

DECISION

Request No.: 09

Request for Redress

Event: Fireball Open European Championship 2023 Race Number:
Hearing Schedule: 2023-09-22

PARTIES AND WITNESSES

Request No.: 09: Fbl - U25 - SLO 14733 - Jaka Valjavec

Fbl - GBR 14798 - Nicholas Rees

VALIDITY

Objection to Jury: No

Within Time Limit: Within Time Limit

Incident Identified: Yes

Proper Hail: Protest hailed

Red Flag Displayed: N/A

Decision: Request Valid

PROCEDURAL MATTERS

FACTS FOUND

- 1) 10 knots; choppy sea.
- 2) After the start SLO and GBR were on the windward leg, SLO on starboard tack, GBR on port tack.
- 3) Contact occurred between SLO's port side and GBR's bow.
- 4) Damage on both boats; both boats retired.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: RRS 10, 14

1. GBR on port failed to keep clear of SLO on starboard, and broke RRS 10.
2. GBR did not avoid contact when it was reasonably possible, and broke RRS 14.
3. It was not reasonably possible for SLO, the right-of-way boat to avoid contact with GBR when it was clear that GBR was not keeping clear. SLO did not break RRS 14.
4. Since GBR caused serious damage by her breach, her penalty was to retire as required by RRS 44.1(b).
5. SLO's score in race 8 was made significantly worse through no fault of her own by an action of GBR, who took the proper penalty. Therefore, the requirements for redress in RRS 62.1(b) are met.

DECISION

Date & Time: 2023-09-22 15:57 CEST

- 1) No further penalty against GBR 14798 - RRS 44.1(b).
- 2) Redress is given to SLO 14733. SLO 14733 to be scored in race 8 points equal to the average, rounded to the nearest tenth of a point (0.05 to be rounded upward), of her points in all races, except race 8. No other boat's score shall change.

PROTEST COMMITTEE

Committee Type: International Jury

Chaired By: Jean-Pierre Cordonnier (FRA)

Committee Members: Bojan Gale (SLO), Jean-Pierre Cordonnier (FRA), Jernej Kramperek (SLO), Ute Reisinger (AUT)