

DECISION

Request Number: 02

Protest

Event: Czech championship RS Feva Race Number: 10

Hearing Date: 2019-06-24

PARTIES AND WITNESSES

Initiator: RS Feva - CZE 4056 - Tadas Krasauskas

Respondent(s): RS Feva - HUN 6265 - Bendegúl Náray

Witnesses: David Szmaragowski (CZE 5160)

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

There was arbitration meeting before hearing with full protest committee. After arbitration meeting there was not this protest withdrawn.

FACTS FOUND

1. 6-9 knots of wind in the racing area
2. Upwind leg after the start of the 10th race, CZE 4056 close-hauled starboard tack on collision course with HUN 6265 close-hauled port tack.
3. HUN 6265 tacked to starboard close CZE 4056. CZE 4056 hold her course.
4. There was a collision between CZE 4056's port side of the bow and HUN 6265's starboard side of the stern when HUN 6265 was finishing her tack (tack was finished very close to collision).
5. There was no damage or injury.
6. HUN 6265 did not take 2-Turns Penalty.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

1. Although it was reasonably possible HUN 6265 did not avoid contact with CZE 4056 as required by RRS 14.
2. Although it was reasonably possible, CZE 4056, the right-of-way boat did not avoid contact with HUN 6265 when it was clear that HUN 6265 was not keeping clear, as required by RRS 14. CZE 4056 is exonerated by RRS 14 (b) because there was no damage or injury.
3. When acquiring right of way, HUN 6265 failed to initially give CZE 4056 room to keep clear as required by RRS 15.

DECISION

HUN 6265 is disqualified in race 10.

Date & Time: 2019-06-24 16:25 CEST

PROTEST COMMITTEE

Chaired By: Jan Blahoňovský (CZE)

Committee Members: Radim Vasik (CZE)

Printed: 10 Aug 03:58