

DECISION

Request No.: 02

Protest and Request for Redress

Event: 29er Eurocup CZE Race Number: 8
Hearing Schedule: 2022-05-13 15:40

PARTIES AND WITNESSES

Request No.: 02: 29er - GER 3219 - Moritz Wagner

29er - CZE 3088 - Nela Viščorová

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.
2. GER 3219 and CZE 3088 were sailing downwind, with gennakers up, on port tack approaching the leeward gate.
3. CZE 3088 was overlapped to the leeward of GER 3219 as the boats entered the zone of the starboard gate mark.
4. The distance between the boats was 2m.
5. When both boats passed the imaginary line formed by the leeward sides of the gate marks, GER 3219 gybed onto starboard.
6. CZE 3088 responded immediately to this by bearing away.
7. Contact occurred 3 seconds after GER 3219 had gybed between the bow on CZE 3088 and the starboard gunnel of GER 3219, just in front of the mast.
8. GER 3219 then capsized.
9. CZE 3088 took a One-turn penalty after the incident.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: 10, 14, 15, 18.4, 43.1(a)

1. CZE on port failed to keep clear of GER on starboard, and broke RRS 10
2. It was not reasonably possible for CZE, the boat sailing within the room to which she was entitled to avoid contact with GER when it was clear that GER was not giving room. CZE did not break RRS 14.
3. When acquiring right of way through her own actions, GER failed to initially give CZE room to keep clear, and broke RRS 15 and 14.
4. Since CZE was compelled to break RRS 10 as a consequence of GER breaking RRS 15, she is exonerated under RRS 43.1(a) for this breach.

DECISION

Date & Time: 2022-05-13 17:04 CEST

1. GER 3219 is DSQ in race 8.
2. Redress is not given.

PROTEST COMMITTEE

Chaired By: Nick Devereux (GBR)
Committee Members: Václav Brabec (CZE), Niclas Kath ()

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