem*.
- No boat took a penalty and both boats finished the race.

CONCLUSIONS AND RULES THAT APPLY:

- *Nomos* on port failed to keep clear of *Carpe Diem* breaking RRS 10.
- *Carpe Diem* gave mark-room to *Nomos* and hence RRS 18 no longer applied in accordance with RRS 18.1.
- It was not reasonably possible for *Carpe Diem* the right-of-way boat to avoid contact with *Nomos* when it was clear that *Nomos* was not keeping clear. *Carpe Diem* did not break RRS 14.

DECISION:

- *Nomos* is disqualified.

PROTEST COMMITTEE PANEL:

Louis Mayo (Chair), Doug Elder, Blair Park (had to leave the hearing)
Decision 1830, 8 February 2022

OFFICE USE ONLY:

RESULTS CORRECTED

WEB UPDATE

DATABASE UPDATE