

DECISION

Request No.: 01

Protest

Event: Eurocup 4000 Race Number: 3
Hearing Schedule: 2022-07-27 18:20

PARTIES AND WITNESSES

Request No.: 01: 4000 - GBR 4522 - REYNOLDS MATT DI BARTOLO OLLIE

4000 - ITA 4652 - FECIA DI COSSATO LUDOVICO ZAMBETTI MATTIA

Witnesses: EUR 4423 (called by protestor), ITA 4422 (called by protestee)

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

Both parties speak english, the hearing is conducted in english without need of interpreters.

Both parties agreed upon the diagram attached, which represents points #2 and #3 of facts found.

The protestor called EUR 4423 as witness, the protestee called ITA 4422 as witness.

FACTS FOUND

1. Race 3, wind speed 12 knots, incident occurred after rounding mark 1A.
2. ITA 4652 on starboard tack, outside the zone of mark 1A, on the run, gennaker not hoisted yet.
3. GBR 4522 is on starboard tack clear behind ITA 4652 on the run too with gennaker hoisted.
4. GBR becomes overlapped less than a hull length to leeward of ITA 4652.
5. GBR 4522 does not alter course, the boats proceed on parallel course for a hull length and a half, then a contact without damage occurs between the bowsprit of GBR 4522 and the boom of ITA 4652.
6. GBR 4522 bears away after the incident, neither of the two boats takes penalty turns and they both keep racing the course.



Points #2 and #3 of Facts Found

Diagram: Protest Committee diagram attached

CONCLUSIONS AND RULES THAT APPLY

Rules: 11, 14, 43.1(c)

1. ITA 4652 to windward failed to keep clear of GBR 4522 to leeward, and broke RRS 11.
2. ITA 4652 did not avoid contact when it was reasonably possible, and broke RRS 14.
3. Since GBR 4522 was right-of way boat and the contact did not cause damage or injury, she is exonerated under RRS 43.1(c) for breaking RRS 14.

DECISION

The Protest is Upheld. ITA 4652 is DSQ in race #3.

Date & Time: 2022-07-27 19:21 UTC

PROTEST COMMITTEE

Chaired By: Piero Occhetto (ITA)

Committee Members: Alessandro Berrone (ITA) Marco Pantaleoni