

STATEMENT in the matter of:
Yachting harness-Sword of Orion

Place: Melbourne
Police Station

Date : 19 January 1990

Name: Malcolm HART
Address: 29 Racesource Road, Mornington Victoria Tel. No.: 03 59755622
Occupation: Boat Builder STATES:-

1. This statement made by me accurately sets out the evidence which I would be prepared, if necessary, to give in court as a witness. The statement is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable for prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

2. I am 37 years of age.

3. I am a boat builder by trade and I have been qualified in this field for the last 20 years. I have been building yachts for this period. I have built about 50 yachts during this time.

4. I am currently the owner of HART marine which is situated in Melbourne.

5. Sometime during late October, 1992 I was approached by Mr Peter SAJET. He made inquiries in relation to having a boat built. He was interested in a FARR 44 IMS Boat. We ended up, because the Farr 44 DESIGN was an old design, the IMS rule was moving so rapidly, and FARR couldn't produce a set of drawings in time. Peter decided to go for a REICHEL PUGH design, because their designer had just won the Americas Cup and they had a good design background. We were asked to price accordingly for the boat.

Witness: _____

Signature: _____

STATEMENT (continued) in the matter of: Yachting harness-Sword of Orion

Name: Malcolm HART

6. As a result of a agreement the production of the boat commenced in January,1993. A contract had been drawn up.

EXHIBIT: I PRODUCE A COPY OF THE CONTRACT WHICH INCLUDES THE CATEGORY ONE EQUIPMENT I SUPPLIED

7. After the boat was completed, Peter requested that we supply the safety gear to a category one standard at the time.

8. As a result of this agreement I sought three quotes for the safety equipment. The first quote was from RFD Australia dated 15th April,1993. This quote as indicated on the sheet of paper, however it did not include harnesses. The quote in this case was \$6642.52.

EXHIBIT: I PRODUCE A COPY OF THAT QUOTE FROM RFD

9. The second quote was from Zakspeed, dated 16th April,1993. This quote was priced at \$7227.98. There is another price indicated but that relates to another article.

EXHIBIT: I PRODUCE A COPY OF THAT QUOTE FROM ZAKSPEED

10. The third quote was from Peter JOHNSON, dated 20th April, 1993. The price on this quote is not indicated.

EXHIBIT: I PRODUCE A COPY OF THAT QUOTE FROM PETER JOHNSON

11. I decided to use the Zakspeed quote. I negotiated with them during the period 16th April,1993 to the 7th May,1993 where I

Witness: 

Signature: 

STATEMENT (continued) in the matter of:
Orion

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wrote out a cheque for \$6678.76. This was the discounted price.

EXHIBIT: I PRODUCE A COPY OF THAT QUOTE ALONG WITH A COPY OF
A CHEQUE BUTT RELATING TO THE PURCHASE OF THE ITEMS No:113921

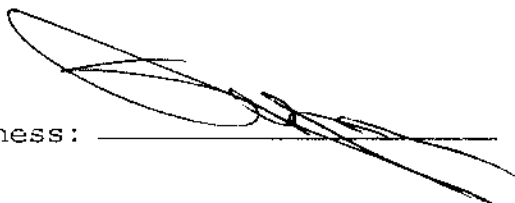
12 I can't recall exactly, but I think it was on the same day I
paid for the items. They were delivered to my place of work.
The packages were checked by someone to ensure they were there.
The items were then placed on the boat.

13. At no time did I see the type of harnesses or lanyards we
had purchased. I was unaware they came from TUFF Australia.

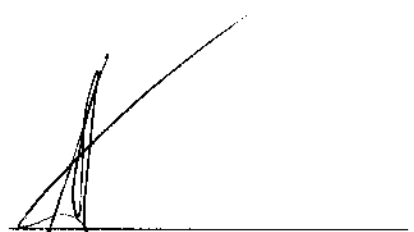
14. Sometime during May 1993 Peter took possession of the
boat, which was named 'Sword of Orion.'

15. I have been shown a orange harness by Police. Written on
the harness is the words RBYC and SWORD OF ORION. The RBYC stands
for the Royal Brighton Yacht Club which is situated in Melbourne.

Witness:



Signature:



DESIGN

→ FARR 47

REICHEL PUGH 44 FOOT I.M.S. RACING YACHT

12TH JANUARY, 1993.

1. PRINCIPAL DIMENSIONS

LOA	14.31m
LWL	12.60m
BEAM	2.20m
DRAFT	1.66m
DISPLACEMENT	1098kg
SAIL DIMENSIONS	
I	15.07
J	4.56
P	17.30
E	5.73

2. BASIC CONSTRUCTION

The hull and deck are constructed to fully approved ABS(American Board of Shipping) drawings.

2.1 HULL

2.1.1 The hull is constructed over a male mould, with the outside surface faired by hand. The unidirectional glass is applied under tension over the male mould surface, thereby producing a much higher quality product than the traditional female mould method.

