

DECISION

Request No.: 03

Protest

Event: H-Boat Worlds Race Number: 2
Hearing Schedule: 2023-08-01 18:40

PARTIES AND WITNESSES

Request No.: 03: H Boat - 62 - Flower Power - Els Van Der Werf

H-Boat - DEN 523 - MILLE MUS - Bent Holm Nielsen

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

The jury was properly constituted under RRS N1.5

FACTS FOUND

1. Wind was 18 to 20 knots and the sea was choppy.
2. 10 seconds before the start:
3. NED 62 was sailing on starboard tack towards the starting line
4. DEN 523 was sailing faster at 6.4 knts on starboard tack towards the starting line, clear astern and slightly to leeward of NED 62
5. DEN 523 creates an overlap at 1 m to leeward of NED 62
6. NED 62 tries to luff and there was immediately a collision between NED 62's port last quarter and DEN 523's starboard 1st head quarter, causing scratches
7. No boat took a penalty turn
8. Both boats finished the race

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: RRS 11, 14, 15, 43.1(b)

1. When acquiring right of way through her own actions, DEN 523 failed to initially give NED 62 room to keep clear, and broke RRS 15.
2. DEN 523 did not avoid contact when it was reasonably possible, and broke RRS 14.
3. NED 62 to windward failed to keep clear of DEN 523 to leeward, and broke RRS 11.
4. Since NED 62 broke RRS 11 while she was sailing within the room to which she was entitled, she is exonerated under RRS 43.1(b) for this breach.
5. It was not reasonably possible for NED 62 the boat sailing within the room to which she was entitled to avoid contact with DEN 523 when it was clear that DEN 523 was not giving room. NED 62 did not break RRS 14.

DECISION

DEN 523 DSQ in race 2

Date & Time: 2023-08-01 19:45 CEST

PROTEST COMMITTEE

Committee Type: International Jury

Chaired By: Ron Barak (ISR)

Committee Members: Walter D'Auria (ITA), Alen Kustic (CRO), Sylvie Harle (FRA)