

DECISION

Request No.: 04

Protest

Event: Junior World Championships-49er,49erFX and Nacra 17 Race Number: 2
Hearing Schedule: 2022-08-03 19:20

PARTIES AND WITNESSES

Request No.: 04: 49er - FRA 811 - Team Tarangau - Théo Revil

49er - ESP 457 - martin wizner

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. Ero Pons Penin (coach of ESP 457) attended the hearing as an observe

FACTS FOUND

1. Wind speed: 10-13 knots
2. ESP 457 was on port tack below the port pin-end lay-line.
3. FRA 811 was on starboard, passed in front of the ESP 457, and tacked onto port.
4. When FRA 811 finished her tack, she was clear astern of ESP 457 in a distance of 1.5 boat lengths to windward of her.
5. 7 seconds prior to the starting signal, both boats bore away aiming to pass astern of an unidentified starboard boat "S".
6. FRA 811 was sailing lower and faster than ESP 457.
7. 5 seconds prior to the starting signal, FRA 811 established an overlap to windward of ESP 457.
8. At the time of the starting signal, ESP 457 was passing astern of boat "S" at a distance of less than 1 meter between her port wing and the stern of boat "S".
9. FRA 811 sailed in between ESP 457 and boat "S".
10. A contact occurred between FRA 811 and the tiller extension of boat "S" with scratches on the port wing of FRA 811.
11. No boat took a penalty.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: RRS 10, 14, 19.2(b), 43.1(b)

1. ESP 457 the outside boat at the obstruction, failed to give FRA 811 room to pass between her and the obstruction, despite being able to do so from the time the overlap began. ESP 457 broke RRS 19.2(b).
2. FRA 811 on port failed to keep clear of boat "S" on starboard, and broke RRS 10.
3. Since FRA 811 broke RRS 10 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 FRA 811, the boat sailing within the room to which she was entitled, to avoid contact with the boat "S" when it was clear that ESP 457 was not giving room. FRA 811 did not break RRS 14.
5. It was not reasonably possible for boat "S", the right-of-way boat, to avoid contact with FRA 811 when it was clear that FRA 811 was not keeping clear. Boat "S" did not break RRS 14.

DECISION

ESP 457 is DSQ in race 2.

Date & Time: 2022-08-03 20:51 CEST

PROTEST COMMITTEE

Chaired By: Adrian Bauder (SUI)

Committee Members: Yoann Peronneau (FRA), Václav Brabec (CZE), Piero Occhetto (ITA), Ambrogio Giuseppe (ITA)