

DECISION

Request No.: 02

Protest and Request for Redress

Event: 3rd Portugal Grand Prix Race Number: 3
Hearing Date: 2020-12-10

PARTIES AND WITNESSES

Request No.: 02: 49er FX - DEN 370 - Andrea Schmidt
49er FX - NED 66 - Svea Karsenbarg

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

DEN was not present at the hearing. The Jury proceeded with the hearing under rule 63.3b

FACTS FOUND

15 secs before the start, DEN was sailing slowly on starboard, with NED less than one boat length to leeward. NED tacked on to port. DEN tried to tack, but as she had no boat-speed she was unable to do so. There was contact between the bow of NED and the hull forward of the wing of DEN. Both boats capsized. There was damage to DEN, the aft bungee cord preventing the tiller from getting trapped under the wing was broken. DEN retired to repair. NED retired after finishing.
Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

NED, on port, failed to keep clear of DEN, on starboard, and broke rule 10. NED could reasonably have avoided contact and broke rule 14.
It was not reasonably possible for DEN to avoid contact.
DEN's race score was made significantly worse, through no fault of her own, by injury or physical damage because of the actions of NED breaking rule 10.
NED took an applicable penalty

DECISION

Date & Time: 2020-12-10 15:57 UTC

NED no further penalty
DEN request for redress is granted. DEN 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 all races sailed, except race 3. (see RRS A10a)

PROTEST COMMITTEE

Chaired By: Eurico Teodoro (POR)
Committee Members: Antonio Mata (POR), Jean-Luc Michon (FRA), Nuno Gomes (ANG), Gordon Davies (IRL)