2.1.2 The materials used in the construction are unidirectional Kevlar/R glass, and woven E glass/ 25mm PVC H80 medium density foam core/SF epoxy resin. High density foam H100 core is used in high stress areas in the forebody below DWL. The aim is to produce a monocoque construction, with minimal internal structure.

2.1.3. All laminates are consolidated using a vacuum bag, to produce a high glass-to-resin ratio.

2.1.4. The outside surface is finished using epoxy primers and top quality marine two part polyurethane paint.

2.1.5. The hull can be painted in any colour of the owner's choice, together with a boot top stripe. Special colours, ie. metallics or graphics are charged as an extra.

2. DECK

2.2.1 The deck is constructed over a male mould like the hull, using the same basic materials: except the foam core is 20mm on the flat areas, and 15mm on the vertical surfaces.

2.2.2 In all areas where fittings are attached to the deck, the foam is replaced by a high density core.

2.2.3 The deck is bonded to the hull using epoxy resin and glass tapes.

2.2.4 The deck is painted with two part polyurethane glass paint on the vertical surfaces, and with a non slip additive on the flat surfaces. The deck can be painted in any colour of the owner's choice.

3. INTERIOR

The interior layout of the boat is as per the General Arrangement Plan. However we are willing to change the layout to suit individual tastes.

2.3.1 The basic internal structure of keel floors, mast step, engine beds, and bunk fronts are made from male mould and are finally bonded into the hull using SP Sparbond epoxy.

2.3.2 The bulkheads and internal furniture are made of glass and foam composite panels with detailed furniture such as galley and chart table constructed of composite panels and solid timber trim.

2.3.3 Two settee berths are provide in the main saloon with two hard base berths, above which, when not in use, act as backs for the settee berths. Four additional pipe cots are placed aft of the saloon.

2.3.4 Fuel, water and battery storage is situated beneath the various berths and floor.

2.3.5 The galley containing a two burner stove with oven, work top with a large ice box beneath and storage lockers above and below, are provided to give a compact and workable galley, the sink unit for the galley is situated in the centre of the boat.

2.3.6 A navigation area is sited opposite the galley, complete with chart stowage, instrument panel, seat and book shelf.

2.3.7 Forward of the main bulkhead is situated the toilet and wash basin in a heads compartment, together with a hanging locker opposite.

2.3.8 The interior surface of the hull, deck, bulkheads and furniture is painted in a silk finish white epoxy, with varnished teak trim to give a light and airy feel to the cabin.

2.3.9 The cabin sole is teak and holly plywood.

2.3.10 All solid wood is varnished with at least six coats, and matted back to a smooth silk finish.

3. REEL

3.1 1/2" dia. 30' wire with lead fair reel complete with stainless steel pulley blocks. auto and wash-down are fitted.

3.2 The reel is mounted on a stainless steel frame and finished ready for painting.

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4. STEERING SYSTEM

4.1 A composite rudder stock is supplied with a foam and glass elliptical blade with composite quadrant.

4.2 Upper and lower roller bearings are fitted to ensure smooth and positive steering.

4.3 The boat is supplied with a custom made composite wheel.

4.4 An emergency tiller is supplied as standard.

5. ENGINE

5.1 The boat is fitted with a Volvo Penta 2003St sail drive marine diesel engine complete with :

- ~~Brush water cooling~~
- Exhaust and water cooling system
- 150 lt fuel tank and pipes
- Custom made folding propeller
- Single lever throttle/gear control
- Instrument panel
- Engine box insulation.
- ~~Windage in hull for chocking protection~~

6. SPARS AND RIGGING

SOUTHWEST SPAN

- ~~1/2" dia. 30' wire~~ 3/4" dia. 30' wire tapered mast
- ~~1/2" dia. 30' wire~~ 1/2" dia. 30' wire with 1000lb and 2 reef lines
- Rigging discontinuous standing rod rigging
- Running rigging in spectra complete with snapshackles
- Deck running rigging including sheets, guys, control lines
- Luff loft
- Spacecraft kwik-kik vang with controls
- Windex and light
- Loadcell with readout in cockpit
- Deflection mainstays
- Carbon fibre spinmaker pole

7. DECK GEAR

Winches

- 2 Primaries ^{Percepta} Barient 32 + alloy
- 2 Mainsheets Barient 28 alloy
- 2 Halyards Barient 36 alloy
- 2 Runners Barient 32 + alloy
- 1 x 10ins double grip handles
- 4 x 10ins single grip handles

p3/6

1 x *PERCEPTA*

2

Anchor

Hoists

The following equipment supplied by ~~Bunstan~~ *Bunstan*:

