

DECISION

Request Number: 01

Protest and Request for Redress

Event: 2019 RACEBOARD EUROPEAN CHAMPIONSHIPS Race Number: 3

Hearing Date: 2019-05-14

PARTIES AND WITNESSES

Initiator: RCB - Men - BEL 113 - JAN DE MUYER

Respondent(s): RCB - Men - GER 3 - HARALD SCHOENMUELLER

Witnesses: FRA 1881 - Pierre Buren

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

GER 3 not present - hearing continued under RRS 63.3(b).

FACTS FOUND

1. Wind 15 kn, waves 0,5 m.
2. Board BEL 113 was sailing close-hauled on starboard tack on collision course with board GER 3 sailing close-hauled on port tack.
3. GER 3 hold his course.
4. At distance of 2,5 board lengths from GER 3, BEL 113 bore away in order to avoid the collision.
5. There was a contact with serious damage between BEL 113 board's bow and GER 3 board's starboard side behind the daggerboard.
6. Both boards capsized.
7. There was no injury.
8. Both boards finished the race No. 3.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

1. GER 3 on port failed to keep clear of BEL 113 on starboard, as required by RRS 10.
2. It was reasonably possible for GER 3, the keep clear board, to avoid contact with BEL 113, however he failed to do so, breaking RRS 14.
3. It was not reasonably possible for BEL 113, the right-of-way board, to avoid contact with GER 3 when it was clear that GER 3 was not keeping clear, therefore she did not break RRS 14.
4. Because of the physical damage and capsize caused by GER 3 breaking a rule of Part 2, BEL 113's score was made significantly worse through no fault of her own.

DECISION

Date & Time: 2019-05-14 17:00 CEST

1. GER 3 is disqualified in race 3.
2. Redress is given to BEL 113. BEL 113 is to be scored in race 3 points equal to the average, rounded to the nearest tenth of a point (0.05 to be rounded upward), of her points in races 1 and 2. This shall not be worse than BEL 113's finishing position in race 3 and shall not change the score of the other boats.

PROTEST COMMITTEE

Chaired By: Anastazja Lewandowska (POL)

Committee Members: Jan Blahoňovský (CZE), Radim Vasik (CZE)