

# Hearing Decision



## FRENCH OLYMPIC WEEK

**Case Number**  
39

**With Case**  
41, 42, 45

**Race Number**  
R8

**Hearing Status**  
Closed

### Type of Hearing

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

**Valid**

**Date of Race**  
27/04

**Received Time**  
14:23:05

### PARTIES

Class/Fleet	Fleet	Boat or Committee or Person	Represented By/Not Present
49ER FX	Yellow	GBR 379	Hannah Bristow
49ER FX	Yellow	FRA 84	Charline Picon

### Witnesses

Name	Boat - Committee - Role
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### Case Summary:

### Procedural Matters:

### Facts Found:

1. Wind 12 knots, choppy water
2. Starting line, port end, 10 seconds before the start.
3. FRA 84 and GBR 24 close-hauled on port tack. FRA 84 overlapped to windward of GBR 24, bow to bow.
4. 2 lengths on the right, GBR 379, AUS 44 and EST 305 close-hauled on starboard tack. AUS 44, 1 boat-length windward axis of GBR 379. EST 305 more than 4 lengths windward of AUS 44 axis.
5. FRA 84 and GBR 379 on converging courses.
6. FRA 84 bore away aiming below GBR 379 stern, still overlapped with GBR 24.
7. Contact between the front of the port wing of FRA 84 with the tiller extension and port wing of GBR 379.
8. At this moment, the distance between FRA 84 and GBR 24 was less than half meter, still overlapped. FRA 84 and GBR 24 now in converging courses with AUS 44.
9. GBR 24 course was to pass less than 1 meter astern of AUS 44.
10. After passing astern of GBR 379, FRA 84 luffed sharply head to wind and tacked to starboard. The distance with AUS 44 was less than 1 meter.
11. AUS 44 luffed sharply and tacked to port. At this moment, AUS 44, on port tack, was 2 boat-lengths to EST 305, on starboard tack.
12. AUS 44 was overlapped 1 boat-length to windward of GBR 24.
13. AUS 44, GBR 24, both on port are now on converging courses with EST 305 on starboard.
14. EST 305 bore away sharply passing between AUS 44 and GBR 24.
15. Contact between the port side of EST 305 (hull and wing) and the port side of GBR 24.
16. GBR 24 took a one turn penalty.
17. No injury.

## Conclusion & Rules:

1. FRA 84 on port failed to keep clear of GBR 379 on starboard, and broke RRS 10.
2. FRA 84 on port failed to keep clear of AUS 44 on starboard, and broke RRS 10.
3. GBR 24 on port failed to keep clear of EST 305 on starboard, and broke RRS 10.
4. AUS 44 on port failed to keep clear of EST 305 on starboard, and broke RRS 10.
5. GBR 24 the outside boat at the GBR 379 obstruction, failed to give room to FRA 84 to pass between her and the obstruction, despite being able to do so from the time the overlap began. GBR 24 broke RRS 19.2(b).
6. GBR 24 the outside boat at the AUS 44 obstruction, failed to give room to FRA 84 to pass between her and the obstruction, despite being able to do so from the time the overlap began. GBR 24 broke RRS 19.2(b).
7. Since AUS 44 was compelled to break RRS 10 related to EST 305 as a consequence of FRA 84 breaking RRS 10, she is exonerated under RRS 43.1(a) for this breach.
8. Since FRA 84 broke RRS 10 related to GBR 379 while she was sailing within the room to which she was entitled, she is exonerated under RRS 43.1(b) for this breach.
9. Since FRA 84 broke RRS 10 related to AUS 44 while she was sailing within the room to which she was entitled, she is exonerated under RRS 43.1(b) for this breach.
10. GBR 24 did not avoid contact with EST 305 when it was reasonably possible, and broke RRS 14.
11. It was not reasonably possible for EST 305 the right-of-way boat to avoid contact with GBR 24 when it was clear that GBR 24 was not keeping clear. EST 305 did not break RRS 14.
12. It was not reasonably possible for GBR 379 the right-of-way boat to avoid contact with FRA 84 when it was clear that FRA 84 was not keeping clear. GBR 379 did not break RRS 14.
13. It was not reasonably possible for FRA 84 the boat sailing within the room to which she was entitled to avoid contact with GBR 379 when it was clear that GBR 24 was not giving room. FRA 84 did not break RRS 14.
14. The incident between GBR 24 and FRA 84, and the one between GBR 24 and EST 305 are not the same incidents.

## Decision:

GBR 24 is DSQ in race 8.

### Short Decision:

FX Yellow fleet.  
GBR 24 DSQ race 8

### Decision Date

28/04

### Decision Time

19:29

### Panel Chair

Line Juhl

### Panel Members

Mateo Ferrer Skoknic, Romain Gautier, Gonzalo Heredia, Arnaud Mante