

DECISION

Request No.: 23

Protest and Request for Redress

Event: Waszp Games 2022 Race Number: 15
Hearing Schedule: 2022-07-16 16:20

PARTIES AND WITNESSES

Request No.: 23: Waszp - Large Sail 8.2 - Master - ITA 3056 - Foil Addiction - GIOVANNI BONZIO

Waszp - Large Sail 8.2 - Master - FRA 2934 - Pierre LEBOUCHER

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

1. FRA 2934 did not come to the hearing, the hearing proceeded in accordance with RRS 63.3(b).
2. FRA 2934 entered the hearing at 16:35
3. Lucia Ranza attended the hearing as translator for FRA.

FACTS FOUND

1. Conditions were 15 knots
2. Both boats were approaching to start at the committee boat end of the line
3. ITA was clear ahead of FRA. The distance between ITA and the CV was 1 BL.
4. FRA became on a collision course with ITA and overlapped to windward of ITA. The gap between the ITA and FRA at this point was approximately 1 meter.
5. ITA did not change her course.
6. Contact occurred between the boats.
7. As a result of the contact, ITA sustained damage to their wand. This damage prevented ITA from foiling
8. FRA took a one-turn penalty and continued sailing the race.
9. ITA retired from race 15 and DNC in race 16

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: RRS 11, 14, 62.2(b),

1. FRA to windward failed to keep clear of ITA to leeward, and broke RRS 11 and 14.
2. It was not reasonably possible for ITA, the right-of-way boat to avoid contact with FRA when it was clear that FRA was not keeping clear. ITA did not break RRS 14
3. ITA's score in race 15 and 16 was made significantly worse through no fault of her own by physical damage because of the action of FRA that was breaking RRS 11 and 14 and took a one turn penalty.
4. Since FRA caused serious damage by her breach, her penalty was to retire as required by RRS 44.1(b).

DECISION

Date & Time: 2022-07-17 16:45 CEST

1. Protest upheld. FRA is DSQ in race 15.
2. Redress is given to ITA. ITA is to be scored in race 15 and 16 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 final series, except race 15 and 16. This shall not be worse than her finishing position in the race. No other boat's score shall change.

PROTEST COMMITTEE

Chaired By: Giorgio Bolla (ITA)

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

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