

DECISION

Request No.: 26

Protest and Request for Redress

Event: Sailing Point Easter Regatta Race Number: 9
Hearing Schedule: 2023-04-09 15:45

PARTIES AND WITNESSES

Request No.: 26: Optimist - Junior - GER 1715 - M - Korbinian Grawe

Optimist - Junior - SLO 187 - M - Filip Valjavec

Witnesses: Aileen Sorg GER 1674

VALIDITY

Objection to Jury: No

Within Time Limit: Within Time Limit

Incident Identified: Yes

Proper Hail: Protest hailed

Red Flag Displayed: N/A

Decision: Request Valid

PROCEDURAL MATTERS

1. Father of GER 1715 attended hearing as an observer.
2. Hearing was held under N1.4(b)

FACTS FOUND

1. Wind around 18 knots, choppy waves.
2. GER 1715 sailing on starboard near the starting line with low speed 1 minute 30 seconds before the starting signal.
3. SLO 187 sailed perpendicular to wind sailing on port on a converging course with GER 1715.
4. At a distance of 1 boat length between the boats GER 1715 shouted "water".
5. Contact occurred between SLO 187 bow and aft port side of GER 1715 hull.
6. GER 1715 suffered a dent with an 8 cm long crack in the laminate.
7. SLO 187 took two turns penalty.
8. GER 1715 choose to retire from the race.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: 10, 14, 44, 62, Case 107

1. SLO 187 on port failed to keep clear of GER 1715 on starboard, and broke RRS 10.
2. SLO 187 did not avoid contact when it was reasonably possible, and broke RRS 14.
3. It was not reasonably possible for GER 1715, the right-of-way boat to avoid contact with SLO 187 when it was clear that SLO 187 was not keeping clear. GER 1715 did not break RRS 14.
4. Damage is not considered to be serious.
5. GER 1715's place in race no. 9 was made worse through her own fault. Therefore, the requirements for redress in RRS 62.1 are not met.

DECISION

Date & Time: 2023-04-09 16:45 CEST

The protest is upheld. SLO 187 took appropriate penalty as per RRS 44 is not further penalised.
Redress is not given.

PROTEST COMMITTEE

Committee Type International Jury

Chaired By: Jan Winkler (CRO)

Committee Members: Uros Zvan (SLO), Joep Straus (BEL)