

DECISION

Protest

Request Number: 43

Heard Jointly With Number(s): 44, 45

Event: Kieler Woche 2019 Race Number: 1
Hearing Date: 2019-06-26

PARTIES AND WITNESSES

Initiator: Race Committee

Respondent(s): Nacra 17 - DEN 71 - Lin Cenholt

VALIDITY

Objection to Jury: No

Within Time Limit: Within Time Limit

Incident Identified: Yes

Proper Hail: Hail not required DEN 71 was properly informed of the intention to protest by a notice on the notice board

Red Flag Displayed: Yes

DECISION: Request Valid

PROCEDURAL MATTERS

Heard together with case no 44 and 45.

FACTS FOUND

1. Race 1, 14 knots of wind, 30 seconds to start.
2. DEN 71, FIN 440 and GER 468 sailed on starboard tack towards the starting line.
3. FIN 440 was a boat length to windward of DEN 71 and overlapped.
4. DEN 71 was the closest boat to the pin.
5. GER 468 was a boat length to windward of FIN 440 and overlapped.
6. 10 seconds before the start DEN 71 started slightly luffing and FIN 440 started luffing, too.
7. After FIN 440 luffed, GER 468 started luffing too.
8. 5 seconds after the last course change the distance between the hull of DEN 71 and FIN 440 was 1 meter, the distance between the hull of FIN 440 and GER 468 was 1 meter.
9. There was contact between the crew on a trapeze of DEN 71 and the port hull of FIN 440.
10. At the same time there was contact between the crew on a trapeze of FIN 440 and the port hull of GER 468.
11. DEN 71 touched the anchor line of the pin-end vessel with her port rudder.
12. No penalty was taken.
13. There was no damage.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

1. GER 468 to windward failed to keep clear of FIN 440 to leeward, as required by RRS 11.
2. FIN 440 to windward failed to keep clear of DEN 71 to leeward, as required by RRS 11.
3. Although it was reasonably possible, GER 468 did not avoid contact with FIN 440 as required by RRS 14.
4. It was not reasonably possible for FIN 440 to avoid contact with DEN 71 and GER 468.
5. It was reasonably possible for DEN 71 to avoid contact with FIN 440. However contact did not cause damage she is exonerated under RRS 14(b).
6. FIN 440 was compelled to break a rule by the actions of GER 468 and is exonerated under RRS 64.1.

DECISION

GER 468 is DSQ in race 1.

Date & Time: 2019-06-26 21:10 CEST

PROTEST COMMITTEE

Chaired By: Danielle Lawson (USA)

Committee Members: Anastazja Lewandowska (POL), Christina Örtendahl (SWE), Barbara Stodal (GER), Line Juhl (DEN)

