



Official Communication

As of 5 SEP 2012 At 16:53

PROTEST - DECISION

PROTEST No. 21

Event: 3-Person Keelboat (Sonar)	Race: 8
Protestor:	Protestee: GBR
Protest Details: SI 3 & 27	
Facts found: GBR asked for the measurer's permission to haul the Sonar to effect repairs to perceived damage to the bottom of the keel. GBR complied with the instructions at the time of haul-out as the measurer inspected the keel. The measurer provided consent for GBR to effect repairs to the bottom of the keel, as well as to three marks on the starboard side. The crew was present for the inspection and instructed their bosun to make the repairs. Once the bosun completed the repairs he began to wipe the whole keel including the port side. The measurer made 3 requests for the bosun to stop wiping the keel, but he kept wiping. After second request to stop, the measurer explained that he might have to make a report if he did not stop. The bosun replied, "go ahead and make your report" and continued wiping. After the third request, the bosun explaining that he had to do his job and he continued wiping until he finished the job. The measurer's opinion is that there was no performance advantage gained by wiping the keel.	
Conclusion: GBR complied with the application procedure to effect the repair under EIR 3. GBR did not effect repairs beyond those permitted by the measurer under EIR 3.3. The bosun failed to comply with the reasonable request by the measurer to stop wiping other areas of the keel, in breach of SI 3. The breach was deliberate. Mitigating circumstances are that GBR does not dispute any aspect of the measurer's report, and acknowledges that the bosun made an error of judgement.	
Rule(s) applicable: SI 3, EIR 3.1, RRS 64,1(d)	
Decision: The jury's discretionary scoring penalty to GBR is 30% of boats, i.e. 4 points in race 7, the race closest in time to the incident	
Decision - short: Penalty to GBR 4 points in race 7	
Jury: ROBERTS Ralph (IFDS), BEAL Lynne (IFDS), AZZOUG Mohamed (IFDS), SLEUTEL Henry (IFDS), VALENTINO Peter (IFDS)	
Signed: _____ Date: 5 SEP 2012 Time: 16:32 Jury Chairman	



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LEGEND
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