



**Ontario Sailing Appeal OS 2006-02
Clockwork vs Maggie Kelly – June 23, 2006**

Maggie Kelly is appealing a decision of the protest committee of the RCYC Open Regatta on June 11, 2006

**RRS 10 On opposite tacks
RRS 14 Avoiding contact
ISAF Case 50**

Summary of the facts:

Both boats were close hauled on a beat to windward, with Maggie Kelly on Port tack approaching Clockwork on Starboard tack on a collision course. Wind speed was 18 to 20 knots, boat speeds approximately 6.5 knots. When the boats were approximately 3 boat lengths apart Maggie Kelly started to bear off and almost immediately Clockwork bore away hard to avoid an apparent imminent collision. Simultaneously Maggie Kelly headed up hard and Clockwork just missed Maggie Kelly as she crossed her stern. Clockwork filed a valid protest against Maggie Kelly under RRS 10.

Decision of the Protest Committee:

The Protest Committee upheld the protest and disqualified Maggie Kelly from the race, finding as fact, that Clockwork was justified in altering course as there was reasonable apprehension of a collision.

Decision of the Appeals Committee:

The appeal is denied and the decision of the Protest Committee is upheld. Accordingly, Maggie Kelly is disqualified from Race 2 of the RCYC Open regatta.

Ontario Sailing Appeals Committee:

Dr. Andrew Wardle IJ, IU, Chairman
Ms. Kathy Dyer SNJ
Mr. Alex McAuley IJ
Dr. Mel Preston SNJ
Mr. Peter Wood SNJ