

# DECISION

Request No.: 07

## Protest by PC and Request for Redress by PC

Event: 2023 RS500 World Championship Race Number: 2  
Hearing Schedule: 2023-07-26

### PARTIES AND WITNESSES

**Request No.: 07:** Protest Committee

RS 500 - CZE 1053 - Jan Dvořák

**Witnesses:** GER 807 Emil Saeger

### VALIDITY

**Objection to Jury:** No

**Within Time Limit:** Within Time Limit

**Incident Identified:** Yes

**Proper Hail:** Hail not required

**Red Flag Displayed:** Not required

**Decision:** Request Valid

### PROCEDURAL MATTERS

The IJ is acting under RRS 60.3(1)(a) - see decision in case 3.

The IJ called a hearing to consider redress under RRS 60.3(b).

The chairman of the IJ appointed a panel of four members from 4 different MNA's (CZE GER GRE ITA) with 3 International Judges, under RRS N1.4(b).

### FACTS FOUND

1. Wind speed 15 kn, a bit choppy, first downwind run of race 2. The incident occurred 200 m from mark 1.
2. CZE on port tack was running with the gennaker set up on a parallel course, 1.5 boat lengths to windward of GER.
3. GER on stb tack was beating on her first windward leg.
4. CZE gybed to stb tack and assumed a collision course 1-2 m. to windward of GER.
5. A collision with damage occurred between CZE's bowsprit and GER's stb side below the waterline.
6. GER has a hole of 8-12 cm in diameter in the hull.
7. GER retired from race 2 and did not sail in races 3, 4 and 5 on 26-July-2023.
8. CZE retired from race 2.

**Diagram:** Diagram not endorsed

### CONCLUSIONS AND RULES THAT APPLY

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

1. CZE to windward failed to keep clear of GER to leeward and broke RRS 11.
2. CZE did not avoid contact when it was reasonably possible, and broke RRS 14. As a result of the incident, there was serious damage to GER.
3. It was not reasonably possible for GER, the right-of-way boat, to avoid contact when it was clear that CZE was not keeping clear. GER did not break RRS 14.
4. GER's score in races 2, 3, 4 and 5 was made significantly worse through no fault of her own by physical damage because of the action of CZE that was breaking RRS 11 and 14 and took an appropriate penalty.

### DECISION

**Date & Time:** 2023-07-26 17:37 CEST

1. Protest upheld. CZE 1053 took the applicable penalty and is not further penalized.
2. GER 807 is granted for redress by the consideration of the IJ. GER 807 is to be scored in races 2, 3, 4 and 5 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 races 2, 3, 4 and 5. This shall not change the score of the other boats. Fewer than half of the race scores included in her series score, after any exclusion(s), shall be based on average points in granting redress to GER 807

(As per WS Case#116).

**PROTEST COMMITTEE**

**Committee Type** Protest Committee

**Chaired By:** Anastasios Fotis (GRE)

**Committee Members:** Pavel Muroň (CZE), Giorgio Bolla (ITA), Holger Herburger (GER)