

# DECISION

Protest

Request No.: 02

Heard Jointly With Number(s): 03

Event: Asian Sailing Championships & Asian Continental Olympic Qualifier for 2024 Paris Olympics Race Number: 2  
Hearing Schedule: 2023-12-13 16:45

## PARTIES AND WITNESSES

**Request No.: 02:** Nacra 17 - SINGAPORE 52 - SINJL1 - Justin Liu

Nacra 17 - CHN46 - Xuezheng Yang

**Request No.: 03:** Protest Committee

Nacra 17 - CHINA 611 - CHNCF1 - Changhang Fan

**Witnesses:** Chandra Shekhar Dalai (Race Committee)

**Interpreters:** Tsou Shu Han for CHN 46, Zuoru Jiang for CHN 611

## 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

1. Toni Rivas (SGP 52 Coach), You Ping Lee and Jia Xin Li attended the hearing as Observers.
2. The International Jury learned during the hearing of this protest that CHN 611, although not a party to this hearing, may have broken rule 19.2(b) and protested her under RRS 60.3(a)(2).
3. Hearings 2 and 3 were heard together as they arose from the same incident.
4. Video and tracking evidence was presented by the jury.

## FACTS FOUND

1. SGP 52 was sailing downwind towards the port end of the finishing line, on starboard tack.
2. CHN 46 was also sailing downwind, towards the finishing line on port tack.
3. The boats were on converging courses, with their bows pointing at each other.
4. CHN 611 was overlapped to leeward, outside of and level with CHN 46, with a lateral distance of around one boat length between them.
5. Around 10 boat lengths from the point of contact, SGP 52 held her course, CHN 46 bore away slightly and CHN 611 held her course.
6. SGP 52 finished and cleared the finish line, while CHN 46 and CHN 611 finished but had not by then cleared the finishing line.
7. The distance between SGP 52 and CHN 46 was more than one boat length at that time.
8. When the distance between SGP 52 and CHN 46 was less than one boat length, SGP 52 bore away sharply, crash gybed and capsized.
9. CHN 611 also bore away and capsized, while CHN 46 continued to sail.
10. There was contact between the hull of CHN 46 and the sail of SGP 52.
11. There was no contact between CHN 46 and CHN 611.
12. SGP 52's sail tore and there was a hole in it.
13. SGP 52 requested for substitution of the sail after Race 2.
14. No boat took a penalty

**Diagram:** Diagram not endorsed

## CONCLUSIONS AND RULES THAT APPLY

**Rules:** RRS 10, 11, 14, 19.2(b), 43.1(b)

1. CHN 46 on port tack failed to keep clear of SGP 52 on starboard tack, and broke RRS 10.

2. CHN 46 to windward failed to keep clear of CHN 611 to leeward and broke RRS 11.
3. CHN 611 the outside boat at the obstruction (SGP 52), failed to give CHN 46 room to pass between her and SGP 52, despite being able to do so from the time the overlap began. CHN 611 broke RRS 19.2(b).
4. Since CHN 46 broke RRS 10 and 11 while she was sailing within the room to which she was entitled, she is exonerated under RRS 43.1(b) for these breaches.
5. It was not reasonably possible for CHN 46, the boat sailing within the room to which she was entitled, to avoid contact with SGP 52 when it was clear that CHN 611 was not giving room. CHN 46 did not break RRS 14.

**DECISION****Date & Time:** 2023-12-14 09:56 +07

CHN 611 is DSQ in Race 2.

**PROTEST COMMITTEE****Committee Type:** International Jury**Chaired By:** Leonard S Chin (MAS)**Committee Members:** Masaaki Tanaka (JPN), Sungchul Jeong (KOR), Tom Sheppard (HKG), Gurvinderpal Julka (IND)**Printed:** 15 Dec 07:03