

# DECISION

Request No.: 06

## Protest

Event: Waszp Games 2022 Race Number: 2  
Hearing Schedule: 2022-07-13 18:30

### PARTIES AND WITNESSES

**Request No.: 06:** Waszp - Large Sail 8.2 - Apprentice - ITA 3203 - F22e - Enzo Savoini

Waszp - Large Sail 8.2 - Junior - IRL 3150 - Marcus O Leary

**Witnesses:** IRL 3150

### 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. Conditions: 15 knots.
2. The race committee started the sequence of race 2 with a black flag displayed.
3. 10 seconds to the start, both boats on starboard, foiling.
4. IRL became overlapped to windward of ITA from astern.
5. IRL decreased the gap between itself and ITA.
6. Contact occurred between the port wing bar of IRL and the sailor of ITA.
7. Whilst together both boats headed up and crossed the starting line before the starting signal.
8. The boats separated.
9. IRL slowed, bore away behind ITA and then took a one turn penalty
10. ITA continued towards the windward mark and did not sail to the the pre-start side of the starting line at any point before finishing.
11. IRL and ITA were scored BFD.

**Diagram:** Diagram not endorsed

### CONCLUSIONS AND RULES THAT APPLY

**Rules:** RRS 11, 14, 28.1, 43.1(a), 62.1, WS Case 140

1. IRL to windward failed to keep clear of ITA to leeward and broke RRS 11 and 14.
2. It was not reasonably possible for ITA, the right-of-way boat to avoid contact with IRL when it was clear that IRL was not keeping clear. ITA did not break RRS 14.
3. Since ITA was compelled to break RRS 30.4 as a consequence of IRL breaking RRS 11 and 14, she is exonerated under RRS 43.1(a) for this breach.
4. Since the incident did not prevent ITA from sailing back to the pre-start side of the starting line and starting in accordance with the definition of Start ITA broke RRS 28.1.
5. There was neither an improper action nor omission of the race committee. Therefore, the requirements for redress in RRS 62.1(a) are not met.

### DECISION

**Date & Time:** 2022-07-13 19:35 CEST

1. Protest Upheld. IRL took the applicable penalty and is not further penalized.

2. Redress is not given.
3. ITA will be scored OCS in race 2.

**PROTEST COMMITTEE**

**Chaired By:** Will Davies (GBR)

**Committee Members:** Nick Devereux (GBR), Václav Brabec (CZE)