

# **MHYC Sydney Short Ocean Championship 2020**

## **Arbitration Record**

### **11980 Cicero v 6232 Rumba**

Arbitration at Middle Harbour Yacht Club, on 29 November 2020 at 14:00 Hours.

**Cicero represented by: Mark Hellyer**

**Rumba represented by: Rob Carr.**

#### **FACTS**

Evidence of the following facts was presented to the Arbitration.

1. Immediately after the start of Race 2, Cicero was on starboard tack and Rumba was on port tack, on a collision course.
2. Rumba passed head to wind and before reaching a close hauled course there was contact between Rumba's starboard side and Cicero's port side.
3. When it was clear that Rumba was not keeping clear, Cicero tacked in an unsuccessful effort to avoid contact.
4. Rumba retired.

#### **ARBITRATOR'S OPINION**

The Arbitrator advised the parties that it was his opinion that a protest committee would conclude as follows.

- A. **Rumba, while tacking, did not keep clear of Cicero, on a tack and did not avoid contact with Cicero when it was reasonably possible for her to do so. Rumba broke rules 13 and 14.**
- B. **It was not reasonably possible for Cicero to avoid contact with Rumba. Cicero did not break rule 14**
- C. **Rumba's retirement was a penalty applicable to the incident and in accordance with rule 64.1(b) Rumba may not be further penalised.**

#### **WITHDRAWAL OF PROTEST**

**Cicero agreed to withdraw her protest and the protest committee allowed her to do so in accordance with rule 63.1.**

John Allan  
Arbitrator

**Protest Committee:** John Allan NJ