

# DECISION

Request No.: 03

## Protest and Request for Redress

Event: JSAF Enoshima Olympic Week 2023 Race Number: 7  
Hearing Schedule: 2023-06-25 14:55

### PARTIES AND WITNESSES

**Request No.: 03:** 470 - Mixed 470 - JPN 55 - persson marine Japan - Ai Yoshida Yugo Yoshida  
470 - Men's 470 - JPN 4756 - Waseda University - Koki Yasunaga Mio Takada  
**Witnesses:** No

### 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

### FACTS FOUND

1. Race No.7, wind speed 5kts. slightly choppy.
2. Before starting signal, Boat JPN55 starboard-tack windward boat overlapped with the leeward JPN4756 on closehauled course.
3. After the tacking to port, JPN 4756 sailed on a collision course with starboard tack JPN 55.
4. After sailing 3-4seconds, JPN 4756 bore away and had a contact with JPN 55, when the starting signal was just made.
5. The bow of JPN 4756 hit the port-tack side of JPN 55's hull on the place near the mast.
6. There was a hole of 10\*10cm on the port-tack of JPN 55. No damage on the bow of JPN4756.
7. Both boats retired in this race.

**Diagram:** Diagram not endorsed

### CONCLUSIONS AND RULES THAT APPLY

**Rules:** 10, 14, 62.1(b), 44.1(b)

1. JPN 4765 on port failed to keep clear of JPN55 on starboard, and broke RRS 10 and 14.
2. It was not reasonably possible for JPN55, the right-of-way boat to avoid contact with JPN 4756 when it was clear that JPN 4756 was not keeping clear. JPN55 did not break RRS 14.
3. JPN55's score in race 7 was made significantly worse through no fault of her own by physical damage because of the action of JPN 4756 that was breaking RRS 10 and took an appropriate penalty.

### DECISION

**Date & Time:** 2023-06-25 15:10 JST

Protest upheld. JPN 4756 took the applicable penalty and is not further penalized.  
Redress is given to JPN 55. JPN 55 is to be scored in race 7 points equal to the average of her points in all races sailed.

### PROTEST COMMITTEE

**Committee Type** Protest Committee

**Chaired By:** Narazaki Ayaka (JPN)

**Committee Members:** Kiyoshi Tomimatsu (JPN), Teo Wee Lee (SGP), Jared Hickman (USA), Zuoru Jiang (CHN)