

DECISION

Protest

Request No.: 11

Heard Jointly With Number(s): 12

Event: Junior World Championships-49er,49erFX and Nacra 17 Race Number: 3
Hearing Schedule: 2022-08-04 19:45

PARTIES AND WITNESSES

Request No.: 11: 49erFX - GER 696 - Katharina Schwachhofer

49erFX - GER 696 - Katharina Schwachhofer

Request No.: 12: 49erFX - GER 696 - Katharina Schwachhofer

49erFX - GER 169 - Bayern Express - Noel Wagner

Witnesses: GER 345, Charlotte

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. GER 696 lodged protest number 11 within the protest time limit.
2. GER 696 realized that she made a mistake by stating the wrong protestee. As the system did not allow her to correct the error in the same case, she lodged a new hearing request (number 12) with the same content but the correct protestee before the hearing started as provided under RRS 61.2.
3. At the time of the incident it was obvious to GER 696 that serious damage resulted. GER 696 informed GER 169 of the protest within the protest time limit, in accordance with RRS 61.1(a)(4).

FACTS FOUND

1. GER 169 on starboard tack and GER 696 on port tack were sailing towards the pin end on converging courses.
2. GER 696 entered the zone overlapped inside.
3. GER 169 gybed on port and to windward of GER 696.
4. GER 169 lost control, heeled to windward and nearly capsized.
5. There was contact between starboard side of GER 169 and the port side of GER 696.
6. There was damage to GER 696: cracks to the port wing and 2 bumps to the port side of the hull.
7. GER 696 passed the pin end within a distance of less than 0,5 meter.
8. The contact remained while both boats were finishing.
9. No boat took a penalty.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: RRS 11, 14, 18.2(b)

1. GER 169 outside overlapped at the zone failed to give GER 696 mark-room, and broke RRS 18.2(b).
2. GER 169 to windward failed to keep clear of GER 696 to leeward, and broke RRS 11.
3. GER 169 did not avoid contact when it was reasonably possible, and broke RRS 14.
4. It was not reasonably possible for GER 696 the right-of-way boat and the boat sailing within the mark-room to which she was entitled to avoid contact with GER 169 when it was clear that GER 169 was not keeping clear and not giving mark-room. GER 696 did not break RRS 14.

DECISION**Date & Time:** 2022-08-04 20:57 CEST

GER 169 is DSQ in race 6.

PROTEST COMMITTEE**Chaired By:** Yoann Peronneau (FRA)**Committee Members:** Václav Brabec (CZE), Adrian Bauder (SUI), Piero Occhetto (ITA), Ambrogio Giuseppe (ITA)**Printed:** 05 Aug 10:19