

DECISION

Request No.: 01

Protest and Request for Redress

Event: Star European Championship 2021 Race Number: 2
Hearing Date: 2021-05-26

PARTIES AND WITNESSES

Request No.: 01: STAR - HUN 8386 - Barbarella IV BowNo. 23 - Tibor Tenke
STAR - SUI 8539 - 8539 BowNo. 15 - Piet Eckert

VALIDITY

Objection to Jury: No
Within Time Limit: Within Time Limit
Incident Identified: Yes
Proper Hail: Protest hailed
Red Flag Displayed: Not required Serious damage to HUN 8386
Decision: Request Valid

PROCEDURAL MATTERS

SUI 8539 was identified by the hull number 8565

FACTS FOUND

Second race, 1st beat. HUN 8386 on starboard, SUI 8539 on port were sailing on converging courses. SUI 8539 bear away but hit with her bow aft port side of the hull of HUN 8386, caused a hole with diameter of 20 cm. Aft port buoyance tank of HUN 8386 filled with the water. HUN 8386 retired in the downwind. SUI 8539 took one turn penalty and finished the race. SUI 8539 retired after the race.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: 10, 14, 62

1. SUI 8539 on port failed to keep clear of HUN 8386 on starboard, and broke RRS 10
2. SUI 8539 did not avoid contact when it was reasonably possible, and broke RRS 14.
3. It was not reasonably possible for HUN 8386, the right-of-way boat to avoid contact with SUI 8539 when it was clear that SUI 8539 was not keeping clear. HUN 8386 did not break RRS 14.
4. HUN 8386's score in race no.2 was made significantly worse through no fault of her own by physical damage because of the action of SUI 8539 that was breaking RRS rule 10 and 14.

DECISION

Date & Time: 2021-05-26 17:30 CEST

Protest Upheld. SUI 8539 took the applicable penalty and is not further penalized.
Redress is given to HUN 8386. HUN 8386 is to be scored in race no.2 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 no.2. Redress shall not be given before HUN 8386 have three races scored. No other boat's score shall change.

PROTEST COMMITTEE

Chaired By: Hans Vengberg (DEN)
Committee Members: Marin Kustic (CRO), Bo Samuelsson (SWE), Uros Zvan (SLO), Peter Möckl (GER)