

## SYDNEY AMATEUR SAILING CLUB

### PROTEST HEARING

Heard at: SASC, Tuesday 23<sup>rd</sup> October at 7:30 pm  
Protestor: *James Johnston - Varuna (SASC)*  
Protestee: *Andrew Kent – Spellcatcher (not racing) – not present*  
Event: SASC Classic Race 2 – Saturday 15<sup>th</sup> September 2018

**Note:** The Racing Rules of Sailing do not apply due to the collision being between a yacht racing and a yacht not racing. COLREGs (International Rules for Preventing Collisions at Sea).

#### Facts found:

*Varuna* was racing on starboard tack, close hauled.

*Spellcatcher* was on port tack running downwind, not racing.

*Spellcatcher* bore away to avoid *Varuna*.

*Spellcatcher* sailed into the lee of *Varuna* and went more upright.

*Varuna* at the same time was hit by a gust and leaned over more.

A collision occurred when the rigs entangled.

*Varuna* was dismasted. *Spellcatcher's* spreader was broken.

*Varuna* retired from the race.

#### Conclusion:

*Spellcatcher* did not keep clear, as was her responsibility under COLREGs Rule 12.

#### Applicable rules: (excerpt from COLREGs)

##### Section II (Conduct of vessels in sight of one another)

##### 12. Sailing vessels

*Two sailing vessels approaching one another must give-way as follows:*

- **Port gives way to starboard.** *When each has the wind on a different side, the vessel which has the wind to port must give way;*

Chair: Peter McCorquodale

Date: 23<sup>rd</sup> October 2018

**Protest Committee:** Peter McCorquodale, Robert Evans