

FINN GOLD CUP 2012

JURY DECISION

Case No: 14

With Case(s): 15

Race: 9 & 10

PARTIES

Boat/Class/Fleet/RC/PC	Represented By/Not Present
CRO 671	Tudor BALIC
TUR 35	Efe KUYUMCU

WITNESSES:

Name	Role
Ralph ROBERTS	Judge

Protest valid

Case Summary: Part 2 protest

Procedural Matters (including Case type: e.g. Protest, Request for Redress, Reopening request etc)

Facts found:

CRO 671 and TUR 35 sailing upwind on the first beat. CRO 671 on port, TUR 35 on port. CRO 671 was several boat lengths ahead and to leeward. As TUR 35 ducked another boat, CRO 671 tacked to starboard. TUR 35 luffed as she rounded the other boat and established a collision course with CRO 671. There were about 4-5 boat lengths between TUR 35 and CRO 671. As the boats approached each other, CRO 671 hailed TUR 35 to keep clear. TUR 35 attempted to bear away but hit CRO 671 amidships. TUR 35 did a penalty turn.

There was serious damage to CRO 671 and she was unable to complete the race and will be unable to complete the final race of the event.

Conclusion & Rules:

TUR 35 failed to keep clear of CRO 671 and broke rule 10. As the damage was serious, a penalty turn is not available to TUR 35 to allow her to exonerate herself under rule 44.1(b). From the time it was clear that TUR 35 was not keeping clear, CRO 671 was unable to avoid contact and did not break rule 14.

The finishing position of CRO 671 was made significantly worse through no fault of her own by the actions of a boat failing to keep clear. CRO 671 is therefore entitled to redress.

Decision:

TUR 35 is disqualified in Race 9.

CRO 671 is to be scored with average points in accordance with rule A10(a) for Race 9 and average points (less 10 points) for Race 10 if it is completed in accordance with rule A10(a), based on the average of all races up until the end of Thursday 17 May 2012.

Jury: Names

Panel Chairman: *Jim Capron (IJ, USA)*

Panel: *Andrus Poksi (IJ, EST), Ralph Roberts (IJ, NZL), Iskra Yovkova (IJ BUL), Jon Napier (IJ GBR)*

Signed:

Date, time:

Thursday 17 May at 20.02 hrs for the Part 2 decision

Thursday 17 May at 20.08 hrs for redress decision