

# DECISION

Request No.: 11

## Protest

Event: Cascais 2022 Snipe World Championship Race Number: 6  
Hearing Schedule: 2022-08-23 19:10

### PARTIES AND WITNESSES

**Request No.: 11:** Snipe - ESP 31174 - Victor Perez Campos

Snipe - BEL 31748 - Sam Vandormael

**Witnesses:** Rodrigo Steffan ESP 31532

### VALIDITY

**Objection to Jury:** No

**Within Time Limit:** Within Time Limit

**Incident Identified:** Yes

**Proper Hail:** Protest hailed

**Red Flag Displayed:** Yes

**Decision:** Request Valid

### PROCEDURAL MATTERS

1. Rodrigo Steffan ESP 31532 attended as a witness.

### FACTS FOUND

1. ESP 31532 and ESP 31174 were stationary and overlapped at the starting line less than 30 seconds to the start of Race 6, ESP 31174 being to windward and slightly behind.
2. BEL 31748 sailing from clear astern went through the 2 meters wide gap, between ESP 31532 and ESP 31174, establishing an overlap first to leeward with ESP 31174 and then to windward of ESP 31532.
3. 5 seconds later, when BEL 31748 was sailing through the first quarter of the hull ESP 31532 and midships of ESP 31174, a contact occurred between the hull of BEL 31748, the starboard end of the hull of ESP 31532 and the port side of the hull of ESP 31174.
4. The contact did not cause injury, but caused ESP 31174's tiller to band and be stuck for 20 seconds.
5. During those 15 seconds at the start of the race, ESP 31174 kept sailing backwards.
6. Neither boat took a penalty.

**Diagram:** Diagram not endorsed

### CONCLUSIONS AND RULES THAT APPLY

**Rules:** RRS 11, 14, 15, 43.1 (b), 62.1 (b)

1. BEL 31748 to windward failed to keep clear of ESP 31532 to leeward and broke RRS 11.
2. When acquiring right of way through her own actions, BEL 31748 failed to initially give ESP 31174 room to keep clear, and broke RRS 15.
3. BEL 31748 also failed to avoid a contact with ESP 31532 and ESP 31174 and broke RRS 14.
4. ESP 31174 to windward failed to keep clear of BEL 31748 to leeward and broke RRS 11. However, because ESP 31174 was sailing within the room to which she was entitled, she is exonerated under RRS 43.1 (b).
5. When it was clear that BEL 31748 was not giving room, it was not reasonably possible for ESP 31174 to avoid contact. Therefore, ESP 31174 did not break RRS 14.
6. ESP 31174's score in Race 6 was made significantly worse through no fault of her own by physical damage because of the action of BEL 31748 that was breaking RRS 15 and 14 and was penalized.

### DECISION

**Date & Time:** 2022-08-23 19:55 WEST

1. BEL 31748 is DSQ in Race 6.

2. ESP 31174 is given redress in Race 6, as follows:

1. Average points in Race 6, as per RRS A9 (a) for all races in the series between day 1 and Wednesday 24th (if any), therefore, not including the last scheduled day of racing.

**PROTEST COMMITTEE**

**Chaired By:** Kiyoshi Tomimatsu (JPN)

**Committee Members:** César Sans (ESP), Manuel Ken Gamito (POR), Maria Ramires (POR), Hrvoje Ban (CRO)