

CIC Normandy Channel Race 2021

Case #1

Technical Committee **against** **FRA 160 E.LECLERC VILLE LA GRAND**

Protestor **Jean-Luc Gauthier (TC)**

Protestee **Olivier Magré (FRA160)**

Protest valid, the hearing continues.

Process under SI 15 for incidents occurring at sea.

Facts found:

FRA 160 has lodged the sails declaration before the skipper briefing including the sticker number for each sail.

FRA 160 left the quay in Caen with 9 sails on board.

Class40 Class Rules permit to have on board a maximum of 8 sails.

When FRA 160 was heading to the starting area, she discovered she had on board 1 sail not listed on her declaration that exceeded the number of 8.

She immediately reported the incident to the TC.

The TC allowed FRA 160 to disembark the sail in the lock. The other sails corresponded to the declaration.

When FRA 160 started, she had on board only 8 sails.

Rules and Conclusions:

In accordance with RRS 78.1, SI 17.5 required boats to be in compliance with all rules when leaving the quay in Caen. In addition, SI 10.1 required the boat to lodge a declaration with the sails to be carried on board.

When having on board one sail not declared and exceeding the limit stated in her class rules, FRA 160 broke CR 103.01 and SI 10.1.

In deciding the penalty, the jury used SI 14.2.1 and Annexe 7 to apply Jury's power of discretion, noting that:

The breach was reported by the skipper himself.

The breach was not advantageous to the boat.

The breach did not compromise safety.

The breach did not result in damage or injury.

After answering the different questions specified in the guidelines, the International jury decided to use band 1 (0H to 4H) and to impose a penalty lower than the mid-point of the band.

Decision:

The mid point penalty of Band 1 (2H) is reduced to 45 minutes.

This penalty shall be taken according to SI 14.5.

Posted 1st June at 11:15

Romain Gautier IJ FRA, Chairman of the International Jury,

Other members: Trevor Lewis IJ GBR, Gordon Davies IJ IRL, Francisco Vidal-Maestre IJ ESP, François Catherine NJ FRA.