

DECISION

Request No.: 13

Protest

Event: 2023 Star World Championship Race Number: 5
Hearing Schedule: 2023-09-24 17:15

PARTIES AND WITNESSES

Request No.: 13: star - ita 8500 - giuseppe recchi

star - NOR 8582

Witnesses: RACE COM ASSISTANCE
RIB

VALIDITY

Objection to Jury: No

Within Time Limit: Within Time Limit

Incident Identified: Yes

Proper Hail: Protest hailed

Red Flag Displayed: Yes

Decision: Request Valid

PROCEDURAL MATTERS

NOR 8582 did not come to the hearing, the hearing proceeded in accordance with RRS 63.3(b).

Jury member represented by Ewa Szyfter provided photo evidence.

The panel of the International Jury was composed in accordance with RRS N1.4(b).

FACTS FOUND

Wind conditions: 13kts with choppy seas.

1. NOR 8582 and ITA 8500 sailing downwind on port tack approaching mark 3s.
2. NOR 8582 entered the zone approximately 3-4 boat lengths clear ahead of ITA 8500 and overlapped inside of a pack of unidentified boats.
3. At the mark the unidentified boats closed the gap between themselves and the mark.
4. Less than a half boat length from the mark 3s NOR 8582 luffed to windward of the mark and passed head to wind.
5. ITA 8500 continued sailing towards the mark 3s.
6. When ITA 8500 was beside and less than a boat length from the mark NOR 8582 bore away, establishing an inside overlap with ITA 8500 and gybed to port.
7. During the maneuver NOR 8582 never left the zone.
8. ITA 8500 luffed to pass the mark sailing less than a half boat width from the mark.
9. Contact occurred between NOR 8582's bow and ITA 8500's port aft.
10. There was damage to ITA 8500's boat around 1m from the transom on the port side- cracked laminate.
11. Both boats finished the race.
12. No boat took a penalty.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: RRS N1.4(b), 63.3(b), 18.2(a), 11, 14, 43.1(b).

- ITA 8500, outside overlapped, failed to give NOR 8582 mark-room, and broke RRS 18.2(a).
- ITA 8500 required to give mark room did not avoid contact when it was reasonably possible, and broke RRS 14.
- NOR 8582 to windward failed to keep clear of ITA 8500 to leeward, and broke RRS 11. Since NOR 8582 was sailing within the mark room to which she was entitled is exonerated under RRS 43.1(b).
- When it was obvious that ITA 8500 was not giving mark room, it was not possible for NOR 8582 to avoid contact. She did not break RRS 14.

DECISION

ITA 8500 is DSQ in race 5.

Date & Time:

PROTEST COMMITTEE

Committee Type Protest Committee

Chaired By:

Committee Members: