

CIC Normandy Channel Race 2021

Case #4

NED44 Sec HAYAI against **FRA135 Vogue avec un Crohn**

Protestor **Frans Budel (NED44)**

Protestee **Pierre-Louis Attwell (FRA135)**

Facts found:

The RM received at 19.30 on 2nd June an email from NED44 with the subject "protest from NED44 to FRA135 on not using AIS on FRA135".

In this email, NED44 claimed that FRA135 broke SI 12.4 (AIS).

The email ended with the words 'Please take the appropriate action'.

The RM forwarded this message to FRA135 at 20:00 and called the boat.

In an email sent to the RM at 22:34 NED44 wrote that she informed FRA135 of her intention to protest by VHF.

In an email sent to the RM at 23:06 FRA135 wrote that she received a call by VHF from NED44 only 1h15 later than the message received from the RM.

SI 12 SAFETY – COMMUNICATIONS in the SI is noted as being DP/NP.

Rules and Conclusions:

The notation [NP] in a rule means that a boat cannot protest for an infringement to this rule. This changes RRS 60.1(a).

NED44 can not protest for this infringement.

Decision:

The protest is invalid, the hearing is closed under RRS 63.5.

Posted 3th June at 17:00

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.