- ~~Bunstan~~ main sheet Track and Traveller
- Genoa tracks/booms/foot blocks etc
- Control line blocks and cleats for sheechstay, cunningham etc
- 1/2" dia underlines to trimmer
- Spinaker sheeting blocks
- Backstay blocks
- 1/2" dia underlines
- Deflection sheechstay blocks
- Down organizers and clutches
- Spin down main system
- Mast base blocks clutches etc
- Tid-eyes
- Spinlock grand prix clutches
- Winch handle - pockets
- 3 rail pockets
- 2 S Pushpit & Pullpit
- 18 S/S stanchions and bases (six with legs)
- Fabricated mast collar and sock
- 1 Lewmar fore hatch
- 1 Lewmar cockpit hatches
- Vinyl coated lifelines
- Chain plates
- Forestay fitting
- Backstay and runner plates

8. INTERIOR

The following equipment is provided for the interior :

8.1 A two burner cooker with oven, complete with all tapes, pipes and stainless steel crash bars *working pin*

8.2 A 10ins deep stainless steel sink, complete with hand pump and all plumbing.

8.3 A sea toilet with wash basin and hand pump, complete with all plumbing.

8.4 Flush fit saecocks

8.5 Two approx. 100 lt stainless steel fresh water tanks fitted below the cabin sole.

8.6 Two bilge pumps are fitted complete with strum boxes and piping, one for use in cockpit, and the other for use in the cabin.

8.7 Cushions for bunks and navigator's seat covered in acrylic canvas - colours optional.

8.8 Four pipe seats complete with tackle and cushions.

8.9 Chart table with storage for charts and navigational equipment.

8.10 A proper door is fitted to the heads compartment and an additional door can be fitted in the main bulkhead.

9. ELECTRICAL

The following electrical equipment is provided as standard:
1 x 240V circuit breaker panel
1 x digital voltmeter
1 x 12V amp hr 12V battery
1 x battery isolator switches
2 x main lights
6 x overhead lights
1 x navigator's light
Navigation lights as per CRC regulations

10. ELECTRONICS

The following electronics are provided - 300 600 system the system includes:
3 x Full Display (FFD)
1 x Halycon Compass Display
3 x 20/20 Display
1 x 360 degree Analogue Indicator
1 x Super Halycon Auto-Swing Compass
Processors
Sonic Speed Sensors
Sea Water Temperature Sensors
High Angle Sensors
Lightweight mast cables & stiner cables
1 x RFS 3000 (formally the Navstar XE4-U)
VHF Marine transceiver GMS58 with inbuilt auto scanning
~~Owner to supply further electronics, battery, install~~
1 x ICOM M800 with tuner and aerial
1 x Chart plot

11. SAFETY GEAR

The following safety gear is provided as standard "Category 1"
12 x life jackets
1 x anchors and warps
Flares
2 x buoys
1 x buckets
Emergency steering
12 Safety harnesses
4 x 10in fenders
4 x 20in mooring lines
1 x Spirit
1 x Down ruy
1 x Fire Extinguishers
2 x GMAO Life Raft
2 x Steering compasses

12. MISCELLANEOUS

Manufacture guide and warranty book
Approved A.B.S. certificate
100 points I.M.S. certificate
I.M.S. racing certificate
Boat shall meet category " 1" Safety

FARR 47. QUAZ

13. COMMISSIONING

The price quoted is launched, rigged, rated and getting boat ready for sailing at Mornington.

↓
JESIC

14. DELIVERY

Approximately 14 - 16 weeks

15. INSURANCE

Vessel to be insured at all stages of construction.

16. PRICE

\$ 451,000.00 Australian

Contract of Sale: BUILDER.....

CLIENT..... CLIENT.....

WITNESS..... WITNESS.....

DATE.....

Ref: FURN. 012

5.5 Two approx. 100 lt stainless steel fresh water tanks fitted below the cabin sole.

5.6 Two bilge pumps are fitted complete with strum boxes and

SE

FAX MESSAGE



Peter Johnson Pty. Ltd.

ACN 000 132 792

MELBOURNE 8 DANTA OF DANDENONG VIC 3175 PH 03 794 9780 FAX 03 794 9383

COMPANY: *Andri Maffei* DATE: *25/9/01*

ATTENTION: *Paul* NO. PAGES: *1*

Proving as goods as requested follows.

CAT 1 FRAMES

		<u>Qty</u>	<u>UNIT PRICE</u>	<u>TOTAL</u>
12 x	Black High Frames	12	41.50	500
4 x	Red High Frames	4	12.50	
2 x	Grey High Frames	2	12.50	
4 x	Orange High Frames	4	12.50	50%
1 x	E.PICS	1	100.00	
1 x	Scanner Ink	1	1.00	
2 x	Waterproof Tapes	2	2.50	
12 x	Small High Frames	12	22.50	
12 x	Small High Frames (Black)	12	22.50	
1 x	Small High Frame	1	22.50	

Below prices are quoted without GST tax which must be added.
 Delivery approx 4-5 days from date receipt of order.
 Cheque with order - there is some GST payable to Government - amount in hand.
 3 items are payable to bank account.
 Please use only address for cash payment or - 11 Lane (Finance) Street CNS

Trust this OK.
 Regards,
 David Gully

