



Hebe Haven Yacht Club

THIS SIDE FOR PROTEST COMMITTEE USE

Fill in and check as appropriate

Class IRC C/D Race# 1 Filing#
Heard together with numbers

- Withdrawal requested; signature _____ Withdrawal permitted
- Protest time limit _____ Protest, or request for redress or reopening, received within time limit
- Time limit extended

Protestor, or party requesting redress or reopening, represented by:

Yachts *Moll, Goddess, Lady Butterfly* - Represented by David Rule
(Collectively hereinafter known as the '*The Affected Boats*'.)

Other party, or boat being considered for redress, represented by Race Committee not represented

Remarks

- No objection about interested party..... _____
- Written protest or request identifies incident _____
- 'Protest' hailed at first reasonable opportunity..... _____
- No hail needed; protestee informed at first reasonable opportunity _____
- Red flag conspicuously displayed at first reasonable opportunity _____

Protest or request valid; hearing will continue **Protest or request invalid; hearing is closed**

Rules

RRS 90.3, Sailing Instruction (SI) 3.1, SI6.2, Notice of Race (NOR) 8.1, Notice To Competitors (NTC) #L-1 & #L-2

Facts Found

- SI6.2 provides states, *"Depending on the list of entries, the Race Committee reserves the right to alter the stated divisional splits. In such an event the new divisional splits will be posted on the HYYC website and notice board not later than 12.00 noon on Friday, 5th June 2015. "*
- SI 3.1 describes Races 1 to 7 as follows:

Race number	Date	Race Type
1	Sunday 7 June 2015	Islands
2 and 3	Sunday 21 June 2015	Geometric
4	Sunday 5 July 2015	Islands
5 and 6	Sunday 19 July 2015	Geometric (outside of Port Shelter)
7	Saturday 1 August 2015	Passage Race to Mirs Bay

- Prior the time limit of SI6.2 and as provided for therein , NTC #L-1 (4 June 2015) announced Division Splits, based on the current and expected entries as follows:



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Class / Division	Proposed Split Range	Flag	Proposed Starting Sequence
IRC Division A	1.141 and above	U	1
IRC Division B	1.080 – 1.140 inclusive	G	1
IRC Division C	1.000 – 1.079 inclusive	T	2
IRC Division D	0.999 and below	K	3
Sportsboats		V	2
J80		J	3
HKPN Division A	1030 and below	D	3
HKPN Division B	1031 and above	O	4

- a.
4. For Race 1, 3 boats qualifying for Division D came to the starting area and competed in that Division. Those boats were:
 - a. Moll
 - b. Goddess
 - c. Lady Butterfly
 5. Results for Race 1 were as follows:

HHYC Quest Yachting Typhoon Series - 7 June 2015									
Provisional Results - IRC Division C									
Race 1 - IRC Div C Start time: 11:05:00 Course No.13 TWA: 270deg Wind: 8kt									
Rank	Sail No	Boat	IRC rating	Finish	Elapsed	Corrected	Points	Remarks	
1	1832	Dexter II	1.033	13:17:29	2:12:29	2:16:51	1		
2	2221	Gearbox	1.045	13:18:07	2:13:07	2:19:06	2		
3	1378	Vixen	1.046	13:24:12	2:19:12	2:25:36	3		
4	2207	Ymir	1.041	13:25:53	2:20:53	2:26:40	4		
5	2278	Amaze	1.016	13:32:11	2:27:11	2:29:32	5		
6	2293	Ding Dong	1.047	13:28:32	2:23:32	2:30:17	6		

HHYC Quest Yachting Typhoon Series - 7 June 2015									
Provisional Results - IRC Division D									
Race 1 - IRC Div D Start time: 11:10:00 Course No.13 TWA: 270deg Wind: 7kt									
Rank	Sail No	Boat	IRC rating	Finish	Elapsed	Corrected	Points	Remarks	
1	2186	Goddess	0.990	13:29:20	2:19:20	2:17:56	1		
2	1045	Moll	0.889	13:47:29	2:37:29	2:20:00	2		
3	2234	Lady Butterfly	0.999	13:31:21	2:21:21	2:21:13	3		

- a.
6. Prior to Race 2, NTC #L-2 (18 June 2015) was issued further adjusting the division splits. This was based on **The Race Committee's** new expectation that the number of entries for Division D was subsequently insufficient for further quality competition.

Class / Division	Proposed Split Range	Flag	Proposed Starting Sequence
IRC Division A	1.141 and above	U	1
IRC Division B	1.080 – 1.140 inclusive	G	1
IRC Division C	1.079 and below	T	2
Sportsboats		V	2
J80		J	3
HKPN Division A	1030 and below	D	3
HKPN Division B	1031 and above	O	4

- a.
- b. The net result was the disbandment of Division D and the inclusion of those boats into Division C.
 7. NTC #2 also included further clarifications thus:

For the avoidance of doubt, boats which were initially entered in IRC Division D will be scored as DNS for Race 1 of the Typhoon Series.

- a.
8. A request for redress was immediately submitted by **The Race Committee** on the grounds that the score of DNS for Race 1 effectively significantly worsened their Division C series scores, through no fault of their own.



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CONCLUSIONS

Prerequisite requirements for Redress

1. SI6.2 implied that division splits would be finalised by 12:00 noon, Friday 5th June. NTC #L-2 refers to this SI, but is ambiguous as to whether the time provision / limit is changed or not. Since it would be curious for an SI to provide for making changes to the competition after it has started (without procedure), the Protest Committee considers **that changing division splits after time limit in SI6.2 was an improper action.** Furthermore;
2. RRS 90.3 states in part that, "A race *shall be scored* if it is not abandoned and if one boat sails the course in compliance with rule 28 and finishes within the time limit..." The Racing Rules of Sailing do not permit a Race Committee to nullify or cancel individual or fleet scores after the competition has started. **Disbanding Division D after the event had started was an improper action.**
3. The combination of assigning boats to a class, then disbanding that class after the start, then reassigning the boats to another class AND awarding DNS to those competitors for Race 1 in the new class had the net effect of denying **The Affected Boats** the opportunity to compete in Race 1, thus **significantly worsening** the subsequent Division C series **scores** of those boats, **through no fault of their own.**
4. **The requirements for redress are thus met.**

Quantum of Redress

1. It is not fair to **The Affected Boats** for the Protest Committee to simply order the reinstatement of Division D, in the knowledge that there would likely not be any quality competition for those boats and that division.
2. The Protest Committee considers that the style of courses may suit different boats differently. Consideration is given to the fact that Race 1 was an 'Islands' style course.
3. The Protest Committee considers that using an average of only 2 races may not be a fair representation of a boat's current average level of performance.
4. The Protest Committee prefers a solution which establishes the Race 1 scores before the end of the competition.

Decision

Redress: not given given as follows:

1. The Protest Committee decides **Moll, Goddess, Lady Butterfly** shall compete in Division C and be scored for Race 1 as follows:
 - a. **Her average score to the nearest tenth of a point (0.05 to be rounded upward) of all races from Race 2 to Race 7 (inclusive and before discards) in which she competed and finished.**
2. The scores of other boats shall not be changed. This may result in ties for Race 1.

PROTEST COMMITTEE

Members Ben Harding (Chairman), C K, Jonathan Slattery

Chairman's signature Electronic Document – No Signature

Date & time 30 JUN 2015 – 1930hrs

Note: This was not a unanimous decision, with Protest Committee member CK not agreeing to the final decision.

Written decision requested

When _____ By whom _____ Date provided _____