

DECISION

Request Number: 31

Protest

Event: 29er World Championship Race Number: 6

Hearing Date: 2016-07-29

PARTIES AND WITNESSES

Initiator: FRA 2333 - Tim Parey

Respondent(s): ESP 2170 - Pep Costa

VALIDITY

Objection to Jury: No

Within Time Limit: Within Time Limit

Incident Identified: Yes

Proper Hail: Protest hailed

Red Flag Displayed: Yes

DECISION: Request Valid

PROCEDURAL MATTERS

FACTS FOUND

1. FRA 2333 rounded the leeward gate on port tack, clear ahead of ESP 2170, also on port tack, just before the finish in race F6.
2. ESP 2170 ran onto the hull of FRA 2333, causing FRA 2333 to capsize.
3. The contact resulted in no damage.
4. The helm of FRA 2333 got separated from the boat, the crew stayed on the centerboard.
5. The helm was taken out of the water by a jury boat after all boats racing rounded the gate and brought back to the boat.
6. The crew hurt his back but FRA 2333 finished the race as the last boat, and also sailed the next race without problem.
7. ESP 2170 completed a One-Turn Penalty just after the incident.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

1. ESP 2170 failed to keep clear of FRA 2333 and broke RRS 12.
2. By not avoiding contact, ESP 2170 also broke RRS 14.
3. It was not reasonably possible for FRA 2333 to avoid contact, therefore she did not break RRS 14.
4. ESP 2170 took an appropriate penalty under RRS 44.
5. The helm of FRA 2333 was in danger when receiving outside help, therefore FRA 2333 did not break RRS 41.
6. The score of FRA 2333 was not made significantly worse by an injury caused by the action of a boat that was breaking a rule of Part 2.

DECISION

Protest Upheld

No further penalties imposed.
Redress denied.

Date & Time: 2016-07-29 18:55 CEST

PROTEST COMMITTEE

Chaired By:

Committee Members: Claudio Uras (ITA), Sylvie Harle (FRA), Anne Kaalstad (NOR), Bence Borocz (HUN)

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