

# DECISION

Request No.: 01

## Protest

Event: RS Aero World Championship Race Number: 3  
Hearing Schedule: 2023-07-26 18:10

### PARTIES AND WITNESSES

Request No.: 01: RS Aero 6 - GBR 3669 - Christopher Rust

Rs Aero - 3734 - Leonardo Nonnis

### VALIDITY

**Objection to Jury:** No

**Within Time Limit:** Within Time Limit

**Incident Identified:** Yes

**Proper Hail:** Protest hailed      Protest hailed three or four times and Protestee acknowledged hail

**Red Flag Displayed:** No

**Decision:** Request Valid

### PROCEDURAL MATTERS

ITA3734 did not attend and so Protest Committee proceeded under 63.3(b).

### FACTS FOUND

1. Wind was around 18knots with choppy sea state.
2. GBR 3669 and ITA 3734 were both on starboard tack on a beat to windward.
3. At 6 boat lengths from the starboard end of the finish line GBR 3669 and ITA 3734 were overlapped side by side, 1 meter apart. GBR 3669 was to windward of ITA 3734.
4. GBR 3669's course was aiming at the starboard end of the finish line (that was a rib).
5. At 3 boat lengths from the starboard end of the finish line overlap and distance between GBR 3669 and ITA 3734 were the same as set out in point 3 above and GBR 3669 hailed "room to finish".
6. ITA 3734 did not change her course.
7. GBR 3669 eased her mainsail sheet and slowed down.
8. ITA 3734 crossed the finish line leaving to starboard the starboard end finish boat with a half a meter gap.
9. GBR 3669 resumed sailing and crossed the finish line behind ITA 3734.
10. No boat took a penalty. No damage, contact or injury occurred.

**Diagram:** Diagram not endorsed

### CONCLUSIONS AND RULES THAT APPLY

**Rules:** 11, 18.2(b) & 63.3(b)

1. GBR 3669 was the keep clear boat to windward of ITA 3734 and was entitled to mark room (RRS18.2(b)).
2. GBR 3669 kept clear of ITA 3734 in accordance with RRS11.
3. ITA 3734, the right of way boat did not give mark room to GBR 3669 as per RRS18.2(b) therefore, ITA 3734 broke RRS18.2(b).

### DECISION

ITA 3734 is DSQ from Race 3

**Date & Time:** 2023-07-26 17:37 CEST

### PROTEST COMMITTEE

**Committee Type:** Protest Committee

**Chaired By:** Marco Sarcoli (ITA)

**Committee Members:** Marco Giampà (ITA), Sian Reynolds (GBR), Franco Pagliarani (ITA)