

DECISION

Protest by PC

Request No.: 05

Event: Eurocup 4000 Race Number: 7
Hearing Schedule: 2022-07-30 17:40

PARTIES AND WITNESSES

Request No.: 05: Protest Committee

4000 - ITA 4652 - FECIA DI COSSATO LUDOVICO ZAMBETTI MATTIA

4000 - GBR 4343 - HEFFERNAN NEIL MORRISON JO

4000 - FRA 4468 - SCOUARNEC ANTHONY GENDRON CEDRIC

4000 - FRA 4534 - GABORIAUD YANNICK GABORIAUD LOIC

4000 - GBR 4522 - REYNOLDS MATT DI BARTOLO OLLIE

Witnesses: Race Committee: Davide Ponti, Alessandro De Felice, Alessandra Simion

VALIDITY

Objection to Jury: No

Within Time Limit: Within Time Limit

Incident Identified: Yes

Proper Hail: Hail not required

Red Flag Displayed: Not required

Decision: Request Valid

PROCEDURAL MATTERS

During the joint hearing of case #3 and #4, which arose from the same incident the PC learned that FRA 4468, FRA 4534 and GBR 4522, although not party to the hearing, were involved in the incident and may have broken a rule. The protest of case #3 and #4 was valid.

The Protest Committee closes the hearing for cases #3 and #4, protests the other boats and opens this hearing.

FACTS FOUND

1. Race 7, wind speed 10 knots, light wave. Boats speed was around 6-7 knots.
2. ITA 4652 and GBR 4343, both on port tack, are sailing on a reach in direction of the finish line after having turned mark 2
3. ITA 4652 becomes overlapped one and a half hull lengths windward to GBR 4343. The overlap begins 2 hull lengths before the zone of RC vessel mark.
4. Boats remain overlapped when the first of them, GBR 4343, reaches the zone of RC vessel mark. At this moment ITA 4652 is inside boat.
5. A third boat, FRA 4468, at the zone is overlapped leeward to GBR 4343, with a lateral distance between the hulls of 2 meters.
6. FRA 4468 has 5 meters of free room leeward of her.
7. Nobody alters course.
8. There is a contact between the right side of ITA 4652's bow and the back of GBR 4343 crew, without any injury or damage.
9. At the moment of contact ITA 4652 is a little than one meter of lateral distance from RC vessel.
10. No boat takes penalty turns.
11. FRA 4534 and GBR 4522 were not involved in the incident, as FRA 4534 was clear astern of FRA 4468 and GBR 4522 was clear ahead having already crossed finish lines.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: 11, 14, 18.2(b), 43.1

1. ITA 4652 to windward failed to keep clear of GBR 4343 to leeward, and broke RRS 11.
2. Since ITA 4652 broke RRS 11 while she was sailing within the mark-room to which she was entitled, she is exonerated under RRS 43.1(b) for this breach.
3. GBR 4343 to windward failed to keep clear of FRA 4468 to leeward, and broke RRS 11.
4. Since GBR 4343 broke RRS 11 while she was sailing within the mark-room to which she was entitled, she is exonerated under RRS 43.1(b) for this breach.
5. GBR 4343, outside overlapped at the zone, failed to give ITA 4652 mark-room, and broke RRS 18.2(b).
6. FRA 4468, outside overlapped at the zone, failed to give GBR 4343 mark-room, and broke RRS 18.2(b).
7. Since GBR 4343 was compelled to break RRS 18.2(b) as a consequence of FRA 4468 breaking RRS 18.2(b), she is exonerated under RRS 43.1(a) for this breach.
8. It was not reasonably possible for ITA 4652, the boat sailing within the room to which she was entitled to avoid contact with GBR 4343 when it was clear that GBR 4343 was not giving mark-room. ITA 4652 did not break RRS 14.
9. It was not reasonably possible for GBR 4343 to avoid contact with ITA 4652 because of FRA 4468 not giving mark-room. GBR 4343 did not break RRS 14.

DECISION

Date & Time: 2022-07-30 18:00 CEST

Protest Upheld. FRA 4468 is DSQ

FRA 4468 is already DSQ in race #7 and is not further penalized for the breach of RRS 18.2(b).

PROTEST COMMITTEE

Chaired By: Piero Occhetto (ITA)

Committee Members: Alessandro Berrone (ITA)

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