

DECISION

Request Number: 01

Protest

Event: RODOS CUP 2019 Race Number: 1

Hearing Date: 2019-07-22

PARTIES AND WITNESSES

Initiator: CRUSING - 4 - CRO RC37 - GEMINI - NOA NINCEVIC

Respondent(s): CRUSING - 1 - RUS RC13 - MARGO - ANTON KUZMENKOV

Witnesses: IRC CRUISING 59 - DANCER

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

Both boats on starboard passed mark no. 1 and sailed on the beat to the finish. CRO 37 (13 m LOA) was to windward and clear ahead of RUS 13 (14 LOA). Wind speed was over 20 knots, boat speed around 6 knots. RUS 13 sailing faster established overlap 1,5 boat length to the leeward of CRO 37. By sailing faster RUS 13 just gained a clear ahead position then she luffed and passed head to wind to converging course. CRO 37 luffed trying to avoid the contact. RUS 13 hit CRO 37 in the port side hind quarter of her hull before reaching a close hauled course. One crew from CRO 37 fell into the water. RUS 13 picked up the crew of CRO 37. CRO 37 continue sailing and finished without one crew member. RUS 13 continued and finished. Both boats suffers damage. Assessment of the damage by the boat representatives is at least 1.000 EUR on CRO 37 and at least 2.000 EUR on RUS 13. No boats took penalty turns.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

After passing head to wind and before being on a close-hauled course, RUS 13 failed to keep clear of CRO 37, as required by RRS 13.

Although it was reasonably possible, RUS 13 did not avoid contact with CRO 37 as required by RRS 14.

It was not reasonably possible for CRO 37, the right-of-way boat, to avoid contact with RUS 13 when it was clear that RUS 13 was not keeping clear.

CRO 37 failed to pick up her crew member leaving the boat by accident before continuing in the race and broke rule 47.2.

DECISION

RUS 13 is DSQ from race no. 1 under RRS 13, 14

CRO 37 is DSQ from race no. 1 under RRS 47.2

Date & Time: 2019-07-22 17:11 EEST

PROTEST COMMITTEE

Chaired By: Yannis Kleidonas (GRE)

Committee Members: Jan Winkler (CRO), George Paunov (BUL), Zvi Ziblat (ISR), Uros Zvan (SLO)

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