

# DECISION

Request No.: 07

## Protest

Event: 2023 World Cup Series Sardinia Race Number: F3  
Hearing Schedule: 2023-10-21 19:20

### PARTIES AND WITNESSES

Request No.: 07: Male - Gold - GER 51 - Yannik - Yannik Holste

Male - Gold - ITA 38 - Riccardo - Riccardo Zorzi

### VALIDITY

**Objection to Jury:** No

**Within Time Limit:** Within Time Limit

**Incident Identified:** Yes

**Proper Hail:** Protest hailed

**Red Flag Displayed:** N/A

**Decision:** Request Valid

### PROCEDURAL MATTERS

### FACTS FOUND

1. The conditions at the time of the incident in race F3 were 15-18 knots of wind and small chop.
2. GER 51 and ITA 38 were reaching overlapped on port tack with GER 51 being to leeward of ITA 38 and approaching the windward finishing mark.
3. When entering the zone of the windward finishing mark, GER 51 was overlapped with ITA 38 at a distance of 1,5m.
4. At a distance of 5m from the finishing mark, GER 51 bore away slightly. ITA 38 followed the bear away.
5. Less than one second later, contact but not damage or injury occurred between ITA 38's wing tip and the back of GER 51's competitor.
6. ITA 38 crossed the finishing line at a distance of 1m from the windward finishing mark.
7. If ITA 38 had not changed her course, she would have touched the finishing mark.
8. Neither wingfoil took a penalty.

**Diagram:** Diagram not endorsed

### CONCLUSIONS AND RULES THAT APPLY

**Rules:** RRS 11, 14, 43.1(b), WF18.2(a)(1)

1. GER 51 outside overlapped at the zone failed to give ITA 38 mark-room, and broke RRS WF18.2(a)(1).
2. GER 51 did not avoid contact when it was reasonably possible, and broke RRS 14.
3. ITA 38 to windward failed to keep clear of GER 51 to leeward, and broke RRS 11.
4. Since ITA 38 broke RRS 11 while she was sailing within the mark-room to which she was entitled, she is exonerated under RRS 43.1(b) for this breach.
5. It was not reasonably possible for ITA 38, the wingfoil sailing within the mark-room to which she was entitled, to avoid contact with GER 51 when it was clear that GER 51 was not giving mark-room. ITA 38 did not break RRS 14.

### DECISION

GER 51 is DSQ in race F3.

Date & Time: 2023-10-21 19:40 CEST

### PROTEST COMMITTEE

**Committee Type:** Protest Committee

**Chaired By:** Alina Stratigiou (GRE)

**Committee Members:** Marina Psychogyiou (GRE), Finn Mrugalla (GER)