

DECISION

Request No.: 01

Protest

Event: Junior World Championships-49er,49erFX and Nacra 17 Race Number: 3
Hearing Schedule: 2022-08-03 18:10

PARTIES AND WITNESSES

Request No.: 01: 49erFX - SWE 969 - Julia HENRIKSSON

49erFX - GBR 713 - Maeve - Jessica JOBSON

Witnesses: DEN 353 (Katrine SCHMIDT)

VALIDITY

Objection to Jury: No

Within Time Limit: Within Time Limit

Incident Identified: Yes

Proper Hail: Protest hailed

Red Flag Displayed: Not required

Decision: Request Valid

PROCEDURAL MATTERS

1. Ellen Nielsen (crew of DEN 353) attended the hearing as an observer.
2. Victor Bergstrom (coach of SWE 969) attended the hearing as an observer.
3. Tom Walker (coach of GBR 713) attended the hearing as an observer.

FACTS FOUND

1. Wind speed: 13 knots.
2. DEN 353 was sailing close-hauled on starboard tack on a collision course with GBR 713 and SWE 969, which were sailing close-hauled and on port tack.
3. SWE 969 was overlapped to windward of GBR 713 with a distance of 1.5 boat lengths between them.
4. When GBR 713 and SWE 969 were 2 boat lengths from DEN 353, they bore away.
5. GBR 713 passed behind the stern of DEN 353 with a distance of 0.5 meters between her port wing and the stern of DEN 353.
6. When SWE 969 was less than 1 boat length from DEN 353, she luffed and passed head to wind.
7. If SWE 969 had not changed her course, her bow would have collided with the port wing of DEN 353.
8. DEN 353 luffed sharply.
9. After passing head to wind but before being close-hauled, the starboard wing of SWE 969 made contact with the port wing of DEN 353, causing the bungee of SWE 969 to break.
10. No boat took a penalty.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: RRS 13, 14, 19.2(b), 43.1(b)

1. GBR 713, the outside boat at an obstruction, failed to give SWE 969 room to pass between her and the obstruction, despite being able to do so from the time the overlap began. GBR 713 broke RRS 19.2(b).
2. After passing head to wind and before being on a close-hauled course, SWE 969 failed to keep clear of DEN 353. SWE 969 and broke RRS 13.
3. Since SWE 969 broke RRS 13 while she was sailing within the room to which she was entitled, she is exonerated under RRS 43.1(b) for this breach.
4. It was not reasonably possible for SWE 969, the boat sailing within the room to which she was entitled, to avoid contact with DEN 353 when it was clear that GBR 713 was not giving room. SWE 969 did not break RRS 14.
5. It was not reasonably possible for DEN 353, the right-of-way boat, to avoid contact with SWE 969 when it was clear

that SWE 969 was not keeping clear. DEN 353 did not break RRS 14.

DECISION

Date & Time: 2022-08-03 18:59 CEST

GBR 713 is DSQ in race 3.

PROTEST COMMITTEE

Chaired By: Adrian Bauder (SUI)

Committee Members: Václav Brabec (CZE), Piero Occhetto (ITA), Claudio Reynaud (SUI), Ambrogio Giuseppe (ITA)

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