

DECISION

Request Number: 38

Protest

Event: Kieler Woche 2019 Race Number: 3

Hearing Date: 2019-06-26

PARTIES AND WITNESSES

Initiator: 49er - blue - FRA 655 - Erwan Fischer

Respondent(s): 49er - blue - NZL 34 - Josh Porebski

Witnesses: Douglas Sloan (jury) was called by the jury

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

1. FRA 655 is represented by Erwan Fischer
2. NZL 34 is represented by Josh Porebski

FACTS FOUND

1. The wind speed was 14kts and flat water, 50m to windward of the finishing line.
2. FRA 655 was sailing downwind on starboard tack, boatspeed of about 18kts.
3. NZL 34 was sailing downwind on port tack, she was on collision course with FRA 655.
4. NZL 34 held her course.
5. In a distance of 2 boat lengths FRA 655 luffed and passed astern of NZL 34 in a distance of less than 1m between her gennaker boom and the crew of NZL 34.
6. There was no contact.
7. Neither boat took a penalty.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

1. NZL 34 on port failed to keep clear of FRA 655 on starboard, as required by RRS 10.

DECISION

NZL 34 is DSQ in Race 3.

Date & Time: 2019-06-26 18:30 CEST

PROTEST COMMITTEE

Chaired By: Steven Wolff (USA)

Committee Members: Günter Fossler (AUT), Andrus Poksi (EST), Ron Barak (ISR), Jesper Wilken (DEN)

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