

DECISION

Request No.: 02

Protest

Event: Eastern Hemisphere Championship 2022 Race Number: Start before 4th race
Hearing Schedule: 2022-04-29 17:15

PARTIES AND WITNESSES

Request No.: 02: Starclass - 852 - Frieda - Julia Müller

Starclass - 8496 - Steffan Thunell

VALIDITY

Objection to Jury: No

Within Time Limit: Within Time Limit

Incident Identified: Yes

Proper Hail: Hail not required Informed the other boat within the time limit of RRS 61.3

Red Flag Displayed: Not required Serious damage obvious to the protesting boat. RRS 61.1(a)
(4)

Decision: Request Valid

PROCEDURAL MATTERS

1. AUT 852 represented by Julia Muller
2. SWE 8496 represented by Steffan Thunell

FACTS FOUND

1. Wind 12-14kn, sea state wavy.
2. 40 sec before the starting signal of race #4, AUT 852 was sailing on port tack below close hauled 2 boat lengths below the starting line.
3. SWE 8496, on starboard tack, was sailing at slow speed with her sails flapping, on a close hauled course 1 boat length below the starting line.
4. AUT 852, still on port tack, luffed above close hauled, at a distance of 1 1/2 boat length to leeward of SWE 8496.
5. At the same moment SWE 8496 bore away to pass behind AUT 852.
6. Immediately after, contact occurred between the bow of SWE 8496 and the right side of AUT 852's hull, 20 cm from the stern, causing a hole (that covered the side of the hull and was going also under it) on the hull of AUT 852.
7. AUT 852 started taking water inside the boat.
8. There was no damage on SWE 8496.
9. SWE 8496 started and finished the race. AUT 852 did not start in the race.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: 10, 14

1. AUT 852 on port failed to keep clear of SWE 8496 on starboard, and broke RRS 10.
2. AUT 852 did not avoid contact when it was reasonably possible, and broke RRS 14.
3. It was not reasonably possible for SWE 8496, the right-of-way boat to avoid contact with AUT 852 when it was clear that AUT 852 was not keeping clear. SWE 8496 did not break RRS 14.

DECISION

Date & Time: 2022-04-29 17:45 CEST

Protest upheld. AUT 852 took the applicable penalty and is not further penalized.

PROTEST COMMITTEE

Chaired By: Antonio Rutoli (ITA)

Committee Members: Luigi Bertini (ITA), Timo Haß (GER), Stavros Kouris (GRE), Eva Andersson (SWE)

