

DECISION

Request No.: 04

Protest

Event: ODC2019 **Race Number:** 5

Hearing Date: 2019-09-22

PARTIES AND WITNESSES

Request No.: 04: LASER_STANDARD - HKG 171979 - Nicholas Bezy
LASER_STANDARD - NED 179398 - Eduardo van Vianen

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 first upwind, 13 knots of wind, choppy seastead.
2. HKG 171979 on starboard and NED 179398 on portside on converging course.
3. About half a boatlength away from NED, HKG let out his sheet and bore away.
4. NED passed in front of HKG.
5. No contact occurred and no boat took a penalty.

Diagram: Endorsed by Protest Committee

CONCLUSIONS AND RULES THAT APPLY

1. There was reasonable doubt that NED on port could have crossed in front of HKG on starboard, as stated in Case 50 of the casebook.
2. NED on port tack did not keep clear of HKG on starboard tack, as required by RRS 10.

DECISION

NED 179398 is DSQ in race 5.

Date & Time: 2019-09-22 16:05 CEST

PROTEST COMMITTEE

Chaired By: Leo Pieter Stoel (NED)

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

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