

DECISION

Request No.: 02

Protest

Event: 2023 J/24 World Championship - N.C.TH. Race Number:
Hearing Schedule: 2023-09-14 09:30

PARTIES AND WITNESSES

Request No.: 02: J24 - GBR4271 - Chris Harden

J24 - ARG5479 - Javier Marcelo Moyano

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

Heard together with protest number 5.

FACTS FOUND

1- 5 knots, flat sea.

2- GBR 4271 on port tack was sailing on leg two to round mark 2 p with less than a boat length overlapped to windward of GER 5381 on port tack.

3- When GBR 4271 & GER 5381 entered the zone, ARG 5479 was starboard and clear astern of GBR 5381.

4- While rounding, ARG 5479 contacted GBR 4271 with her bow on GBR 4271's side about one meter from the port aft corner.

5- There is minor gelcoat damage on GBR 4271's port side.

6- No boat took a penalty turn.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules:

1. Since there was reasonable doubt that ARG 5479 obtained overlap before GBR 4271 reached the zone, in accordance with RRS 18.2(e) it is presumed that she did not do so.

2. ARG 5479, clear astern at the time GBR 4271 reached the zone, failed to give GBR 4271 mark-room, and broke RRS 18.2(b).

3. ARG 5479 did not avoid contact when it was reasonably possible, and broke RRS 14.

4. It was not reasonably possible for GBR 4271, the boat sailing within the room to which she was entitled to avoid contact with ARG 5479 when it was clear that ARG 5479 was not giving mark-room. GBR 4271 did not break RRS 14.

5. By not completely taking the penalty, ARG 5479 failed to comply with the requirements of RRS 44.2.

DECISION

ARG 5479 is DSQ in race 5.

Date & Time: 2023-09-14 10:20 EEST

PROTEST COMMITTEE

Committee Type: International Jury

Chaired By: Willii Gohl (GER)

Committee Members: Pinar Coskuner Genc (TUR), Jared Hickman (USA), Stephan Zeyn (GER), Nikoletta Deligianni (GRE)