

DECISION

Request No.: 01

Protest and Request for Redress

Event: ACO 12th MUSTO Skiff World Championship 2023 Race Number: 6
Hearing Schedule: 2023-07-17 17:20

PARTIES AND WITNESSES

Request No.: 01: MUSTO SKIFF - GBR 534 - ANDY RICE

MUSTO SKIFF - SUI 486 - ALEX GREIL

VALIDITY

Objection to Jury: No

Within Time Limit: Beyond Time Limit

Incident Identified: Yes

Proper Hail: Hail not required

Red Flag Displayed: Not required

Decision: Request Valid

PROCEDURAL MATTERS

FACTS FOUND

1. Wind 15 knots gusts and short waves.
2. GBR 534 on starboard tack sailing downwind towards the port mark of leeward gate outside of the zone.
3. SUI 486 on port sailing upwind on converging collision course.
4. SUI 486 bore away slightly more than 3 boat lengths away from GBR 534.
5. SUI 486 then luffed hard to avoid contact approximately 3 boat lengths away from GBR 534.
6. GBR 534 kept course and was in the process of dropping her kite.
7. There was a collision between starboard rack of SUI 486 and starboard rack of GBR 534 which was broken beyond repair.
8. GBR 534 was not able to continue racing.
9. SUI 486 took a penalty turn and finished the race.
10. SUI 486 retired ashore after the race.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: RRS 10, 14, 62.1, 44.1(b)

1. SUI on port failed to keep clear of GBR 534 on starboard, and broke RRS 10
2. It was not reasonably possible for GBR 534, the right-of-way boat, to avoid contact with SUI 486 when it was clear that SUI 486 was not keeping clear. GBR 534 did not break RRS 14.
3. By not avoiding contact, SUI 486, keep clear boat, broke RRS 14.
4. GBR 534 score in race #6 was made significantly worse through no fault of her own by physical damage because of the action of SUI 486 that was breaking RRS 10 AND RRS 14 and took an appropriate penalty

DECISION

Date & Time: 2023-07-17 18:10 UTC

1. Redress is given to GBR 534.
2. GBR 534 is to be scored in race 6 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 sailed before the last scheduled day of the series, except race 6. This shall not be worse than her finishing position in the race. No other boat's score shall change.
3. The protest is upheld. Since SUI 486 took an applicable penalty, she is not further penalized under RRS 64.2(a).

PROTEST COMMITTEE

Committee Type Protest Committee

Chaired By: Patric Loydell (RSA)

Committee Members: Alen Kustic (CRO), Peter Scheuerl (GER), Luke Scott (RSA), Walter D'Auria (ITA)

Written Decision Requested By: SUI 486