

DECISION

Request No.: 03

Protest, Reopening by PC, and Request for Redress

Event: Waszp Games 2022 Race Number: 1
Hearing Schedule: 2022-07-13 18:00

PARTIES AND WITNESSES

Request No.: 03: Waszp - Large Sail 8.2 - Youth - FRA 2405 - CN Carantec - Joseph Cloarec

Waszp - Large Sail 8.2 - Junior - ITA 2619 - FEDERICO QUARANTA

Witnesses: Will Davies

Interpreters: Joseph Lamlor FRA. Francesco De Felice ITA.

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. Joseph Lamlor attended the hearing as translator for FRA.
2. Francesco De Felice attended the hearing as translator for ITA.
3. The protest committee decided that it may have made a significant error and reopened on its own the hearing on 14.7.2022 in accordance with RRS 66.1. The parties were not present. The parties were informed of the revised decision.

FACTS FOUND

1. Both boats were sailing downwind. Wind was 10-15 kts.
2. Both boats were foiling
3. FRA was sailing on starboard tack and had been since rounding the windward gate
4. ITA, approaching the shore on starboard, gybed onto port. The distance between the boats was approximately 15-20 boat lengths.
5. As the boats became closer together ITA began to bare away. FRA's course did not change
6. ITA on a course approximately 170 degrees TWD began to gybe onto starboard as FRA approached
7. FRA bore away
8. ITA capsized through the exit of the gybe
9. FRA made contact with the mainsail of ITA and then also capsized
10. The mainsail of ITA was ripped from leach to luff at approximately the 2nd batten from the top.
11. The mainsail of FRA also had significant damage
12. Both boats retired from race 1
13. FRA returned to shore and changed her sail
14. FRA DNC in race 2.
15. FRA sailed in races 3 and 4.
16. ITA DNC in the remaining races of the day (3&4).

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: RRS 10, 14, 62.1(b), 66.1, WS Case 116

1. ITA on port failed to keep clear of FRA on starboard, and broke RRS 10 and RRS 14
2. It was not reasonably possible for FRA, the right-of-way boat to avoid contact with ITA when it was clear that ITA was

- not keeping clear. FRA did not break RRS 14.
3. FRA's score in race's 1 and 2 was made significantly worse through no fault of her own by physical damage because of the action of ITA that was breaking RRS 10 and 14.

DECISION

Date & Time: 2022-07-13 18:24 CEST

1. Protest Upheld. ITA took the applicable penalty and is not further penalized.
2. Redress is given to FRA. FRA is to be scored in races 1 and 2 points equal to the average, rounded to the nearest tenth of a point (0.05 to be rounded upward), of her points in all races in the qualifying series, except races 1 and 2, provided at least one race is sailed on 14/7/22. No other boat's score shall change.

PROTEST COMMITTEE

Chaired By: Václav Brabec (CZE)

Committee Members: Will Davies (GBR), Nick Devereux (GBR)

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