

# DECISION

**Request No.: 03**

## Protest

**Event:** ODC2019   **Race Number:** 6

**Hearing Date:** 2019-09-22

### PARTIES AND WITNESSES

**Request No.: 03:** LASER\_STANDARD - NED 211003 - Thomas van Ofwegen  
LASER\_STANDARD - NED 211326 - Erik Voets

### 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

The hearing is in English, because there are two English speaking judges on the panel

### FACTS FOUND

1. In race 6, after the start, 10-12 knots of wind, choppy seastead.
2. NED 211003 is sailing on starboard tack and NED 211326 on port tack on converging course.
3. 211003 bore away about 1 boat length from 211326 to go behind.
4. 211326 did not alter course.
5. There was a collision between the nose of 211003 and the back, where the "team NL" sticker is, of 211326.
6. There was a scratch on the back of 211326.
7. No boat took a penalty.

**Diagram:** Endorsed by Protest Committee

### CONCLUSIONS AND RULES THAT APPLY

1. NED 211326 on port failed to keep clear of NED 211003 on starboard, as required by RRS 10
2. It was not reasonably possible for NED 211003, the right-of-way boat, to avoid contact with NED 211326 when it was clear that NED 211326 was not keeping clear, as stated in RRS 14.

### DECISION

NED 211326 is DSQ in race 6.

**Date & Time:** 2019-09-22 16:35 CEST

### PROTEST COMMITTEE

**Chaired By:** Leo Pieter Stoel (NED)

**Committee Members:** Mina Stanikic (SRB), Nicole de By (NED), Cordelia Procter (GBR)

**Printed:** 2019-09-22 16:59