

DECISION

Protest by TC

Request No.: 03

Heard Jointly With Number(s): 04

Event: Mussanah Open Championship 2021 Race Number: 1,2,3
Hearing Schedule: 2021-04-04 16:50

PARTIES AND WITNESSES

Request No.: 03: Technical Committee

49er - CHN CHN 555 - Liuhan Wang Zaiding Wen

49er - CHN CHN 251 - Chao Xiang Hong Wei

Request No.: 04: Technical Committee

49er - CHN CHN 555 - Liuhan Wang Zaiding Wen

Witnesses: Mr. Koray, TC member

Interpreters: Leonard Chin assisted with translation.

VALIDITY

Objection to Jury: No

Within Time Limit: Within Time Limit

Incident Identified: Yes

Proper Hail: Hail not required

Red Flag Displayed: Not required

Decision: Request Valid

PROCEDURAL MATTERS

Hearing No. 3 was heard together with Hearing No. 4 in accordance with RRS 63.2 since both hearings arose from very closely connected incidents.

FACTS FOUND

1. The boats of CHN 251 and CHN 555 are chartered.
2. During pre-event inspection, the main sail stopper was not inspected.
3. There was no inspection on the water after race 3 on 03 April 2021.
4. When boats returned ashore after racing on 03 April 2021, event limitation marks and corrector weights were checked ashore.
5. Races 1, 2 and 3 were held on 03 April 2021. Race 3 finished at 16:05.
6. The TC inspected the masts of all 49er / 49erFX ashore on 04 April 2021, CHN 251 and CHN 555 were inspected at 11:05 and 11:10 on 04 April 2021.
7. CHN 251 was found with her main sail stopper in the condition displayed in picture 1.
8. CHN 555 was found with her main sail stopper in the condition displayed in picture 2.
9. The TC provided a picture of a mast stopper which the TC considers to be class rule compliant (see below).
10. The Equipment Regulations require boats to be in compliance with RRS 78.1 and the class rules from the time the Equipment Inspection form has been submitted to the Race Office.
11. CR F.4 is a rule of Part II of the class rules which only applies while racing.
12. Class Rule F.4 references the WS approved Builder Construction Manual.
13. The WS approved Builder Construction Manual is not public domain.
14. The TC permitted the repair of both boats.
15. The main sail stoppers were repaired on 04 April 2021 before leaving for race 4.

Picture 1 (CHN 251)



picture 1.png 2.3 MB

Picture 2 (CHN 555)



picture 2.png 3.03 MB

Picture provided by TC considered to be class rule compliant.



WhatsApp Image 2021-04-04 at 15.39.06.jpeg 32.7 KB

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: RRS 63.2, CR F.4, ER 3

1. There is no evidence that the main sail stoppers were not compliant with CR F.4 while *racing* in races 1, 2 and 3.
2. CR F.4 only applies while *racing*, therefore CHN 251 and CHN 555 did not break CR F.4.

DECISION

The protest is dismissed.

Date & Time: 2021-04-04 17:59 +04

PROTEST COMMITTEE

Chaired By: Paul Schilizzi (GRE)

Committee Members: Gurvinderpal Julka (IND), Markus Schwendtner (GRE), Ali Ambusaidi (OMA), saleh AL Jabri (OMA)