

DECISION

Request No.: 10

Protest

Event: Ora Cup Ora Race Number: 5
Hearing Schedule: 2023-08-06 16:10

PARTIES AND WITNESSES

Request No.: 10: JUNIORES - ITA 9802 - AVANZINI ALBERTO

JUNIORES - ITA 3 - GROSSI LEONARDO

VALIDITY

Objection to Jury: No

Within Time Limit: Within Time Limit

Incident Identified: Yes

Proper Hail: Protest hailed

Red Flag Displayed: Not required

Decision: Request Valid

PROCEDURAL MATTERS

The hearings 10-12 arise from the same incident, hearing 13 arises from very closely connected incident with 10 and 12.

The PC decided to hear cases 10, 12 and 13 together in hearing according to RRS 63.2.

ITA3 and ITA 9773 did not come to the hearing, the hearing proceeded in accordance with RRS 63.3(b).

REOPENING

Benedetta Boniotti coach of ITA 3, attended the hearing as an observer.

ITA 3's team is Fraglia Vela Riva Team.

All team boats came back ashore in Fraglia Vela Riva, where the team is based.

ITA 3 was Fraglia Vela Riva when he realised to be protested; he immediately got on the way to Arco at 15:50.

His coach called the Race Office at 16:03 & 16:09, informing that they were stopped on the road due to the traffic jam.

The Race Office failed to inform the PC properly of ITA 3 delay.

ITA 3 arrived in Arco at 16:55 after the decision of case 10 was communicated to the protestor.

Under RRS 63.3(b), ITA 3 was unavoidably absent and the PC decided to reopen the hearing.

During the valid protest hearing the PC learnt that ITA 9773, although not a party to the hearing, was involved in the incident.

The PC protested 9773 as soon as reasonably possible by posting at the ONB a notice about its intention to protest the boat under RRS 63.1(c).

FACTS FOUND

1. Wind 15 kn, choppy lake.
2. During the last minute before the start ITA 9802 was stationary on starboard tack 30 cm. to leeward of the starting line.
3. ITA 3 on the same tack, clear astern of ITA 9802,
4. A contact occurred with no damage between the stern of ITA 9802 and the bow of ITA 3
5. ITA 3 took the penalty turns just before arriving.

NO FACTS FOUND AFTER REOPENING, AS THE PC ACTED ACCORDING TO RRS 60.3(a)(2) & RRS 61.3(c)

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: RRS 12, RRS 14, RRS 44.2

1. ITA 3 clear astern failed to keep clear of ITA 9802 clear ahead, and broke RRS 12.
2. ITA 3 did not avoid contact when it was reasonably possible, and broke RRS 14.

3. It was not reasonably possible for ITA 9802, the right-of-way boat to avoid contact with ITA 3 when it was clear that ITA 3 was not keeping clear. ITA 9802 did not break RRS 14.
4. By delaying her penalty turns just before arriving after the incident, ITA 3 failed to comply with the requirements of RRS 44.2.

REOPENING

n/a

DECISION

Date & Time: 2023-08-06 16:35 CEST

~~(ITA 3 is DSQ in race 5)~~

REOPENING

The PC decided to protest ITA 9773 under RRS 60.3(a)(2), see hearing 15.

The current hearing is closed under RRS 61.1(c).

The current hearing and new hearing 15 will be heard together.

PROTEST COMMITTEE

Committee Type Protest Committee

Chaired By: Giovanni Battista Albrizzi (ITA)

Committee Members: Alessio Brugnerotto (ITA), Giorgio Bolla (ITA), Sergio Petrina (AUS), Edo Stramazzo (ITA)

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