

DECISION

Request No.: 27

Protest

Event: Waszp Games 2022 Race Number: 15
Hearing Schedule: 2022-07-16 17:20

PARTIES AND WITNESSES

Request No.: 27: Waszp - Large Sail 8.2 - Apprentice - ESP 3055 - Ion Ander Basurto

Waszp - Large Sail (8.2) - Super Master - GBR 2867 - Blue - Geoff Carveth

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

1. GBR did not come to the hearing, the hearing proceeded in accordance with RRS 63.3(b).
2. GBR did come to the hearing when the protest committee gave the decision.

FACTS FOUND

1. Conditions 8 knots
2. ESP was low riding on starboard around the WW mark to be left to port.
3. GBR was sailing on starboard, clear astern of ESP and foiling.
4. When ESP entered the zone, GBR was clear astern.
5. GBR became inside overlapped of ESP within the zone
6. Contact occurred between ESP and GBR
7. Both boats capsized and became entangled.
8. GBR's foil damaged the port trampoline of ESP, causing a rip of 15 cm.
9. ESP continued sailing in the race
10. Neither boat took a penalty

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: RRS 18.2(b), 18.2(c)(2), 11, 14, 43.1(b), 62.2(b)

1. ESP to windward failed to keep clear of GBR to leeward and broke RRS 11.
2. It was not reasonably possible for ESP, the boat sailing within the mark-room to which she was entitled to avoid contact with GBR when it was clear that GBR was not giving mark-room. ESP did not break RRS 14.
3. GBR clear astern at the time ESP reached the zone was required by RRS 18.2(b) to give ESP mark-room. Once GBR became overlapped inside of ESP she did not give ESP room to sail her proper course while they remained overlapped and broke RRS 18.2(b) and 18.2(c)(2).
4. Since ESP broke RRS 11 while she was sailing within the mark-room to which she was entitled, she is exonerated under RRS 43.1(b) for this breach.
5. ESP's place in F15 was made worse through her own fault. Therefore, the requirements for redress in RRS 62.1 are not met.

DECISION

Date & Time: 2022-07-16 17:06 CEST

1. Protest Upheld. GBR 2867 is DSQ in race F15

2. Redress is not given

PROTEST COMMITTEE

Chaired By: Giorgio Bolla (ITA)

Committee Members: Will Davies (GBR), Nick Devereux (GBR), Václav Brabec (CZE)

Printed: 2022-07-18 10:50