

DECISION

Request Number: 36

Protest

Event: Kieler Woche 2019 Race Number: 11

Hearing Date: 2019-06-25

PARTIES AND WITNESSES

Initiator: Laser 4.7 - GER 213282 - Julius Stolte

Respondent(s): Laser 4.7 - CZE 208693 - Zdenek Vyslouzil

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

FACTS FOUND

1. The wind was 10 Kts, flat water.
2. GER 213282 and CZE 208693 were sailing on starboard tack close hauled to mark 1.
3. They were overlapped with the full boatlength in a distance of 1/2 boatlength and CZE 208693 to leeward.
4. In a distance of 2 boatlengths to the mark CZE 208693 tacked to port.
5. There was contact between the bow of CZE 208693 and the port side midships of GER 213282.
6. There was damage on GER 213282. The gelcoat is of the deck is gone off.
7. CZE 208693 was aware that he broke a rule.
8. No boat took a penalty.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

1. CZE 208693 on port failed to keep clear of GER 213282 on starboard, as required by RRS 10
2. Although it was reasonably possible CZE 208693 did not avoid contact with GER 213282 as required by RRS 14.
3. It was not reasonably possible for GER 213282, the right-of-way boat, to avoid contact with CZE 208693 when it was clear that CZE 208693 was not keeping clear.
4. By knowingly breaking a rule and not taking the appropriate penalty, CZE 208693 failed to compete in compliance with the principles of sportsmanship and fair play, as required by RRS 2

DECISION

CZE 208693 is DNE in race 11

Date & Time:

PROTEST COMMITTEE

Chaired By: Johan Sjöstrand (SWE)

Committee Members: Giorgio Davanzo (ITA), Manuel Ken Gamito (POR), Günter Fossler (AUT), Jesper Wilken (DEN)

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