

DECISION

Request No.: 09

Protest

Event: H-Boat Worlds Race Number: 10
Hearing Schedule: 2023-08-04 16:30

PARTIES AND WITNESSES

Request No.: 09: H-Boat - AUT 252 - AUT 16 - BARCAROLO - Hermann Deimling

H-Boat - GER 1755 - GER 25 - JOJO WASSERSPORT / BINI - Kay Niederfahrenhorst

Witnesses: Jury

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

The jury was properly constituted under RRS N1.5

AUT 252 (16) - BARCAROLO – was represented by Wolfgang REISINGER

GER 1755 (25) - JOJO WASSERSPORT / BINI - was represented by Micki LIEBL

Alen Kustic member of the Jury was called as a witness

FACTS FOUND

1. Wind was 10 to 15 knots, small chop
2. On the beat to windward, approaching mark 1 for the 1st rounding
3. AUT 252 was sailing on close hauled, above the lay line fetching the mark on starboard tack
4. GER 1755 was sailing on close hauled on port tack, 1 boat length below the port layline and the mark 1
5. GER 1755 was on converging course with AUT 252
6. GER 1755 starts to cross ahead of AUT 252
7. At less than 1 boat length from GER 1755, AUT 252 luffed sharply to avoid contact
8. A contact occurred between AUT 252 's bow and GER 1755 's backstay
9. GER 1755 tacked and took a 1 turn penalty on the reach, and became positioned behind AUT 252 after taking her penalty
10. Both boats finished the race

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: RRS 10, 14, 16.1, 64.2(a)

1. GER 1755 on port tack failed to keep clear of AUT 252 on starboard tack, and broke RRS 10.
2. GER 1755 did not avoid contact when it was reasonably possible, and broke RRS 14.
3. It was not reasonably possible for AUT 252 the right-of-way boat to avoid contact with GER 1755 when it was clear that GER 1755 was not keeping clear. AUT 252 did not break RRS 14.
4. GER 1755 took an appropriate penalty

DECISION

Date & Time: 2023-08-04 17:13 CEST

The protest is upheld. Since GER 1755 took an applicable penalty, she is not further penalized under RRS 64.2(a).

PROTEST COMMITTEE

Committee Type International Jury

Chaired By: Ron Barak (ISR)

Committee Members: Alen Kustic (CRO), Sylvie Harle (FRA)