

DECISION

Protest

Request No.: 05

Heard Jointly With Number(s): 06, 07

Event: St Maarten Heineken Regatta Race Number: 2
Hearing Schedule: 2022-03-04 17:30

PARTIES AND WITNESSES

Request No.: 05: CSA 3 - USA 60295 - Isobel - Brian Higgins

Multihull 1 - 2 2 TGO - 2 2 Tango - Anthony McVeigh

Request No.: 07: Multihull 1 - 2 2 TGO - 2 2 Tango - Anthony McVeigh

Multihull 1 - CHAUD PATATE - christophe cols

Request No.: 06: Multihull 1 - 2 2 TGO - 2 2 Tango - Anthony McVeigh

CSA 3 - USA 60295 - Isobel - David Greenstein

Witnesses: Adam Loowry - Isobel

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 hearing was heard in the absence of Chaud Patate, according to RRS 63.3(b).

FACTS FOUND

There was approximately 17 knts of wind, with choppy seas.

Prestige, Isobel, 22 TGO and Chaud Patate were sailing on a run, on starboard tack.

At the zone of mark 4 to be left to starboard, Prestige was clear ahead of Isobel, 22 TGO and Chaud Patate, and was sailing at a slower speed.

Isobel was overlapped with 22 TGO, with Isobel on the inside of 22 TGO. Chaud Patate was clear astern of all boats.

Chaud Patate established an overlap on the outside of 22 TGO inside of the zone.

While rounding the mark, as Prestige hardened up to the wind, Isobel bore away to avoid her, while 22 TGO maintained course.

Isobel bore away sharply a second time.

22 TGO collided with Isobel.

The starboard bow of 22 TGO hit Isobel 17 feet of her stern, creating an indentation.

Throughout the incident, Chaud Patate was overlapped on the outside of 22 TGO with a couple of feet between them.

No boat took a penalty.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: 11, 14, 18.2(a), 18.2(b), 43.1(a), 43.1(b), 62.1(b)

By bearing away at the mark, Isobel clear astern of prestige, gave her the mark-room to which she was entitled, complying with RRS 18.2(b). When she bore away a second time, she minimized the damage between her and 22TGO

For Isobel it was not reasonable possible to avoid the contact between her boat and 22 TGO, and therefore did not break RRS 14.

Isobel to windward of 22 TGO failed to keep clear of 22 TGO, breaking RRS 11, but is exonerated under RRS 43.1(b).

22 TGO outside of Isobel failed to give Isobel mark-room, infringing RRS 18.2(b) but it is exonerated under RRS 43.1(a) due to Chaud Patate's position.

For 22 TGO it was not reasonably possible to avoid the contact, and therefore did not break RRS 14.

Chaud Patate outside of 22 TGO failed to give 22 TGO mark-room, infringing RRS 18.2(a).

Because there was no serious damage between the boats, no boat is entitled to redress under RRS 62.1(b).

DECISION

Date & Time: 2022-03-04 19:00 -04

Chaud Patate is to be scored DSQ in Race 2

PROTEST COMMITTEE

Chaired By: David de Vries (Sint Maarten (Dutch part))

Committee Members: David de Vries (Sint Maarten (Dutch part)), Elliot Levy (VEN), Eric Tulla (PUR), Sylvie Harle (FRA)

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