

DECISION

Request Number: 42

Request for Redress

Event: Kieler Woche 2019 Race Number: 2

Hearing Date: 2019-06-26

PARTIES AND WITNESSES

Initiator: Finn M - CRO 369 - Milan Vujasinovic

Respondent(s): Race Committee

Witnesses: Michal Jodlowski (Jury)

VALIDITY

Objection to Jury: No

Within Time Limit: Within Time Limit

Incident Identified: Yes

Proper Hail: Hail not required

Red Flag Displayed: Not required

DECISION: Request Valid

PROCEDURAL MATTERS

Robert Niemczewski represented race committee.

FACTS FOUND

1. SI 10.2 described the marks for the Finns and Laser Radials on Echo course, and for the Laser Standards on Charlie course as yellow cylinders.
2. SI 10.4 described offset marks as spar buoy displaying a yellow flag.
3. The marks for the Finns and Laser Radials on Echo course were yellow cylinders with a white band with red advertising.
4. The marks for the Laser Standards on Charlie course were yellow cylinders with a white band with blue advertising.
5. In Race 1, Mark 3 for Charlie course was set 100 metres to windward of Mark 1 (first windward mark) for Echo course.
6. In Race 1 all the Finns rounded correctly Mark 1 for Echo course.
7. In Race 2, Mark 1 for Echo course was moved 150 metres to the left (looking upwind) of Mark 3 for Charlie course and further downwind at an angle of 45° to the true wind direction at a distance of 0.91 nm from the Echo course signal boat.
8. The wind was 12 knots, increasing to 15 knots.
9. On the first beat to windward in Race 2, CRO 369 was one of the top 2 lead boats in a 25 boat fleet.
10. On seeing the 2 yellow marks to windward, CRO 369 assumed that Mark 1 for Echo course was an offset mark for the Laser Radial fleet, which was scheduled to start after the Finns.
11. There was no offset mark set for the Laser Radials in Race 1 or Race 2.
12. At a distance of 200 metres to leeward of the marks, it was clear that Mark 1 for Echo course was more to leeward than Mark 3 for Charlie course.
13. CRO 369 and 3 other following boats sailed towards the incorrect mark, being Mark 3 for Charlie course.
14. The other boats sailed to Mark 1 for Echo course.
15. CRO 369 and the 3 other following boats changed course to sail towards Mark 1 for Echo course.
16. CRO 369 rounded Mark 1 for Echo course in 11th position.
17. CRO 369 finished 7th out of 23.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

1. Positioning two racing areas using the same described marks within 100 metres of each other is an improper action of the race committee.
2. By choosing to sail towards Mark 3 for Charlie course instead of the closer mark, being Mark 1 for Echo course, CRO 369 was at fault and contributed to worsening her score.
3. By assuming that Mark 1 for Echo course was an offset mark for the Laser Radial Fleet, CRO 369 was at fault and contributed to worsening her score.
4. The score of CRO 369 was not made worse through no fault of her own, therefore she is not entitled to redress as per RRS 62.1.

DECISION

Date & Time: 2019-06-26 18:20 CEST

Redress not given.

PROTEST COMMITTEE

Chaired By: Danielle Lawson (USA)

Committee Members: Lance Burger (RSA), Anastazja Lewandowska (POL), Line Juhl (DEN), Tracy Heritage (AUS)

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