

# DECISION

Request No.: 04

## Protest

Event: Finn Masters Europeans Race Number: 5  
Hearing Schedule: 2023-09-07 18:35

### PARTIES AND WITNESSES

**Request No.: 04:** Finn - BEL 11 - Bow 42 - Van den Brande KLYC

Finn - ITA 11 - Bow 17 - Cisbani YC Riviera del Conero

**Witnesses:** Jury boat

### 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

Mina Stanikic (Chair of the International Jury) attended the hearing as an observer.

### FACTS FOUND

1. In race 5 there was 8 knots of wind and marginal chop.
2. 4 to 5 minutes after the starting signal, BEL 11 and ITA 11 were sailing close-hauled on a collision course, with BEL 11 on starboard tack and ITA 11 on port tack.
3. When the distance between the boats was 4 meters, ITA 11 started tacking and then passed head to wind.
4. Before ITA 11 was on close-hauled on starboard tack, BEL 11 luffed and there was a contact between ITA 11's starboard corner of the stern and BEL 11's port side of the hull, ahead of the boat's midpoint, causing slight scratches on BEL11's hull.
5. No boat took any penalty.

**Diagram:** Diagram not endorsed

### CONCLUSIONS AND RULES THAT APPLY

**Rules:** RRS 13, 14

1. After passing head to wind and before being on a close-hauled course, ITA 11 failed to keep clear of BEL 11. ITA 11 broke RRS 13.
2. ITA 11 did not avoid contact when it was reasonably possible, and broke RRS 14.
3. BEL 11 did not avoid contact when it was reasonably possible, and broke RRS 14.
4. Since BEL 11 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

ITA 11 is DSQ in race 5.

**Date & Time:** 2023-09-07 19:30 CEST

### PROTEST COMMITTEE

**Committee Type:** Protest Committee

**Chaired By:** Antonio Gonzalez de la Madrid (ESP)

**Committee Members:** David Hudson (RSA), Rainer Heinrich (GER), Sylvie Harle (FRA), Günter Fossler (AUT)