

**Appeal OSA 2003-06  
Bretwalda (Bow 22) vs. Jake (Bow 21)  
EYC J35 North American Championships  
September 14, 2003 – Race #7**

**Final Decision December 14, 2003**

**Appeal Request:**

- (1) The appellant points to a mistake in the facts recorded and disagrees with the committees interpretation and conclusions.

**Protest Committee Facts and Decision:**

Bow 22 approached the leeward mark on Stb. Gybe overlapped with Bow 21 on Port Gybe and with Bow 14 outside of Bow 21.

Bow 21 rounded the mark wide with a minimum of a boat width between Bow 21 and the mark.

Bow 14 stayed outside to allow room and Bow 22 altered course and rounded on the transom of Bow 21 of her own choice. Room was given as required by RRS 18.2a. The Protest was dismissed.

**Appeals Committee Response:**

- (a) The first thing that has to be done is to correct a clerical error in the recording of the facts which should state that Bow 22 approached the leeward mark on Port Gybe and Bow 21 on Stb. Gybe, with Bow 14 on the outside of Bow 21. A clerical recording error does in no way diminish the value of the Facts found by the committee. As a side issue the actual tacks of the boats in question is not a consideration under RRS 18.2a.
- (b) The Appellant is appealing the facts found which are not grounds for appeal under RRS 70.1.
- (c) The Procedures and Rules Interpretations used by the committee were correct therefore there are no grounds for appeal.

**Appeals Committee Decision:**

The Appeal is Denied and the results stand as recorded.