



CASE #: 03

Class:	1		
Race:	2		
Fleet / Group			
Type:	Protest		
Course:	North Course	Leg:	Leg 1
Protestor:	Now or Never (GBR 7667R)		
Protestee:	Powder Monkey (IRL 28898)		
Witnesses:	Mark Burne (Powder Monkey)		

Procedural matters:

Date/Time of hearing:	20:00 06/07/17
Location:	Jury 2
Validity:	Protest valid. Hearing continued.
Facts found:	<ol style="list-style-type: none"><li>1. Now or Never (NON) and Powder Monkey (PM) were sailing upwind towards mark 1 with NON on port, and PM on starboard. PM was on the starboard layline.</li><li>2. NON quickly tacked in front of PM, onto starboard reaching close-hauled when she was 1m clear ahead of PM and on the same heading.</li><li>3. PM attempted to luff but one second later the bow of PM, who was sailing faster contacted the transom of NON.</li><li>4. NON suffered damage to the windward side of the pushpit and guard rails.</li><li>5. NON retired from the race.</li></ol>

Conclusion:	<ol style="list-style-type: none"><li>1. After NON became clear ahead, she did not give PM room-to-keep clear initially as required by rule 15. NON broke rules 14 and 15.</li><li>2. As NON retired, she took a penalty as required by rule 44, and so shall not be further penalised.</li><li>3. NONs score was not made worse through no fault of her own.</li><li>4. When it became clear that NON would not give room, it was not reasonably possible for PM to take avoiding action. PM did not break rule 14.</li></ol>
-------------	--

Rules applicable:	14, 15, 62
PC Decision:	Protest upheld, no further penalty. Redress not granted.
Date of decision:	20:58 06/07/17
PC members:	Eunice Kennedy (Chair), Jill Flemming, Chris Lindsay (scribe)



**VOLVO**  
**DÚN LAOGHAIRE REGATTA**  
IN PARTNERSHIP WITH SPIRIT MOTOR GROUP



**CASE**

---

Signature

---

**Note to Scorer**

Published: 7 July 2017 10:51:00