

# DECISION

Request No.: 10

## Protest

Event: Junior World Championships-49er,49erFX and Nacra 17 Race Number: 4  
Hearing Schedule: 2022-08-04 19:15

### PARTIES AND WITNESSES

**Request No.: 10:** 49erFX - GER 169 - Bayern Express - Noel Wagner

49erFX - CAN 514 - Tate Howell

**Witnesses:** GER250

### 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. The protest originally identified that the incident happened in race 5.
2. After the hearing was decided, GER 169 and CAN 514 realized the incident happened in race 4.
3. The decision was updated accordingly on 05 August at 11:28.
4. The parties were informed of the revised decision.

### FACTS FOUND

1. Wind speed: 10 knots
2. Approaching the windward mark for the second time, CAN 514 and GER 169 were sailing on starboard tack.
3. CAN 514 was on the starboard layline.
4. GER 169 was over the layline and faster than CAN 514.
5. CAN 514 entered the zone first, with GER 169 overlapped 2-3 boat-lengths to windward of her.
6. CAN 514 luffed to pass to windward of a boat stopped at the mark.
7. GER 169 rounded the mark, eased her main sheet, bore away to a very low downwind course and slowed down.
8. CAN 514 rounded the mark and bore away, still overlapped to leeward of GER 169.
9. Contact occurred between the front of the starboard wing of CAN 514 and the back of the port wing of GER 169, causing scratches to the port wing of GER 169.
10. At that moment, the distance between CAN 514 and the boat stopped at the mark was less than one meter.
11. Neither boat took a penalty.

**Diagram:** Diagram not endorsed

### CONCLUSIONS AND RULES THAT APPLY

**Rules:** RRS 11, 14, 18.2(b)

1. GER 169 outside overlapped at the zone failed to give CAN 514 mark-room, and broke RRS 18.2(b).
2. GER 169 to windward failed to keep clear of CAN 514 to leeward, and broke RRS 11.
3. GER 169 did not avoid contact when it was reasonably possible, and broke RRS 14.
4. It was not reasonably possible for CAN 514, the right-of-way boat and the boat sailing within the mark-room to which she was entitled to avoid contact with GER 169 when it was clear that GER 169 was not keeping clear and not giving mark-room. CAN 514 did not break RRS 14.

### DECISION

GER 169 is DSQ in race 4.

**Date & Time:** 2022-08-04 20:19 CEST

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**PROTEST COMMITTEE**

**Chaired By:** Piero Occhetto (ITA)

**Committee Members:** Yoann Peronneau (FRA), Václav Brabec (CZE), Claudio Reynaud (SUI), Ambrogio Giuseppe (ITA)

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