

DECISION

Request No.: 02

Protest

Event: Fireball Open European Championship 2023 Race Number:
Hearing Schedule: 2023-09-17

PARTIES AND WITNESSES

Request No.: 02: Fbl - FRA 15081 - Florence Devaux

Fbl - SLO 14984 - Marko Volk

Witnesses: No

Interpreters: No

VALIDITY

Objection to Jury: No

Within Time Limit: Within Time Limit

Incident Identified: Yes

Proper Hail: Protest hailed

Red Flag Displayed: N/A

Decision: Request Valid

PROCEDURAL MATTERS

FACTS FOUND

- 1) Before the warning signal of race number 1 SLO 14984 on port and FRA 15081 on starboard were sailing on a collision course.
- 2) Contact bow to bow occurred between the two boats.
- 3) Damage on FRA 15081, which did not prevent her to sail.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: RRS 10, 14

1. SLO 14984 on port failed to keep clear of FRA 15081 on starboard, and broke RRS 10.
2. SLO 14984 did not avoid contact when it was reasonably possible, and broke RRS 14.
3. Since FRA 15081 was right-of way boat and the contact did not cause damage on SLO 14984, she is exonerated under RRS 43.1(c) for breaking RRS 14.
4. Since SLO 14984 was not racing but was sailing near the racing area and intended to race, and there was no serious damage, the preamble to RRS Part 2 applies and SLO 14984 shall not be penalized.

DECISION

Date & Time: 2023-09-17 18:27 CEST

Protest upheld. Since the provision of preamble to RRS Part 2 applies, no penalty is imposed on SLO 14984.

PROTEST COMMITTEE

Committee Type: Protest Committee

Chaired By: Franco Battistin (CRO)

Committee Members: Bojan Gale (SLO), Jean-Pierre Cordonnier (FRA), Jernej Kramperssek (SLO), Ute Reisinger (AUT)