

2022 PALERMO – MONTECARLO OFFSHORE RACE

International Jury Decision

Case 1

Protestor: Scamp 3 - POL 22511 ('POL') represented by Jakub Marciniak

Protestee: Neomind - GER 8333 ('GER') represented by Sascha Schroder

Hearing Date: 24 August 2022

1. Validity

- 1.1. POL hailed 'Protest' at the time of the incident.
- 1.2. POL displayed a Red Flag approximately 10 seconds after the boats separated after the collision
- 1.3. Approximately one hour into the race POL retired. After retiring, POL called the Race Committee ('RC') on VHF 74 to inform them of the intention to retire. POL received no reply from the RC and made a second call on VHF 74.
- 1.4. POL lodged the protest prior to the last boat finishing.
The Jury determines that this protest is valid.

2. Facts Found:

- 2.1. POL is an 11.6 m yacht and GER is a 13 m yacht.
- 2.2. The wind was shifty and at the time of the incident was approximately 6 knots and the sea state slight.
- 2.3. The starting line was set with a significant bias to the pin end.
- 2.4. Appr. 20 s before the start, POL was on starboard tack close hauled, aiming towards the pin mark at approximately 5.5 to 6 knots.
- 2.5. GER was on port tack sailing at approximately 4 knots. Aiming towards the start line and making a close cross ahead of POL.
- 2.6. The wind shifted to the left.
- 2.7. POL luffed and passed through head to wind.
- 2.8. The bowsprit of POL overlapped the transom of GER and the first 20 cm of the bowsprit hit the inside of the starboard pushpit on GER.
- 2.9. The bolt and thread securing the bowsprit to the hull of POL pulled out of the hull laminate breaching the watertight and structural integrity of the hull.



2.10. There was damage to the starboard pushpit of GER.



2.11. POL retired from the race approximately 1 hours after the start.

3. Conclusions:

- 3.1 After passing head to wind and before being on a close-hauled course, POL failed to keep clear of GER. POL broke RRS 13.
- 3.2 POL failed to avoid contact with GER (RRS 14)

3.3. It t was not reasonably possible for GER the right-of-way boat to avoid contact with POL when it was clear that POL was not keeping clear. GER did not break RRS 14

4. Decision:

4.1. Protest upheld. POL broke RRS 13 and 14. Since POL took an applicable penalty , she is not further penalized under RRS 64.2(a) .

24 August 2022.

Miguel Allen IJ POR

Mats Bjorklund IJ FIN Chairman

Giorgio Davanzo IJ ITA

Craig Mitchell IJ GBR

Richard Slater IJ AUS