

# DECISION

Protest

Request No.: 30

Heard Jointly With Number(s): 31

Event: 2021 Zhik 29er European Championships Race Number: 2  
Hearing Schedule: 2021-10-26

## PARTIES AND WITNESSES

**Request No.: 30:** 29er - Silver - 2361 - Pennetier

AUT3060 - 3060

**Request No.: 31:** FRA2361 - Pennetier

Aut 3060

**Witnesses:** FRA 2980

## 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

FRA 2361 was represented by Caroline Pennetier

AUT 3060 was represented by Paul Kropfitsch.

## FACTS FOUND

1. 29er Silver fleet, race No. 9, wind around 11 knots.
2. After rounding mark 1 to be left to port, FRA 2361 gybed on port
3. At that moment FRA 2980 was sailing upwind on port, on a collision course with FRA 2361. The distance between the boats was 3m.
4. FRA 2361 started luffing, while FRA 2980 was holding her course.
5. Contact occurred between the bow of FRA 2980 and the starboard aft side of FRA 2361 hull, creating a small dent on the gelcoat on FRA 2361.
6. AUT 3060 rounded the mark behind FRA 2361 and gybed on port 2m behind the transom of FRA 2361.
7. After gybing the distance between AUT 3060 and FRA 2980, still in contact with FRA 2361, was 1m.
8. AUT 3060 bore away slightly but her bow sprit got entangled with the triangle of FRA 2980.
9. FRA 2980's bow started pushing FRA 2361 and caused her to bear away and gybe, remaining stationary for 1-2 min.
10. AUT 3060 did a two turns penalty.

**Diagram:** Diagram not endorsed

## CONCLUSIONS AND RULES THAT APPLY

**Rules:** RRS 11, 14, 62.1, 64.2(a)

1. FRA 2361 to windward failed to keep clear of FRA 2980 to leeward, and broke RRS 11.
2. FRA 2361 did not avoid contact when it was reasonably possible, and broke RRS 14.
3. AUT 3060 to windward failed to keep clear of FRA 2980 to leeward, and broke RRS 11.
4. AUT 3060 did not avoid contact when it was reasonably possible, and broke RRS 14.
5. It was not reasonably possible for FRA 2980, the right-of-way boat to avoid contact with FRA 2361 and AUT 3060 when it was clear that FRA 2361 and AUT 3060 were not keeping clear. FRA 2980 did not break RRS 14.

6. FRA 2361 score in race 9 was made significantly worse through her own fault. Therefore, the requirements for redress in RRS 62.1 are not met.

**DECISION**

**Date & Time:** 2021-10-26 21:01 CEST

1. FRA 2361 is DSQ in Race 9
2. AUT 3060 took the applicable penalty and is not further penalized.
3. Redress is not given to FRA 2361.

**PROTEST COMMITTEE**

**Chaired By:** Carlos Garcia Motta (ESP)

**Committee Members:** Walter D'Auria (ITA), Stavros Kouris (GRE)

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