

Hearing Decision



FRENCH OLYMPIC WEEK

Case Number
19

With Case
20 and 22

Race Number
4

Hearing Status
Closed

Type of Hearing

Protest - an allegation that one or more boats broke a rule

Valid

Date of Race
26/04

Received Time
15:29:42

PARTIES

Class/Fleet	Fleet	Boat or Committee or Person	Represented By/Not Present
49ER FX	Yellow	SWE 77	Vilma Bobeck
49ER FX	Yellow	BRA 12	Martine Grael

Witnesses

Name	Boat - Committee - Role
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Case Summary:

A boat to boat incident between boats approaching and boat leaving the windward mark.

Procedural Matters:

Cases 19, 20 and 22 were heard together

Facts Found:

1. In race 4 approaching the windward mark with approximately 7 knots of wind, flat water.
2. BRA 12 rounded the windward mark 1, clear ahead of SWE 77, both on starboard tack.
3. Both boats gybed to port tack soon after rounding.
4. SWE 77 established an overlap to windward of BRA 12.
5. Both boats luffed.
6. They were now heading toward GBR 24 close-hauled course on the starboard layline to mark 1.
7. 5 sec after SWE 77 and BRA 12 rounded the mark there was a contact between the wings of the two boats.
8. At this moment SWE 77 and BRA 12 were pointing to windward of GBR 24, 2.5 boat lengths away.
9. SWE 77 and BRA 12 bore away.
10. There was a contact between the wings of SWE 77 and GBR 24.
11. The trapez wire bungee of GBR 24 broke in the incident.
12. No boat took a penalty.

Conclusion & Rules:

1. SWE 77 to windward failed to keep clear of BRA 12 to leeward, and broke RRS 11.
2. SWE 77 on port failed to keep clear of GBR 24 on starboard, and broke RRS 10.
3. SWE 77 did not avoid contact when it was reasonably possible, and broke RRS 14.
4. GBR 24 was an obstruction to BRA 12 and SWE 77. From the time the overlap began, BRA 12 was unable to give room for SWE 77 to pass GBR 24. So, BRA 12 did not break RRS 19.2(b).
5. It was not reasonably possible for GBR 24 as the right-of-way boat to avoid contact with SWE 77 when it was clear that SWE 77 was not keeping clear. GBR 24 did not break RRS 14.
6. BRA 12 did not avoid contact when it was reasonably possible, and broke RRS 14.
7. Since BRA 12 was right-of way boat and the contact did not cause damage or injury, she is exonerated under RRS 43.1(c) for breaking RRS 14.

Decision:

SWE 77 is DSQ in race 4

Short Decision:

FX woman
SWE 77 is DSQ in race 4

Decision Date

14/05

Decision Time

19:51

Panel Chair

Mateo Ferrer Skoknic

Panel Members

Bernadette Delbart, Luis Ferrandiz Ruiz, Klaus Lahme, Arnaud Mante