

# DECISION

Request No.: 01

## Protest

Event: Finn Gold Cup Race Number: 3  
Hearing Schedule: 2022-05-18 17:30

### PARTIES AND WITNESSES

Request No.: 01: FINN - AUS 110 - Marcus Whitley

FINN - ITA 11 - Paolo Cisbani

### 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

A panel of 3 is appointed by Jury chairman in compliance with app. N1.4(b)

### FACTS FOUND

Race 3, about 14 knots, and 30 cm short chop.

1. AUS 110 and ITA 11 both sailing close-hauled on port.
2. AUS 110 on a course one and a half boat lengths to leeward of ITA 11 and half a boat length clear ahead.
3. An unidentified boat was on starboard on a collision course with AUS 110.
4. Boat speed before any tack was about 4.5 knots.
5. AUS 110 tacked and became close hauled on starboard at half a boat length from the starboard side of ITA 11
6. AUS 110 immediately bore away and passed astern of ITA 11.
7. No boats took penalty turns

**Diagram:** Diagram not endorsed

### CONCLUSIONS AND RULES THAT APPLY

**Rules:** 10, 15, 43.1(b)

1. ITA 11 on port failed to keep clear of AUS 110 on starboard, and broke RRS 10
2. When acquiring right of way through her own actions, AUS 110 complied to the requirement of rule 15 by bearing away to give ITA 11 room to keep clear. World Sailing Case 147.
3. Since ITA 11 broke RRS 10 while she was sailing within the room to which she was entitled, she is exonerated under RRS 43.1(b) for this breach.

### DECISION

Protest dismissed

**Date & Time:** 2022-05-18 18:38 CEST

### PROTEST COMMITTEE

**Chaired By:** Mina Stanikic (SRB)

**Committee Members:** Bojan Gale (SLO), Claudio Uras (ITA)