

DECISION

Request No.: 14

Protest

Event: 39 Copa del Rey MAPFRE Race Number: 1
Hearing Schedule: 2021-08-05 17:40

PARTIES AND WITNESSES

Request No.: 14: ORC 3 - 10461 - Petit Chasseur - oliver ochse
orc 3 - POL 22425 - 2 hot2 handl - antonio Tanger

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

ESP 10461 Oliver Ochse
POL 22425 Cristina Domingos

FACTS FOUND

- On the race number 1 of finals, with 10 knots of wind with choppy sea.
- ESP 10461 on starbord overlap to leeward to POL 22425 entering the zone of outset mark
- The overlap was broken and POL 22425 bore away in the zone
- POL 22425 hit ESP 10461 in the stern on starboard side .
- Damage (a crash on gelcoat)in the stern of ESP 10461,
- Damage(a crash on gelcoat) in the bow of POL 22425.
- POL 22425 took a penalty of one turn,
- Both boats finished the race.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: 18.2b, 18.2c1, 12, 14, 44.1, SI 11, 64.2 a)
POL 22425 outside overlapped at the zone was required by RRS 18.2(b) to give ESP 10461 mark-room. POL 22425 did not continue to do so when the overlap was broken and broke RRS 18.2(b) and 18.2(c)(1).
POL 22425 clear astern failed to keep clear of ESP 10461 clear ahead, and broke RRS 12.
POL 22425 did not avoid contact when it was reasonably possible, and broke RRS 14.
It was not reasonably possible for ESP 10461 the boat sailing within the mark-room to which she was entitled to avoid contact with POL 22425 when it was clear that POL 22425 was not giving mark-room. ESP 10461 did not break RRS 14.

DECISION

Date & Time: 2021-08-05 18:26 CEST

Protest Upheld. BOAT POL 22425 took the applicable penalty and is not further penalized.

PROTEST COMMITTEE

Chaired By: Romain Gautier (FRA)
Committee Members: Laura German (AUS), Yannis Kleidonas (GRE)