

DECISION

Protest

Request No.: 05

Heard Jointly With Number(s): 07

Event: 49er, 49erFX and Nacra17 European Championships 2021 Race Number: 5
Hearing Schedule: 2021-09-15 19:00

PARTIES AND WITNESSES

Request No.: 05: Nacra 17 - ITA 98 - Gianluigi UGOLINI - Gianluigi ugolini
Nacra 17 - GBR 25 - Rupert WHITE - Kirstie Urwin
Request No.: 07: Nacra 17 - GBR 25 - Rupert WHITE - Kirstie Urwin
Nacra 17 - ITA 98 - Gianluigi UGOLINI - Gianluigi Ugolini

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

Case 5 and 7 were heard together
Video evidence available

FACTS FOUND

1. 1st upwind race 5, wind about 6 knots
2. About 7 boat lengths from the windward mark ITA 98 was sailing on starboard-tack fetching the mark on the starboard layline.
3. GBR 25 was sailing on starboard-tack above the layline on a converging course with ITA 98.
4. GBR 25 created an overlap from clear astern to windward on ITA 98 in a distance of less than 1 boat length.
5. After entering the zone GBR 25 was sailing close to ITA 98 and hit the arm of her helm trapezing with their leeward shroud.
6. No boat took a penalty turn.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: RRS 11; 18.2(b); 14; 43.1(c)

1. GBR 25 to windward failed to keep clear of ITA 98 to leeward, and broke RRS 11.
2. GBR 25, outside overlapped at the zone, failed to give ITA 98 mark-room, and broke RRS 18.2(b).
3. GBR 25 did not avoid contact when it was reasonably possible, and broke RRS 14.
4. ITA 98 did not avoid contact when it was reasonably possible, and broke RRS 14.
5. Since ITA 98 was right-of way boat and 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

GBR 25 is DSQ in race 5

Date & Time: 2021-09-15 19:48 EEST

PROTEST COMMITTEE

Chaired By: Yoann Peronneau (FRA)
Committee Members: Yannis Kleidonas (GRE), Ilca Heinrich (GER)

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