

DECISION

Request No.: 02

Protest

Event: 2023 J/24 European Championship Race Number: 2
Hearing Schedule: 2023-08-23 15:30

PARTIES AND WITNESSES

Request No.: 02: J/24 - HUN 4026 - St. James - Andras BENEDICT

J/24 - HUN 5365 - BLITZ - Sándor SERDÜLT

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

Istvan Liko sailor of HUN 4026 and Gaber Repassy sailor of HUN 5365, attended the hearing as observers.

FACTS FOUND

1. Wind 12-15 knots, flat water.
2. 40 seconds before the start of race 2, HUN 4026 and HUN 5365 were sailing upwind, approaching the starting line.
3. The boats were overlapped, with HUN 4026 half boat length ahead and 1 boat width to leeward.
4. HUN 5365 bore away.
5. Contact occurred between the bow of HUN 5365 and the starboard stern quarter of HUN 4026.
6. The contact caused a hole in HUN 4026 of a size 12cm of diameter, 25cm above the water line.
7. Both boats retired from the race by notifying the Race Committee on the VHF.
8. Race 2 was abandoned on the second lap.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: RRS 11,14, 36, 62.1(b), 64.1(c), SI 18.1.

1. HUN 5365 to windward failed to keep clear of HUN 4026 to leeward, and broke RRS 11 and 14.
2. It was not reasonably possible for HUN 4026 the right-of-way boat to avoid contact with HUN 5365 when it was clear that HUN 5365 was not keeping clear. HUN 4026 did not break RRS 14.
3. The damage which occurred to HUN 4026 is considered to be serious damage.
4. The protest committee applied RRS 64.1(c) and considered redress for HUN 4026.

DECISION

Date & Time: 2023-08-23 16:13 CEST

1. The protest is upheld. Since HUN 5365 took an applicable penalty, she is not further penalized under RRS 64.2(a). RRS 36 applies, HUN 5365 is to remain retired for race 2 if it is restarted.
2. No redress is given for race 2.
3. HUN 4026 may be entitled to redress if she is unable to start in the restart or subsequent races. HUN 4026 will need to request redress after the races affected and any redress will be limited by World Sailing Case 116.

PROTEST COMMITTEE**Committee Type** Protest Committee**Chaired By:** Dusan Vanicky (SVK)**Committee Members:** Alina Stratigiou (GRE), Zsolt Regenyi (HUN), Váradi Imre (HUN), Will Davies (GBR)