

PROTEST COMMITTEE DECISION

Case No: 1

With Case(s): 3 and 5

Race: 2

PARTIES

Boat or Committee or Person	Class/Fleet	Represented By/Not Present
SUI142		Markus Weiser
FIN 78		Chris Winter
SUI 111		Michel Tewles

WITNESSES

Name	Boat – Committee - Role
USA 124	Otto Pohlmann

Valid – YES

Case Introduction:

Incident at 1st windward mark Race 2

Procedural Matters:

Heard together with cases 3 and 5.

Facts found:

The wind was 12 knots with a leeward going current.

Approaching the 1st windward mark FIN 78 was 3 boat lengths clear astern and to windward of SUI 142.

SUI 142 was overlapped to windward of USA 124 which was overlapped to windward of ESP 16.

All boats were on port.

ESP 16 passed head to wind and reached a close-hauled course on starboard followed by USA 124 and SUI 142. All three boats were fetching the mark. SUI 142 was heading for the mark with the other two boats overlapped to windward. There was one metre between the boats.

FIN 78, on port, was now one boat length from SUI 142 on starboard.

When SUI 142 was less than a boat length from the mark FIN 78 passed head to wind.

Immediately after FIN 78 reached a close-hauled course there was contact between the starboard shroud of FIN 78 and the genoa of SUI 142.

There was contact between the mark and the port side of FIN 78.

No boat was damaged. No boat took a penalty.

Conclusion & Rules:

When acquiring right of way through her own actions, FIN 78 failed to initially give SUI 142 room to keep clear, and broke RRS 15.

FIN 78 touched the windward mark and broke RRS 31.

It was not reasonably possible for SUI 142, sailing within room that she was entitled, to avoid contact with FIN 78 when it became clear that FIN 78 was not giving room.

Decision:

FIN 78 DSQ Race 2

Protest Committee:

Antonio Matta, Gordon Davies, Jean Pierre Cordonnier, Paco Quiñonero, Miroslav Bjelajac (Chair),
International Jury: YES

Signed:

Date, time: 14/6/2022 at 20:45