

DECISION

Request No.: 12

Request to Reopen

Event: 39 Copa del Rey MAPFRE Race Number: 5
Hearing Schedule: 2021-08-04 20:15

PARTIES AND WITNESSES

Request No.: 12: IRC 1 - FRA 5200 - AROBAS² - GABRIEL NAVAL

IRC 1 - ITA 29141 - FRECCIA ROSSA - VADIM YAKIMENKO

VALIDITY

Objection to Jury: No

Within Time Limit: Within Time Limit

Incident Identified: N/A

Proper Hail: Protest hailed

Red Flag Displayed: Yes

Decision: Request Valid

PROCEDURAL MATTERS

FRA 5200 represented by Eric Drouglazet

Witness Gabriel Le Duc FRA 5200

FRA 5200 realized that they had been protested in the water.

They received the email of the protest.

FRA went to the Race Office.

The Race Office indicated the link that is in the Sailing Instructions.

That link only shows the "Hearing Decisions" front page system.

FRA was able to see the status of the hearing and not the schedule of the hearing.

As the Sailing Instructions ONB link and the indications of the Race Office shows the Hearing Decision front page, FRA was not able to be on time for the hearing.

Hearing Case No.11 will be reopened

FACTS FOUND

1. In Race #5 with 9 knots of wind
2. ITA was sailing on starboard tack on a converging course with FRA on port tack
3. FRA crossed in front of ITA half a length in front
4. FRA luffed and passed head to wind to windward creating an overlap with ITA at about 8 meters of lateral distance
5. ITA luffed slightly
6. FRA halt her course
7. The distance between boats was decreasing
8. The closet distance was 1 to 2 meters
9. ITA bore away
10. No contact occurred
11. No boat took a penalty

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: 11, 66

FRA did not keep clear of ITA as required in rule 11

FRA to windward failed to keep clear of ITA to leeward, and broke RRS 11.

FRA was DSQ in race 5 - see case 13

DECISION

The Protest is Upheld
No further penalty to FRA

Date & Time: 2021-08-04 20:54 CEST

PROTEST COMMITTEE

Chaired By: Diego Forcada (ESP)

Committee Members: Yannis Kleidonas (GRE), Diego Forcada (ESP)

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