

DECISION

Request No.: 03

Protest and Request for Redress

Event: World Championship Microclass 2022 Race Number: 4
Hearing Schedule: 2022-07-26 20:45

PARTIES AND WITNESSES

Request No.: 03: Microclass - Proto - ITA 71 - Bruxsa 2 - Luca Fantin

Microclass - Racer - POL 82 - Polster - Janusz Kuszynski

Witnesses: Montis, Marcello, Race officer, called by jury

VALIDITY

Objection to Jury: No

Within Time Limit: Within Time Limit

Incident Identified: Yes

Proper Hail: Protest hailed

Red Flag Displayed: Yes confirmed by protestee, even if not seen by officers at the finishing boat

Decision: Request Valid

PROCEDURAL MATTERS

Jacek Kuclunski, member of the crew of POL 82 attended the hearing as an observer.

FACTS FOUND

ITA 71 and POL 82 approaching the gate on the port mark, ITA71 on starbord and POL82 on port, overlapped from when ITA 71 enter the zone as outside boat.

At the mark a contact occurred between the two boats. Distance between inside boat POL 82 and the port mark was about half a meter. No boat took a penalty.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: 18.2(b), 14

ITA 71 did not give mark room to POL 82 and even didn't avoid the contact. POL 82 sailing within the mark room is exonerated by R.R.S. 43.1.(b)

1. ITA 71, outside overlapped at the zone, failed to give POL 82 mark-room, and broke RRS 18.2(b).
2. ITA 71 the right-of-way boat, did not act to avoid contact with POL 82 when it was reasonably possible. ITA 71 broke RRS 14.
3. Since POL 82 was sailing within the mark-room to which she was entitled and the contact did not cause damage or injury, she is exonerated under RRS 43.1(c) for breaking RRS 14.

DECISION

ITA 71 is DSQ from race # 4

Date & Time: 2022-07-26 21:05 CEST

PROTEST COMMITTEE

Chaired By: Bruno Tamburini (ITA)

Committee Members: Eugenio Giovanni Branca (ITA), Dusan Vanicky (SVK), Pierluigi De Luise (CRO), Claudio Reynaud (SUI)