

DECISION

Protest

Request No.: 14

Heard Jointly With Number(s): 13

Event: 2023 RS500 World Championship Race Number: 10
Hearing Schedule: 2023-07-28

PARTIES AND WITNESSES

Request No.: 14: RS 500 - NED 1058 - Benthe de Ridder

RS 500 - CZE 564 - Petr Bryx

RS 500 - GER 660 - Randi Horstrup

Request No.: 13: RS 500 - GER 660 - Randi Horstrup

RS 500 - CZE 564 - Petr Bryx

Witnesses: Blue jury boat

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

The chairman of the IJ appointed a panel of 4 members from 4 different MNA's (CZE GRE ITA GER) with 3 International Judges, under RRS N1.4(b).

Valentyn Zoomers (NED 1058, crew) attended the hearing as an observer.

Petr Bryx (CZE 564, helmsperson) attended the hearing as an observer.

Emil Saeger (GER 807) attended the hearing as an observer after the decision on protest validity of case no. 13 was given.

CZE 564 is represented by Jirka Himmel.

FACTS FOUND

Facts found regarding validity of case 13:

GER 660 informed CZE 564 ashore about her intention to protest.

Facts found of case 14:

1. In race no. 10 of the RS 500 World Championship, the wind speed was 12 knots, a bit choppy lake.
2. Less than 60 seconds after the starting signal, GER 660 and NED 1058 were sailing on starboard tack on a close-hauled course.
3. GER 660 was overlapped and less than 1/2 boat length to leeward to NED 1058.
4. NED 1058 bow was 1/3 boat length ahead of GER 660's bow.
5. CZE 564 was sailing on port tack on a close-hauled course and on a collision course with GER 660.
6. When CZE 564 was less than 1m apart, GER 660 luffed sharply and passed head to wind.
7. Before GER 660 reached close-hauled, there was contact between the gennaker pole of GER 660 and the midship port side of NED 1058.
8. The contact resulted in a topcoat superficial scratch damage 10cm in length on the port side of NED 1058.
9. GER 660 took a one-turn penalty.
10. No other boat took a penalty.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: 10, 13, 14, 43.1(a)

Conclusions concerning validity of case 13:

GER 660 did not inform the protestee at the first reasonable opportunity as required by RRS 61.1(a).

Conclusions of case 14:

1. The damage is not serious.
2. CZE 564 on port failed to keep clear of GER 660 on starboard, and broke RRS 10.
3. After passing head to wind and before being on a close-hauled course, GER 660 failed to keep clear of NED 1058. GER 660 broke RRS 13.
4. It was not reasonably possible for GER 660 to avoid contact with NED 1058. Therefore, she did not break RRS 14.
5. It was not reasonably possible for NED 1058, the right-of-way boat to avoid contact with GER 660 when it was clear that GER 660 was not keeping clear. NED 1058 did not break RRS 14.
6. Since GER 660 was compelled to break RRS 13 as a consequence of CZE 564 breaking RRS 10, she is exonerated under RRS 43.1(a) for this breach.

DECISION

Date & Time: 2023-07-28 16:19 CEST

Protest no. 13 is invalid, the hearing is closed under RRS 63.5.

CZE 564 is scored DSQ in race no. 10.

PROTEST COMMITTEE

Committee Type International Jury

Chaired By: Giorgio Bolla (ITA)

Committee Members: Pavel Muroň (CZE), Holger Herburger (GER), Anastasios Fotis (GRE)