

DECISION

Request No.: 04

Protest

Event: International Moth Open & World Championships 2023 Race Number: 1
Hearing Schedule: 2023-06-14

PARTIES AND WITNESSES

Request No.: 04: Moth - Yellow - USA 8 - Teal - Harry Melges

Moth - Yellow - ITA 4907 - Fabio Mazzetti

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

FACTS FOUND

- 1 USA 8 was beating on starboard tack.
- 2 ITA 4907 was going downwind on starboard tack.
- 3 ITA 4907 gybed onto port and was not fully in control after the gybe.
- 4 Almost immediately there was a collision between the boat that collided almost head-on.
- 5 There was damage to USA 8 as a bar was broken in half on the starboard side.
- 6 USA 8 retired because of the damage and was unable to sail race 2.
- 7 ITA 4907 Retired from Race 1
- 8 wind 9 kts sea calm.
- 9.Redress is claimed.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: 10.14. 62

1. ITA 4907 on port failed to keep clear of USA8 on starboard and broke RRS 10
2. ITA 4907 did not avoid contact when it was reasonably possible and broke RRS 14.
3. It was not reasonably possible for USA8, the right-of-way boat to avoid contact with ITA4907 when it was clear that ITA 4907 was not keeping clear. USA8 did not break RRS 14.
4. USA8's score in races 1 and 2 were made significantly worse through no fault of her own by physical damage because of the action of ITA 4907 that was breaking RRS 10 rule of Part 2 and took an appropriate penalty.

DECISION

Date & Time: 2023-06-14 09:59 IST

Protest Upheld. ITA 4907 took the applicable penalty and is not further penalized.

USA8's request for redress is granted. USA8 is to be scored in races 1 and 2 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 except races 1 and 2. This shall not change the score of the other boats. However, more than half of USA8's race scores in the Qualifying Series must be based on her finishing position in races she starts, and any grant of redress in excess of this amount shall not be applied to the boat's score.

PROTEST COMMITTEE

Committee Type: National Jury

Chaired By: Michael Butterfield (GBR)

Committee Members: Enrica Mameli (ITA)

