

DECISION

Request No.: 04

Protest

Event: H-Boat Worlds Race Number: 3
Hearing Schedule: 2023-08-01

PARTIES AND WITNESSES

Request No.: 04: H-Boat - GER 1598 (26) - CATWEASEL - Silke Kinner
H-Boat - DEN 523 (41) - MILLE MUS - Bent Holm Nielsen

VALIDITY

Objection to Jury: No

Within Time Limit: Within Time Limit

Incident Identified: Yes

Proper Hail: Protest hailed

Red Flag Displayed: Yes

Decision: Request Valid

PROCEDURAL MATTERS

The jury was properly constituted under RRS N1.5

GER 1598 was represented by Silke Kinner
DEN 523 was represented by Bent Holm Nielsen

FACTS FOUND

1. Wind was 18 to 20 knots and the sea was choppy.
2. GER 1598 was sailing on beat to windward on starboard tack
3. DEN 523 was sailing on downwind on port tack
4. Both boats were on converging courses, aiming each other's bow
5. At 3 to 4 boat lengths, at the same moment, both boats luffed
6. Both boats heeled and collided with top sections of the masts
7. Wind indicator was lost on GER 1598
8. Backstay was broken on DEN 523
9. DEN 523 retired from the race
10. GER 1598 completed the race

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: RRS 10, 14, 64.2(a)

1. DEN 523 on port tack failed to keep clear of GER 1598 on starboard tack, and broke RRS 10.
2. DEN 523 did not avoid contact when it was reasonably possible, and broke RRS 14.
3. It was not reasonably possible for GER 1598 the right-of-way boat to avoid contact with DEN 523 when it was clear that DEN 523 was not keeping clear. GER 1598 did not break RRS 14.
4. By retiring, DEN 523 took an appropriate penalty.

DECISION

Protest Upheld.

Since DEN 523 took an applicable penalty, she is not further penalized under RRS 64.2(a).

Date & Time: 2023-08-01 20:10 CEST

PROTEST COMMITTEE

Committee Type International Jury

Chaired By: Ron Barak (ISR)

Committee Members: Walter D'Auria (ITA), Alen Kustic (CRO), Sylvie Harle (FRA)