

PROTEST ZIMMERFRAME RACING V AGILITA

Date 20 April 2021 at 1800 hours
Venue RPNYC
Hearing Panel Richard Martin – Evans Bay Yacht and Motor Boat Club
Geoff Herd – Royal Port Nicholson Yacht Club
John Wood – Royal Port Nicholson Yacht Club

Hearing commenced at 1813hrs

The protest was deemed to be valid. Protest handed to sailing committee member within the time limit to lodge a protest. Protest form contained sufficient information to outline the protest incident.

Zimmerframe Racing gave the following evidence.

Wind strength between 20 and 25 knots – from Southerly direction
Zimmerframe Racing and Agilita both approaching leeward
Mark 4 of course 33 on port tack
Zimmerframe Racing had an inside overlap on Agilita within 3
boat lengths of Mark 4
Mark 4 was to be rounded to starboard
Agilita seemed to be wanting to round Mark 4 to port
Zimmerframe Racing hailed Agilita and said mark was to be
taken to starboard
Both boats were close together
Agilita rounded up within the 3 boat length circle and the
overlap was temporarily broken
Zimmerframe Racing caught the stern wave of Agilita,
surged forward and created a new overlap to leeward of Agilita
Zimmerframe racing stated that it did not look likely that
Zimmerframe racing would make contact with Agilita, but
Zimmerframe Racing prudently took action to slow up
No contact was made between the boats.
Agilita started to do a gybe turn whereupon Zimmerframe
Racing hailed “don’t gybe”. Agilita did not gybe and kept clear
Zimmerframe Racing hailed “protest” before gybing around the
mark. No protest flag flown as it was a 2 handed race and time
did not permit it
Before the race finish Zimmerframe Racing radioed race control
to inform race control that a protest was to be lodged

Zimmerframe Racing was then asked a question

Question 1: When the overlap was broken how long did it take
Zimmerframe Racing to become abreast of the mark and what
speed were they travelling at?

Answer: 6 – 8 seconds at approximately 6 knots boat speed.
The overlap was said to be re-established close to the mark by
Zimmerframe Racing

Agilita was then asked to give an account of the incident

Agilita agreed with Zimmerframe Racing that the account of the incident was fair enough

Agilita stated that Agilita was going to do a port rounding and then realised that the mark was a starboard rounding
Agilita did not hear a call of protest from Zimmerframe Racing

The Zimmerframe Racing witness was then asked into the room

The witness stated that he did not know the proximity of Agilita but that he called "protest." He was 90% sure that he had called "protest." Zimmerframe Racing skipper commented that he had heard the call

The Hearing Panel then discussed the protest in private.

Facts Found: Both boats agreed that they were overlapped at the 3 boat length zone on port tack
Zimmerframe Racing was overlapped on the inside and had mark room
There was no contact between the boats
Zimmerframe Racing had stated that they were not going to hit Agilita but prudently slowed down
Agilita took action to give Zimmerframe Racing room to round the mark
There was nothing lost or gained by either boat from the incident

Conclusion and rules that apply:

Agilita gave Zimmerframe Racing room at the mark

Rules 18.2 (b) and (c)

Decision: Protest dismissed