

DECISION

Request No.: 02

Protest and Request for Redress

Event: World Championship Microclass 2022 Race Number: 2
Hearing Schedule: 2022-07-26 09:45

PARTIES AND WITNESSES

Request No.: 02: Microclass - Proto - ITA 71 - Bruxsa 2 - Luca Fantin

Microclass - Proto - POL 123 - A1 Sorter Sailing Team - Piotr Maczak

VALIDITY

Objection to Jury: No

Within Time Limit: Beyond with Good Reason boat was able to arrived very late at the mooring not for her fault

Incident Identified: Yes

Proper Hail: Protest hailed

Red Flag Displayed: Yes

Decision: Request Valid

PROCEDURAL MATTERS

POL123 did not come to the hearing, the hearing proceeded in accordance with RRS 63.3(b).

Based on the information of the protest form the request for hearing was enhanced also with a request of redress

FACTS FOUND

1. Wind 15 knots.
2. ITA71 and POL123 were approaching mark 1 on a beat to windward.
3. ITA71 on starboard at 2.5 boath lenght from the mark but not able to fetch it and POL123 on port tack.
4. POL123 beared away and there was a contact between the bow of POL123 and the port quarter of ITA71.
5. A crack happened on the port board and under the gunwale of ITA123 long about 2.5 meters see in attachment on the hearing form
6. POL123 took a penalty turn.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: RRS10, 14

1. POL123 on port failed to keep clear of ITA71 on starboard, and broke RRS 10
2. POL123 did not avoid contact when it was reasonably possible, and broke RRS 14.
3. It was not reasonably possible for ITA71, the right-of-way boat to avoid contact with PO123 when it was clear that POL123 was not keeping clear . ITA71 did not break RRS 14.
4. The damage on ITA71 boat requires a reparation of more than 20% of the value of the boat so it was a serius damage
5. Since POL123 caused serious damage by her breach, her penalty was to retire as required by RRS 44.1(b).

DECISION

Date & Time: 2022-07-26 10:38 CEST

POL is DSQ in race 2

Redress is given. ITA71 is to be scored in race 2 points equal to the average, rounded to the nearest tenth of a point (0.05 to be rounded upward), of her points in all races sailed before the last scheduled day of the series, except race 2. This shall not be worse than her finishing position in the race. No other boat's score shall change.

PROTEST COMMITTEE

Chaired By: Dusan Vanicky (SVK)

