

# DECISION

Request Number: 35

## Protest

Event: Kieler Woche 2019 Race Number: 7

Hearing Date: 2019-06-24

### PARTIES AND WITNESSES

**Initiator:** ORC 1 - GER 6409 - Olaf Bohl

**Respondent(s):** ORC 1 - GER 7262 - Florian

**Witnesses:** None

### VALIDITY

**Objection to Jury:** No

**Within Time Limit:** Within Time Limit

**Incident Identified:** Yes

**Proper Hail:** Protest hailed GER 7262 did not hear the hail.

**Red Flag Displayed:** Yes GER 7262 did not see the red flag at the incident but saw it a later meeting.

**DECISION:** Request Valid

### PROCEDURAL MATTERS

### FACTS FOUND

- 1 Wind speed was 14-16 knots
- 2 Wave height was 0.5 - 1 meters
- 3 GER 6409 was on Port
- 4 GER 7262 was on Starboard.
- 5 Just before 1st windward mark GER 6409 tacked to Starboard to leeward of GER 7262
- 6 GER 7262 was windward of GER 6409 and overlapped.
- 7 GER 6409 and GER 7262 rounded the 2nd windward mark still overlapped.
- 8 After rounding the mark. GER 6409 and GER 7262 sailed dead downwind on Starboard.
- 9 The distance between GER 6409 and GER 7262 was 0.5 - 1 meter between the GER 6409 bowsprit and GER 7262 hull
- 10 GER 7262 was ahead of GER 6409 but still overlapped 2-3 boat lengths after rounding the 2nd windward mark
- 11 GER 6409 luffed slightly.
- 12 GER 7262 bore away and gybed.
- 13 There was contact between GER 6409's bowsprit and GER 7262's port pushpit
- 14 The contact caused damage to the covering of the bowsprit of GER 6409
- 15 GER 7262 took a penalty (2 turns) several minutes later, just before the finish

**Diagram:** Diagram not endorsed

### CONCLUSIONS AND RULES THAT APPLY

1. GER 7262 to windward failed to keep clear of GER 6409 to leeward, as required by RRS 11.
2. GER 7262 on port failed to keep clear of GER 6409 on starboard, as required by RRS 10
3. It was not reasonably possible for GER 6409, to avoid contact with GER 7262 when it was clear that GER 7262 was not keeping clear.
4. By delaying her penalty turns for several minutes after the incident, GER 7262 failed to comply with the requirement of RRS 44.2 to promptly take two turns.

### DECISION

GER 7262 is DSQ in race 7

**Date & Time:** 2019-06-24 20:21 CEST

### PROTEST COMMITTEE

**Chaired By:** Henning Jacobsen (GER)

**Committee Members:** Lance Burger (RSA), Christina Örtendahl (SWE), Rainer Heinrich (GER), Jesper Wilken (DEN)