

DECISION

Request Number: 33

Protest

Event: 29er World Championship Race Number: 7

Hearing Date: 2016-07-29

PARTIES AND WITNESSES

Initiator: AUS 2546 - Max Paul

Respondent(s): NZL 2395

VALIDITY

Objection to Jury: No

Within Time Limit: Within Time Limit

Incident Identified: Yes

Proper Hail: Protest hailed

Red Flag Displayed: Not required

DECISION: Request Valid

PROCEDURAL MATTERS

FACTS FOUND

1. NZL 2395 was not represented at the hearing.
2. AUS 2546 capsized with her sail in the water after rounding the starboard side gate mark for the first time in race F7.
3. NZL 2395 rounded the same mark 20 seconds later and there was a contact between the rudder of AUS 2546 and the bow of NZL 2395.
4. As a result of the contact, the gel coat came off the rudder of AUS 2546 at the bottom 1 cm and AUS 2546's mast got stuck in the mud, which made it 45 seconds longer for her to recover from the capsize.
5. AUS 2546 continued to sail the race and finished.
6. NZL 2395 retired from race F7.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

NZL 2395 failed to avoid AUS 2546 when she was capsized and thus broke RRS 23.

NZL 2395 failed to avoid contact and broke RRS 14.

It was not reasonably possible for AUS 2546 to avoid contact, therefore she did not break RRS 14.

By retiring from the race, NZL 2395 took an appropriate penalty under RRS 44.

AUS 2546's score was not made significantly worse by a physical damage because of an action of a boat that was breaking a rule of Part 2.

DECISION

Protest Upheld

No further penalties imposed.
Redress is not given.

Date & Time: 2016-07-29 20:14 CEST

PROTEST COMMITTEE

Chaired By: Bence Borocz (HUN)

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

Printed: 10 Aug 04:16