

# DECISION

Request No.: 15

## Protest and Request for Redress

Event: Waszp Games 2022 Race Number: 8  
Hearing Schedule: 2022-07-14 20:15

### PARTIES AND WITNESSES

Request No.: 15: Waszp - Large Sail 8.2 - Youth - SUI 3172 - SDS RACING TEAM 2 - Ann Sophie Volz

Waszp - Medium sail (6.9) - Junior - AUS 3264 - Flash - Aidan Simmons

### VALIDITY

**Objection to Jury:** No

**Within Time Limit:** Within Time Limit

**Incident Identified:** No

**Proper Hail:** No proper hail Protest not hailed. Serious damage resulted from the incident and protestee informed as required by RRS 61.1(a)(4)

**Red Flag Displayed:** Yes

**Decision:** Request Valid

### PROCEDURAL MATTERS

1. AUS 3263 did not come to the hearing, the hearing proceeded in accordance with RRS 63.3(b).

### FACTS FOUND

1. The protest submitted in 1841 failed to identify the incident.
  2. The protestor's description of the incident that was entered onto the protest form was not uploaded on the e-protest form.
  3. The protestor resubmitted the protest with a full description at the start of the hearing.
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1. SUI was approaching the windward gate with AUS to windward. The distance between the boats was approximately 4-6 meters.
  2. AUS made multiple course alternations decreasing the gap between AUS and SUI.
  3. The distance to the port windward gate was approximately 50 meters.
  4. The mast of AUS sharply hit the SUI's port wing bar, while AUS was capsizing because of a collision with NOR.
  5. The collision caused the breakage of the SUI's port wing bar.
  6. SUI retired from race 8.
  7. AUS is scored RET for race 8.

**Diagram:** Diagram not endorsed

### CONCLUSIONS AND RULES THAT APPLY

**Rules:** RRS 11, 14, 62.1(b)

1. SUI failed to deliver the protest within the protest time limit, as required by RRS 61.3. However, there was good reason for the PC to extend the time limit under RRS 61.3.
2. AUS to windward failed to keep clear of SUI to leeward and broke RRS 11 and 14.
3. It was not reasonably possible for SUI, the right-of-way boat to avoid contact with AUS when it was clear that AUS was not keeping clear. SUI did not break RRS 14.
4. SUI's score in race 8 was made significantly worse through no fault of her own by physical damage because of the action of AUS that was breaking RRS 11 and 14 and took an appropriate penalty.

### DECISION

Date & Time: 2022-07-14 20:48 CEST

1. Protest upheld. AUS took the applicable penalty and is not further penalized.

1. Protest upheld. Race taken and appropriate penalty and is not further penalized.
2. Redress is given to SUI. SUI is to be scored in race 8 points equal to the average, rounded to the nearest tenth of a point (0.05 to be rounded upward), of her points in all races sailed in the qualifying series, except race 8. No other boat's score shall change.

**PROTEST COMMITTEE**

**Chaired By:** Nick Devereux (GBR)

**Committee Members:** Will Davies (GBR), Václav Brabec (CZE)