

DECISION

Protest

Request No.: 25

Heard Jointly With Number(s): 28

Event: 2022 49er, 49erFX and Nacra 17 World Championships Race Number: 10
Hearing Schedule: 2022-09-03 18:45

PARTIES AND WITNESSES

Request No.: 25: 49er - 49er - 226 - Samuel Bacon

49er

Request No.: 28: 49er - CAN 226 - Ryan Wood

49er - NZL 900 - Samuel Bacon

Witnesses: CAN 170 Alex Heinzman

VALIDITY

Objection to Jury: No

Within Time Limit: Within Time Limit

Incident Identified: Yes

Proper Hail: Protest hailed

Red Flag Displayed: No

Decision: Request Valid

PROCEDURAL MATTERS

FACTS FOUND

1. CAN 226 was sailing close-hauled on port tack below the port layline to Mark 1.
2. NZL 900 rounded Mark 1, started hoisting the gennaker, and continued to bear away.
3. NZL 900's bow made contact with CAN 226's port hull in front of the wing.
4. There is a 50cm hole in CAN's hull and the bulkhead is damaged.
5. No boats took a penalty.
6. CAN 226 did not finish 10, did not sail in race 11. She will be racing tomorrow.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: 16.1, 14, 62.1(b)

1. When changing course, NZL 900, the right of way boat failed to give CAN 226 room to keep clear and broke RRS 16.1.
2. NZL 900 did not avoid contact when it was reasonable possible and broke rule 14.
3. It was not reasonably possible for CAN 226 to avoid contact and did not break rule 14.
4. CAN 226's score in races 10 and 11 was made significantly worse through no fault of her own by physical damage because of the action of NZL 900 that was breaking RRS 16 and 15 and is to be penalized.

DECISION

Date & Time: 2022-09-03 20:03 ADT

1. NZL is DSQ in Race 10.
2. Redress is given to CAN. CAN is to be scored in races 10 and 11 points equal to the average, rounded to the nearest tenth of a point (0.05 to be rounded upward), of her points in all races of the final series (race 9 to end of racing on Sunday 4th September) sailed before the last scheduled day of the regatta if racing is later scheduled on that day, except races 10 and 11.

PROTEST COMMITTEE

Chaired By: Michael Turner (CAN)

Committee Members: Alan Baser (GBR), Ilca Heinrich (GER)