

DECISION

Protest and Request for Redress

Request No.: 11

Heard Jointly With Number(s): 10

Event: Waszp Games 2022 Race Number: 4
Hearing Schedule: 2022-07-13 19:30

PARTIES AND WITNESSES

Request No.: 11: Waszp - Large Sail 8.2 - Junior - NZL 2418 - Scarlett - Jasper Camenzind

Waszp - Large Sail (8.2) - Super Master - SUI 3174 - Ulrich VOLZ

Request No.: 10: Waszp - Large Sail (8.2) - Super Master - SUI 3174 - Ulrich VOLZ

Waszp - Blue Fleet - 2418 - Jasper Camenzind

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

FACTS FOUND

1. Wind was 12-15 kts, moderate sea state
2. SUI rounded the port gate, sailing downwind on starboard
3. NZL rounded the starboard gate, gybed and sailed downwind on starboard tack
4. Both boats were foiling
5. NZL became overlapped to windward of SUI
6. Contact occurred between the boats.
7. As SUI was capsizing, the aft vertical segment of SUI center foil sustained damage
8. The damage caused, stopped the push rod in the center foil from working effectively on SUI's boat.
9. The rudder gantry of NZL was ripped from the hull.
10. SUI finished the race
11. NZL retired from race 4.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: RRS 11, 14, 62.1(b)

1. NZL to windward failed to keep clear of SUI to leeward, and broke RRS 11 and 14.
2. It was not reasonably possible for SUI, the right-of-way boat to avoid contact with NZL when it was clear that NZL was not keeping clear. SUI did not break RRS 14.
3. SUI's place in race 4 was made significantly worse through no fault of her own by physical damage because of the action of NZL that was breaking RRS 11 and 14 and took an appropriate penalty.

DECISION

Date & Time:

1. Protest Upheld. NZL took the applicable penalty and is not further penalized.
2. Redress is given to SUI. SUI is to be scored in race 4 points equal to the average, rounded to the nearest tenth of a point (0.05 to be rounded upward), of her points in all races in the qualifying series, except race 4. This shall not be worse than her finishing position in the race. No other boat's score shall change.

PROTEST COMMITTEE

Chaired By: Will Davies (GBR)

Committee Members: Nick Devereux (GBR), Václav Brabec (CZE)