

DECISION

Request for Redress

Request Number: 02

Heard Jointly With Number(s): 03

Event: 2019 Rolex Fastnet Race Race Number: GBR 4147L
Hearing Date: 2019-08-07

PARTIES AND WITNESSES

Initiator: IRC - IRC Two - GBR4147L - Team Stupefacente - Joanna - Bruno Stanzione

Respondent(s): IRC - IRC Two - GBR4147L - Team Stupefacente - Joanna - Bruno Stanzione

Witnesses: Stefan Kunstmann

Interpreters: Elio Rosapepe

VALIDITY

Objection to Jury: No

Within Time Limit: Within Time Limit within an hour of becoming aware of the TSS penalty applied

Incident Identified: Yes

Proper Hail: Hail not required

Red Flag Displayed: Not required

DECISION: Request Valid

PROCEDURAL MATTERS

FACTS FOUND

While GBR4147L was approaching TSS West of Scilly Isles towards point D, the tack line of the gennaker broke about 1 minute away from reaching the waypoint.

GBR4147L had his gennaker on the water on the port side of the boat and the boat was drifting.

GBR4147L entered the TSS zone during 34s and for a track of 0.08nm (approx 148m)

Givajo, the closest boat to the situation was sailing 1.1NM apart at a speed of 9.5kts

Givajo gained about 100m during this incident.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

It was not reasonably possible for GBR 4147L to tack and avoid the TSS as her sail was dragging in the water.

Had the damage not occurred, GBR4147L was on a course to avoid the TSS.

The breach of SI 27.2.3 was unavoidable, unintentional and no advantage was gained.

DECISION

The 20% penalty applied to GBR 4147L should be removed and she should be reinstated into her original finishing time.

Date & Time: 2019-08-07 15:00 BST

PROTEST COMMITTEE

Chaired By: Thomas Rinda (USA)

Committee Members: Egil Wold (NOR), Thibaut Gridel (FRA), Tom Sheppard (HKG), Mufti Kling (GER)

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