

DECISION

Protest by PC

Request No.: 12

Heard Jointly With Number(s): 09

Event: 2021 Under 21 European Championships & Open European Trophy Race Number: 8
Hearing Date: 2021-06-15

PARTIES AND WITNESSES

Request No.: 12: Protest Committee

ILCA 7 - FRA 212541 - MORVAN - Leon

ILCA 7 - FIN 211267 - DAHLBERG - Otto

ILCA 7 - FRA 216036 - KOWALSKI - Martin

Request No.: 09: ILCA 7 - Silver - FRA 212541 - Léon Morvan

ILCA 7 - Silver - FIN 211267 - DAHLBERG - Otto

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

Hearing under 60.3(a)(2). Joined with case 9.

FACTS FOUND

Wind speed 12 knots, wave 0,5 meter.

On the beat to windward FIN 211267 and FRA216036 on port, overlapped, FRA216036 half meter to leeward of FIN 211267 and FIN 211267 on collision course with FRA 212541 on starboard.

When there was a half boat length between the bow of FIN 211267 and hull of FRA212541, FIN 211267 bow was aiming into FRA 212541 last third of the hull.

FIN 211267 bore away, claimed for room to sail between FRA 212541 and FRA216036 and released her mainsail.

FRA216036 kept her course and sailed astern of FRA 212541 at a distance of 1 meter.

There was a contact between the bow of FIN 211267 and port side of the last quarter of FRA 212541.

There was no contact between FIN 211267 and FRA216036.

No damage.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

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

1. FRA216036, the outside boat at an obstruction, failed to give FIN 211267 room to pass between her and the obstruction, despite being able to do so from the time the overlap began. FRA216036 broke RRS 19.2(b).
2. FIN 211267 on port failed to keep clear of FRA 212541 on starboard, and broke RRS 10.
3. Since FIN 211267 was compelled to break RRS 10 as a consequence of FRA216036 breaking RRS 19.2(b), she is exonerated under RRS 43.1(a) for this breach.
4. It was not reasonably possible for FIN 211267, sailing within the room to which she was entitled, to avoid contact with FRA216036 when it was clear that FRA216036 was not giving room. FIN 211267 did not break Rule 14.
5. It was not reasonably possible for FRA 212541 the right-of-way boat to avoid contact with FIN 211267 when it was clear that FIN 211267 was not keeping clear. FRA 212541 did not break RRS 14.

DECISION**Date & Time:** 2021-06-15 20:15 CEST

FRA216036 DSQ in race 7.

PROTEST COMMITTEE**Chaired By:** Heiko Thoelmann (GER)**Committee Members:** Tatiana Ermakova (RUS), Uros Zvan (SLO), jean-Luc Michon (FRA), Filip Petricevic (MNE), Radivoje Popovic (MNE)**Printed:** 2021-06-16 11:09