

DECISION

Request No.: 04

Protest

Event: RS Feva European Championship 2023 Race Number: 4
Hearing Schedule: 2023-07-12

PARTIES AND WITNESSES

Request No.: 04: RS Feva - junior - CZE 6565 - 6 - Ondřej Šercl

RS Feva - HUN 6275 - 34 - Virgo Sámuel

Witnesses: Marek Michalík

VALIDITY

Objection to Jury: No

Within Time Limit: Within Time Limit

Incident Identified: Yes

Proper Hail: Protest hailed

Red Flag Displayed: N/A

Decision: Request Valid

PROCEDURAL MATTERS

1. CZE 6565 was represented by Ondřej Šercl, helm of the boat.
2. HUN 6275 was represented by Virgo Sámuel, helm of the boat.
3. Michal Kucera, coach of CZE 6565 attended the hearing as an observer.
4. Miroslav Sercl, coach of CZE 6565 attended the hearing as an observer.

FACTS FOUND

1. Race 4, wind 8-10 knots, small waves.
2. During the last minute before the starting signal, CZE 6565 and HUN 6275 were reaching on starboard tack towards the starboard end of the starting line.
3. CZE 6565 was clear ahead of HUN 6275.
4. HUN 6275 sailing faster established a leeward overlap to CZE 6565 at a lateral distance of about 2 meters.
5. After 2-3 seconds, contact occurred between CZE 6565's boom end and HUN 6275's starboard shroud.
6. There was a crack on the boom end of CZE 6565 and one of the mainsheet blocks attached to it was broken.
7. Afterwards CZE 6565 could not sheet in the main properly while sailing upwind.
8. No boat took a penalty.
9. CZE 6565 finished the race in 31st position, but was scored DNE by the decision of Protest 02.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: RRS 11, 14, 15, 43.1(b), 62.1

1. When acquiring right of way through her own actions, HUN 6275 failed to initially give CZE 6565 room to keep clear, and broke RRS 15.
2. HUN 6275 the right-of-way boat did not act to avoid contact with CZE 6565 when it was reasonably possible. HUN 6275 broke RRS 14.
3. CZE 6565 to windward failed to keep clear of HUN 6275 to leeward, and broke RRS 11.
4. Since CZE 6565 broke RRS 11 while she was sailing within the room to which she was entitled, she is exonerated under RRS 43.1(b) for this breach.
5. It was not reasonably possible for CZE 6565 the boat sailing within the room to which she was entitled to avoid contact with HUN 6275 when it was clear that HUN 6275 was not giving room. CZE 6565 did not break RRS 14.
6. CZE 6565's score in race 4 was made significantly worse through her own fault. Therefore, the requirements for redress in RRS 62.1 are not met.

DECISION**Date & Time:** 2023-07-12 17:23 CEST

HUN 6275 is DSQ in Race 4.
Redress is not given to CZE 6565.

PROTEST COMMITTEE**Committee Type** International Jury**Chaired By:** Ron Barak (ISR)**Committee Members:** Vilmos Naray (HUN), Sylvie Harle (FRA), Marios Zisimatos (GRE), Jernej Krampšek (SLO), Tamás Kovács (HUN)**Printed:** 13 Jul 18:11