

DECISION

Request No.: 21

Protest

Event: 41 Copa del Rey MAPFRE Race Number: 5
Hearing Schedule: 2023-08-05 18:30

PARTIES AND WITNESSES

Request No.: 21: ORC 3 - NED 12 - Yellow rose - Marten Jan Ringers

Orc3 - GBR66 - LaPlaza Assesors - Alesandre Laplaza

VALIDITY

Objection to Jury: No

Within Time Limit: Within Time Limit

Incident Identified: Yes

Proper Hail: Protest hailed

Red Flag Displayed: Yes

Decision: Request Valid

PROCEDURAL MATTERS

1. Rodny Heemskerk, tactician, attended the hearing representing NED 12.
2. Carlos Rodriguez attended the hearing representing GBR 66.
3. Martebjn Ringers, owner of NED 12, attended the hearing as an observer.

FACTS FOUND

1. There were 15knots of wind, with choppy sea.
2. NED 12 and GBR 66 were sailing upwind approaching mark 1 on opposite tacks on a collision course, with GBR 66 on port.
3. GBR 66 bore away sharply.
4. GBR 66 hull pierced NED 12 port side close to the winches, causing a V-shaped hole on both the side and the deck.
5. NED 12 starboard bow was pierced.
6. Both boats retired.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: RRS 10, 14 and 64.2(a).

1. GBR 66 on port failed to keep clear of NED 12 on starboard, and broke RRS 10
2. GBR 66 did not avoid contact when it was reasonably possible, and broke RRS 14.
3. It was not reasonably possible for NED 12, the right-of-way boat to avoid contact with GBR 66 when it was clear that GBR 66 was not keeping clear. NED 12 did not break RRS 14.

DECISION

Date & Time: 2023-08-05 17:29 CEST

The protest is upheld. Since GBR 66 took an applicable penalty, she is not further penalized under RRS 64.2(a).

PROTEST COMMITTEE

Committee Type: International Jury

Chaired By: Manuel Ken Gamito (POR)

Committee Members: Andres Perez (ESP), Pinar Coskuner Genc (TUR), Miguel Allen (POR), Giorgio Davanzo (ITA)