

DECISION

Request No.: 05

Protest and Request for Redress

Event: 2021 EUROSAF Platu25 European Championship Race Number: 3
Hearing Schedule: 2021-10-08 18:15

PARTIES AND WITNESSES

Request No.: 05: Platu 25 - LTU 2325 - Karma - ROMAS JOKUBAUSKAS
Platu 25 - UKR 26 - Centravis - YURIY ATANASOV

VALIDITY

Objection to Jury: No Appendix UF
Within Time Limit: Within Time Limit Appendix UF
Incident Identified: Yes Appendix UF
Proper Hail: Protest hailed Appendix UF
Red Flag Displayed: Yes Appendix UF
Decision: Request Valid Appendix UF

PROCEDURAL MATTERS

1. The hearing was held under Appendix UF after signalling that umpires do not have the facts required to make a decision (3.5(d) Appendix UF).
2. LTU 2325 is represented by Romas Jokubauskas.
3. UKR 26 is represented by Yuriy Atanasov.
4. Stavros Kouris and Georgii Paches, members of the International Jury, attended the hearing as observers.

FACTS FOUND

1. The wind was 18 knots, gusting 22 knots with choppy waves of 2 metres.
2. After passing mark 1a UKR 26 and LTU 2325 were overlapped and sailing on starboard tack on a downwind course (run).
3. LTU 2325 was positioned to leeward of UKR 26.
4. The distance between the boats was 2 boat lengths.
5. UKR 1704 was sailing on starboard tack 2 metres ahead of UKR 26 and two boat lengths to windward.
6. UKR 1704 gybed on to port, lost steerage and made contact with UKR 26.
7. As a result of the contact UKR 26 was pushed sideways and made contact with LTU 2325.
8. There is damage to the gelcoat of the hull of LTU 2325.
9. No boat took a penalty.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: Appendix UF, RRS 11, 14, 43.1(a), 62

1. UKR 26 to windward failed to keep clear of LTU 2325 to leeward, and broke RRS 11.
2. Since UKR 26 was compelled to break RRS 11 and 14 as a consequence of UKR 1704 breaking RRS 10, she is exonerated under RRS 43.1(a) for this breach.
3. It was not reasonably possible for LTU 2325, the right-of-way boat to avoid contact with UKR 26 when it was clear that UKR 26 were not keeping clear. LTU 2325 did not break RRS 14.
4. LTU 2325's score in race 7 was made significantly worse through no fault of her own by physical damage because of the action of UKR 1704 that was breaking RRS 10 and was penalized in the hearing of protest #3.

DECISION

Date & Time: 2021-10-08 19:08 EEST

Redress is given to LTU 2325. LTU 2325 is to be scored in race #7 points equal to the average, rounded to the nearest tenth of a point (0.05 to be rounded upward), of her points in all races sailed before the last scheduled day of the regatta, except race #7.

PROTEST COMMITTEE

Chaired By: Pinar Coskuner Genc (TUR)

Committee Members: Timo Haß (GER), Delbart Bernadette (FRA), Patricia Neri (GBR), Olha Balabukha (UKR)

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