

DECISION

Request No.: 02

Protest

Event: IMA Maxi European Championship Race Number: 5 - inshore 2
Hearing Schedule: 2023-05-17 16:30

PARTIES AND WITNESSES

Request No.: 02: Maxi 2 - GBR 72X - North Star - Nick Rogers

Maxi 2 - GBR 74R - Jethou - Brad Butterworth

Witnesses: Morgan Larssen (crew of USA 60772 - PROTEUS), Miles Seddon (navigator of GBR 72X - NORTH STAR)

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

1. GBR 72X - NORTH STAR was represented by Nick Rogers.
2. GBR 74R - JETHOU was represented by Brad Butterworth.
3. Morgan Larssen, crew member of USA 60772 - PROTEUS attends the hearing as a witness for GBR 72X - NORTH STAR.
4. Miles Seddon, navigator of GBR 72X - NORTH STAR presented the track log of GBR 72X - NORTH STAR.
5. GBR 72X - NORTH STAR presented a video provided by Carlo Borlenghi taken from a helicopter.

FACTS FOUND

1. Windspeed 14 knots, high sea state, waves of 1,5 metres.
2. On the first beat GBR 72X - NORTH STAR on starboard-tack and GBR 74R - JETHOU on port-tack were sailing on a collision course at a speed of 10 knots.
3. At a distance of one boat length between the boats GBR 72X - NORTH STAR bore away, changing the course by 20 degrees, and passed the stern of GBR 74R - JETHOU in a distance of 5 metres.
4. If GBR 72X - NORTH STAR would have kept her course a contact would have occurred between the bow of GBR 72X - NORTH STAR and the starboard side of the hull of GBR 74R - JETHOU near the steering wheels 8 metres from the stern.
5. No boat took an applicable penalty.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: RRS 10

1. GBR 74R - JETHOU on port failed to keep clear of GBR 72X - NORTH STAR on starboard, and broke RRS 10.
2. There is reasonable doubt that GBR 74R - JETHOU could have crossed ahead of GBR 72X - NORTH STAR, if GBR 72X - NORTH STAR had not changed course (see WS Case 50).

DECISION

Date & Time: 2023-05-17 17:08 CEST

1. GBR 74R - JETHOU is DSQ in race #5.

PROTEST COMMITTEE**Committee Type** Protest Committee**Chaired By:** Giuseppe D'amico (ITA)**Committee Members:** Timo Haß (GER), Stavros Kouris (GRE), Neven Baran (CRO), Marco Flavio Tosello (ITA)