

EVENT - MHYC Pacific Rigging Wednesday Non-Spinnaker Series

DECISION Case No: 1 Wailea v Onya

Race: 6

PARTIES

Boat or Committee or Person	Class/Fleet	Represented By/Not Present
Wailea	Div 2	Nicholas Brundin
Onya	Div 2	Adam Schlipalius

Valid – Yes

<p>Case Introduction:</p>
<p>Procedural Matters</p> <p>Conflict of interest</p> <p>Protest Committee members declared that they had no conflicts of interest.</p> <p>ONY objected to David Staley being a member of the protest committee because earlier in the day the owner of ONY had complained to David Staley as the MHYC Sailing Manager about the scheduling of the hearing and was not satisfied with the response.</p> <p>In answer to questions, ONY said:</p> <ul style="list-style-type: none">• ONY was notified of the time and place of the hearing.• ONY was provided with the protest.• ONY had sufficient time to prepare for the hearing. <p>The protest committee deliberated in the absence of David Staley in accordance with RRS M2.3(c) and decided that the conflict of interest was not significant in accordance with rule 63.3(c)(2) and the hearing continued.</p> <p>Other Procedural Matters</p> <p>The race committee provided a photograph of the two boats as they approached the finishing line and a Google Maps printout of the area of the incident which was considered given the weight the protest committee considered appropriate in accordance with RRS 63.5(a).</p>
<p>Facts found:</p> <ol style="list-style-type: none">1. MHYC Season 2025-2026 Notice of Race states: <i>The areas of moored boats on both sides of the Spit Channel between the Spit Bridge and Clontarf Point are out of bounds to boats under sail. These restricted areas are defined as the area between the imaginary lines that define the swing mooring boundaries and the adjacent shoreline and for the purpose of RRS 19 and 20 these lines shall be deemed continuing obstructions.</i>2. Race 6 was sailed in wind SSE 8 to 10 kts.3. WAI was running on port tack less than 1 boat length from the boundary of the restricted area on her starboard side.4. ONY was running on starboard tack, overlapped on the port side of WAI.5. When approaching a boat moored on the boundary line WAI hailed ONY for room when she was between 3 and 4 boat lengths from the moored boat.6. ONY continued on a course converging with WAI.7. There was contact between the boom of WAI and the shroud of the moored boat without damage.8. Within about 3 seconds there was then contact between the poled out headsail of WAI and the AIS antenna on the starboard side pushpit of ONY without damage.
<p>Conclusion and Rules:</p> <ol style="list-style-type: none">A. WAI on port tack did not keep clear of ONY on starboard. WAI broke RRS 10.B. ONY, overlapped outside WAI at an obstruction did not give WAI room to pass between her and the obstruction. ONY broke RRS 19.2(b).C. WAI, sailing within the room to which she was entitled is exonerated for breaking RRS 10 by RRS 43.1(b).

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- D. ONY did not avoid contact with WAI when it was reasonably possible for her to do so. ONY broke RRS 14.
- E. It was not reasonably possible for WAI to avoid contact. WAI did not break RRS 14.
- F. ONY, a right of way boat, when no damage was caused, is exonerated for breaking RRS 14 by RRS 43.1(c).

Decision:

ONY is disqualified in Race 6

Protest Committee:

John Allan NJ, Rob Armstrong, David Staley.

International Jury: No

Signed:

John Allan

Date, time: 29 April 2026 19:10

2026-04-15-1

15/4/26

J. Kelly

Received by race office: Number

Date and time

1559hrs

Signature

PROTEST FORM – also for requests for redress and reopening

Fill in and tick as appropriate

1. EVENT Organizing authority Date Race no.

2. TYPE OF HEARING

- Protest by boat against boat Request for redress by boat or race committee
- Protest by race committee against boat Consideration of redress by protest committee
- Protest by protest committee against boat Request by boat or race committee to reopen hearing
- Consideration of reopening by protest committee

3. BOAT PROTESTING, OR REQUESTING REDRESS OR REOPENING

Class Fleet *VW 2* Sail no. Boat's name *WAILLEA*
 Represented by *NICKLAS BAUNAIN* Tel., e-mail *0425 235 101*

4. BOAT(S) PROTESTED OR BEING CONSIDERED FOR REDRESS

Class Fleet Sail no. Boat's name *ONYA*

5. INCIDENT

Time and place of incident *~15.15, IN FRONT OF MNYC, 40m from FINISH*

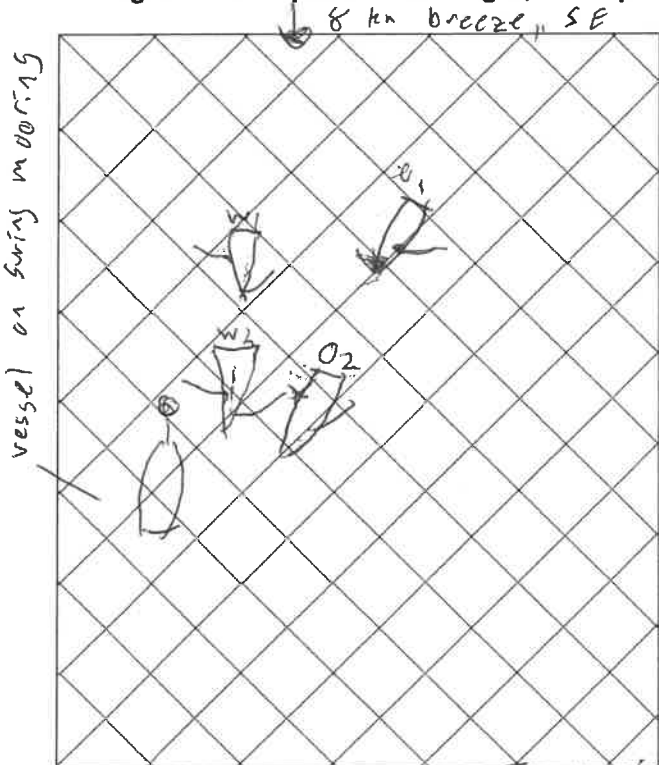
Rules alleged to have been broken *RRS 19.2 (MNYC 15.2)* Witnesses

6. INFORMING PROTESTEE

How did you inform the protestee of your intention to protest? *PROTEST!*
 By hailing When? *IMMEDIATELY* Word(s) used *"WE ARE PROTESTING YOU"*
 By displaying a red flag When? *SOME 10 S LATER, AFTER ENSURING NO DAMAGE*
 By informing her in some other way Give details

7. DESCRIPTION OF INCIDENT

Diagram: one square = hull length; show positions of boats, wind and current directions, marks.



WAILLEA (W) DOWNWIND APPROACHED BLUE YACHT MOORED ON SWING MOORING. ONYA CAME IN ON STARBOARD. WE CALLED "ROOM". O ANSWERED THEY WERE ON STARBOARD, AND "THERE IS NO ROOM WHEN GOING DOWNWIND". WE CALLED "ROOM" AGAIN, SHOUTED "WE HAVE NOWHERE TO GO". ONYA KEPT ON HER COURSE, FASTER AND ALTHOUGH WE TRIED DESPERATELY TO AVOID HER, WE HIT HER BACKSTAY AT THE SAME TIME AS WE HIT THE MOORED VESSEL. WE YELLED "PROTEST" AND "WE ARE PROTESTING YOU!"