

DECISION

Protest by PC

Request No.: 02

Event: 2021 Tornado World Open, Mixed and Youth Championships Race Number: 1
Hearing Schedule: 2021-09-28 20:10

PARTIES AND WITNESSES

Request No.: 02: Protest Committee

GER 11 - JENTSCH STEIMER ESTELA - OPOLONY PAUL

Witnesses: AUT 369

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

GER 11 was represented by Paul Opolony.

Mina Stanikic (IJ) and Christoph Zeiser (IJ) were remotely present on Google meet.

Protest Committee lodged a protest against GER 11 after learning of an incident that may have resulted in injury under RRS 60.3(a)(1).

One member of the International Jury was not present due to an emergency. The International Jury acted under RRS N 1.5.

FACTS FOUND

1. Tornado Race No.1 wind 10 knots, flat waters.
2. GER 11 was sailing upwind on port tack on a collision course with AUT 369 on starboard.
3. GER 11 bore away to pass behind AUT 369 at a distance of 1 1/2 boat lengths.
4. GER 11's main sheet was stuck.
5. Contact occurred between the bow of GER 11 and the port side of AUT 369's hull at the level of the shrouds, creating a deep scratch on the gel coat.
6. GER 11 immediately retired from the race.
7. GER 11 helmsperson was brought to the hospital with a swollen wrist.
8. AUT continued and finished the scheduled races of the day.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: RRS 10, 14, 60.3(a)(1), 64.2(a)

1. GER 11 on port failed to keep clear of AUT 369 on starboard, and broke RRS 10.
2. GER 11 did not avoid contact when it was reasonably possible, and broke RRS 14.
3. It was not reasonably possible for AUT 369, the right-of-way boat to avoid contact with GER 11 when it was clear that GER 11 was not keeping clear. AUT 369 did not break RRS 14.
4. GER 11 by retiring from the race took the applicable penalty and shall not be further penalized as required by RRS 64.2(a).

DECISION

Date & Time: 2021-09-28 20:49 EEST

Protest upheld. GER 11 took the applicable penalty and is not further penalized.

PROTEST COMMITTEE**Chaired By:** SERGEY KUZOVOV (RUS)**Committee Members:** Stavros Kouris (GRE), Christoph Zeiser (GER), Mina Stanikic (SRB)**Printed:** 2021-09-29 06:53