

# DECISION

Request No.: 08

## Protest

Event: 29er Eurocup 2024 Slovenia Race Number: 5  
Hearing Schedule: 2024-03-30 17:40

### PARTIES AND WITNESSES

**Request No.: 08:** 29er - M- Open - HUN 2765 - HUN 2765 - Mor Csekovszky Martin Zarandy  
29er - Mix- Open - ITA 3094 - ITA 3094 - Emilia Salvatore Pietro Zandri

### 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 Jury of four was properly constituted under N1.5

### FACTS FOUND

1. Both boats were on starboard by the committee boat at the start of race 5.
2. The wind was to the right side of true.
3. ITA 3094 had room to enter between HUN 2765 and the committee boat.
4. ITA 3094 was to windward overlapped and her boom became lodged on the leeward boat's shroud, when the leeward boat luffed because the wind was to the right.
5. HUN 2765 had luffed toward ITA 3094 who could not respond because of the proximity of the committee boat.
6. ITA 3094 touched the committee boat repeatedly but was forced to do so because of the proximity of HUN 2765.
7. There was no damage and no boat took a penalty.

**Diagram:** Diagram not endorsed

### CONCLUSIONS AND RULES THAT APPLY

**Rules:** 11, 14,31, 43

1. ITA 3094 to windward failed to keep clear of HUN 2765 to leeward and broke RRS 11.
2. Since ITA 3094 broke RRS 11 A rule of Section A while she was sailing within the room to which she was entitled, she is exonerated under RRS 43.1(b) for this breach.
3. When changing course HUN 2765, the right-of-way boat, failed to give ITA 3094 room to keep clear, and broke RRS 16.1.
4. ITA 3094 touched a start mark and broke RRS 31.
5. Since ITA 3094 was compelled to break RRS31 as a consequence of HUN 2765 breaking RRS 16.1, she is exonerated under RRS 43.1(a) for this breach.
6. It was not reasonably possible for ITA 3094, the boat sailing within the room to which she was entitled to avoid contact with HUN 2765 when it was clear that HUN 2765 was not keeping . ITA 3094 did not break RRS 14.
7. HUN 2765, the right-of-way boat, did not act to avoid contact when it became clear that ITA 3094 was not keeping clear. HUN 2765 broke RRS 14.
8. Since HUN 2765 was right-of-way boat and the contact did not cause damage or injury, she is exonerated under RRS 43.1(c) for breaking RRS 14.

### DECISION

HUN 2765 is disqualified from Race 5

**Date & Time:** 2024-03-30 19:06 CET

**PROTEST COMMITTEE**

**Committee Type** International Jury

**Chaired By:** Tito Morosetti ()

**Committee Members:** Jan Winkler (), Michael Butterfield (GBR), Tamás Szalontai ()