

DECISION

Request No.: 02

Protest and Request for Redress

Event: 33rd Izola Spring Cup 2022 Race Number: 3
Hearing Schedule: 2022-04-15 18:20

PARTIES AND WITNESSES

Request No.: 02: 420 - GER 55505 - Reuter Leonie
420 - AUT 54613 - Vincent Fritsch
Witnesses: GER 52490

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

Int. Jury constituted under N 1.5 due to illness of a Jury member

FACTS FOUND

GER 55505 on starboard and AUT 54613 on port sailing on a beat to mark 1. Boats are on a collision course and aiming bow-to-bow. At a distance of approx 1.5 boatlength GER 55505 yelled at AUT 54613. Immediately after GER55505 luffed hard. AUT 54613 kept her course. Contact occurred between GER 55505 port first quarter and bow of AUT causing the hulls of GER 55505 to separate and the gunwhale is broken. After two minutes AUT 54613 took a one turn penalty and approx. 30 sec later a second turn penalty. GER 55505 continues racing and finished this last race of the day.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: 10, 14, 44.2

1. AUT 54613 on port failed to keep clear of GER55505 on starboard, and broke RRS 10
2. AUT 54613 did not avoid contact when it was reasonably possible, and broke RRS 14.
3. It was not reasonably possible for GER55505, the right-of-way boat to avoid contact with AUT 54613 when it was clear that AUT 54613 was not keeping clear. GER 55505 did not break RRS 14.
4. By not getting well clear of other boats as soon after the incident as possible before taking the penalty turns, AUT 54613 failed to comply with the requirement of RRS 44.2.
5. Since AUT 54613 caused serious damage by her breach, her penalty was to retire as required by RRS 44.1(b).
6. GER 55505's score in race #3 was not made significantly worse. Therefore, the requirements for redress in RRS 62.1 are not met.

DECISION

AUT 54613 to be scored DSQ # 3
Redress not given to GER 55505

Date & Time: 2022-04-15 18:58 CEST

PROTEST COMMITTEE

Chaired By: Heiko Thoelmann (GER)
Committee Members: Pierluigi De Luise (CRO), Stanko Uzma (SLO), Christian Hotwagner (AUT)Vuga Davorin