

# DECISION

Request No.: 01

## Protest

Event: OK Dinghy Europeans Race Number: 1  
Hearing Schedule: 2023-09-11 16:50

### PARTIES AND WITNESSES

Request No.: 01: GBR 69 - Terry Curtis

GER 32 - Fabian ROSSBACHER

Witnesses: None

### 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. Rainer Heinrich (member of the jury) attended the hearing as an observer.
2. Video recording was presented as evidence during the hearing by the jury.

### FACTS FOUND

1. Race 1 yellow fleet at the beginning of the second beat
2. Wind was 10 knots and the waves were 50 cm high.
3. After rounding mark 3 GBR 69 and GER 32 were close hauled on port tack with GBR 69 two boat lengths to leeward and one and a half boat lengths ahead of GER 32.
4. GBR 69 tacked onto starboard and was then on a collision course with GER 32.
5. After four seconds, GER 32 luffed to tack.
6. After GER 32 passed head to wind and before she completed her tack, GBR 69 luffed and avoided contact.
7. When the boats were at their closest, the distance between the aft starboard corner of GER 32 and the port side of GBR 69 was less than half a meter.
8. No contact occurred at that stage.
9. After GER 32 completed her tack, the helmsman stretched out to windward and tapped on the foredeck of GBR 69.
10. There was no damage.
11. Neither boat took a penalty.

Diagram: Diagram not endorsed

### CONCLUSIONS AND RULES THAT APPLY

Rules: RRS 13, 14

1. After passing head to wind and before being on a close-hauled course, GER 32 failed to keep clear of GBR 69. GER 32 broke RRS 13.
2. GER 32 could sail her course with no need to take avoiding action and there was no risk of immediate contact had GER 32 changed course in either direction. GBR 69 did not break RRS 11.
3. GER 32 did not avoid contact when it was reasonably possible and broke RRS 14.
4. It was not reasonably possible for GBR 69 to avoid contact with GER 32; therefore she did not break RRS 14.

### DECISION

GER 32 is DSQ in race 1.

Date & Time: 2023-09-11 18:12 CEST

**PROTEST COMMITTEE****Committee Type** International Jury**Chaired By:** Staffan Rosenlöf (FIN)**Committee Members:** Alina Stratigiou (GRE), Márton Beliczay (HUN), David Hudson (RSA), Luca Supplizi (ITA)