

DECISION

Request Number: 17

Protest and Request for Redress

Event: Laser North American Championship Race Number: 8

Hearing Date: 2018-07-14

PARTIES AND WITNESSES

Initiator: Laser Standard - Men - CAN 199923 - Alexander Heinzemann

Respondent(s): Laser Standard - Men - ARU 205411 - Tijn Van Der Gulik

Witnesses: Ian Clingam-15

VALIDITY

Objection to Jury: No

Within Time Limit: Within Time Limit

Incident Identified: Yes At a minimal level

Proper Hail: Protest hailed

Red Flag Displayed: Yes

DECISION: Request Valid

PROCEDURAL MATTERS

FACTS FOUND

Wind-14-18

Sea State-3-4' with chop

Race 8

CAN and ARU were on a beat to weather. CAN on starboard, ARU on port near the windward mark.

CAN was on a course inside the zone laying the windward mark. ARU was not laying the mark. ARU tacked and tried to duck CAN, but hit CAN's boom and broke the mainsheet block.

The damage adversely impacted CAN's sailing performance in a significant way, but did not prevent her from continuing to race.

ARU rounded the mark, and the offset mark then promptly did a two turns penalty.

While CAN could have kept sailing, she chose not continue in the race and withdrew from race 8 and did not sail in race 9.

Nothing CAN could have done would have prevented a collision.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

A broken block does constitute serious damage. However CAN could have continued racing, albeit not in optimal trim.

The decision by CAN not to continue racing when it was possible to do so contributed to making her scores significantly worse.

ARU did her two turns penalty meeting the requirements of 44.2. However, because there was serious damage, the appropriate penalty under 44.1(b) was for her to retire.

DECISION

ARU DSQ 10, 14, 44.1(b).

While there was damage, CAN could have continued in the race--although not optimally. She does not meet the requirements for redress in 62.1 (through no fault of her own).

Redress is not granted.

Date & Time: 2018-07-14 19:56 PDT

PROTEST COMMITTEE

Chaired By: K Hawkins (USA)

Committee Members: Ben Fels (AUS), Damien Boldyrew (AUS), Kirk Brown (USA), David Pelling (CAN)

Printed: 09 Aug 19:38