



Jury Decision

Case 21

With Case (s):

Race: 11

Boat requests reopening

Parties

	Class/Person:	Sail No:	Represented by:
Initiator:	Nacra17	URU	Pablo Defazio
Defendant:	Race Committee	RC	CLAUDIO BUCKUP
Defendant:			

Witness:

Represented by:	Role:
DIEGO STEFANI	URU Coach

Validity: Protest or request valid

Procedural matters:

Other information:

Facts Found:

During the 2nd windward leg of race 11 on 7th August, URU was in 6th place sailing close hauled on port tack, 200m below the starboard layline. URU tacked to starboard.
After sailing 50m URU hit a rope connecting a line of black buoys and got entangled in it.
URU spent time to get free from the entanglement, and sailed downwind to pass to leeward of the line of buoys before turning back towards the windward mark.
URU finished in last place.
The location of this incident was outside the course area as defined in the Sailing Instructions
Because of wind conditions on courses B and C, the RC had moved the race course A reference point 0.3 nm SSE on 6th and 7th August.
The OA was aware of the risk of invisible obstructions in the sailing competition area, and had checked the designated course areas prior to the start of the regatta.
The wind direction on 7th August meant that the Nacra windward mark for race 11 was 0.2 nm outside the planned course area.
The Nacra Course RO was informed by the PRO that he (the PRO) would ask the Navy to check that the area he now needed for his courses was free from obstructions.

Conclusions and Rules applicable:

Given the known risk of underwater obstructions, it was an improper action of the Race Committee to move the reference point of a course area to include, within the area boats might be racing, a new section that had not been thoroughly checked for underwater obstructions.
As a result of this improper action by the RC, the score of URU was made significantly worse through no fault of her own.
Redress is therefore given.

Decisions:

URU is to be scored in race 11 the average of her points in all races in the Qualifying Series excluding race 11, rounded to the nearest tenth of a point.

Parties informed of the decision (Date & time): Aug 8, 2019 19:15

Jury Members:

<i>Panel Chairman</i> Chris A. <i>Signature</i>	<i>Scribe</i> Andres A.	Nelson I.	Gonzalo R.	Claudio S.	
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