

DECISION

Request Number: 27

Protest

Event: 29er World Championship Race Number: 7
Hearing Date: 2016-07-29

PARTIES AND WITNESSES

Initiator: NED 20 - Pieter Van Leijen

Respondent(s): GBR 2478 - Josh Dawson

Witnesses: NED 1698 - Adrian Salamon

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

FACTS FOUND

1. NED 20 rounded the windward mark for the first time in race F7 clear ahead of GBR 2478.
2. GBR 2478 hoisted the gennaker, became faster than NED 20, and luffed.
3. The gennaker pole of GBR 2578 hit the body of the helm of NED 20.
4. The helm of NED 20 had a backache which caused him difficulties in hiking on full power.
5. NED 20 continued sailing normally, and finished the race.
6. GBR 2478 completed a One-Turn Penalty just before rounding the gate mark.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

GBR 2478, as a boat on the same tack clear astern failed to keep clear as required by RRS 12.

By not avoiding contact, GBR 2478 also broke RRS 14.

It was not reasonably possible for NED 20 to avoid contact, therefore she did not break RRS 14.

By not taking a penalty as soon as possible, GBR 2478 failed to exonerate herself under RRS 44.

NED 20's score was not made significantly worse by a boat that was breaking a rule of Part 2.

DECISION

Protest Upheld

GBR 2478 is disqualified (DSQ) in race F7.
Redress denied.

Date & Time: 2016-07-29 17:24 CEST

PROTEST COMMITTEE

Chaired By:

Committee Members: Claudio Uras (ITA), Sylvie Harle (FRA), Anne Kaalstad (NOR), Bence Borocz (HUN)

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