

DECISION

Protest

Request No.: 04

Heard Jointly With Number(s): 03

Event: 29er Eurocup 2023 Koper Race Number: 3
Hearing Schedule: 2023-04-06

PARTIES AND WITNESSES

Request No.: 04: 29er - Green - AUT 3060 - Marla Feichtenschlager

29er - Green - SVK 2363

Request No.: 03: 29er - ITA 2622 - Marco Iaconcigh Joseph Culicchia (present at the hearing)

29er - AUT 3060 - Marla Feichtenschlager (present at the hearing) Katharina Kropfisch

Witnesses: Marco Iaconcigh (ITA 2622), Katharina Kropfisch (AUT 3060), Alex Brestovsky (SVK 2363)

VALIDITY

Objection to Jury: No

Within Time Limit: Beyond with Good Reason See procedural matters. For Case 3 Protest time limit was extended with good reason, due to translation assistance.

Incident Identified: Yes

Proper Hail: Protest hailed

Red Flag Displayed: Not required

Decision: Request Valid

PROCEDURAL MATTERS

Hearing No. 4 was heard together with Hearing No. 3 in accordance with RRS 63.2 since both hearings arose from the same incident.

Enrico Vaccaro (NJ ITA), Adam Brestovski (coach for SVK 2363) and Stefan Scharnagl (coach for AUT 3060) present as observers.

Witnesses called by the jury.

FACTS FOUND

Wind conditions 8 to 10 knots with small waves

Boats were sailing downwind to the port mark of the gate to be left to starboard.

They entered the zone overlapped with ITA 2622 inside boat AUT 3060 in the middle SVK 2363 outside boat

SVK 2363 rounded the mark about 0.5 meters from the mark, ITA 2622 touched the mark with her front part, and both ITA 2622 and AUT 3060 luffed and turn 360 and pass the mark from the required side.

ITA 2622 and AUT 3060 had contact with no damages or injury.

ITA 2622 took 1 turn penalty.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: RRS 18.2(b), 14, 43.1(c), 31

1. SVK 2363, outside overlapped at the zone, failed to give AUT 3060 and ITA 2622 mark-room, and broke RRS 18.2(b).
2. Since AUT 3060 and ITA 2622 were sailing within the mark-room to which they were entitled, and the contact did not cause damage or injury, they are exonerated under RRS 43.1(c) for breaking RRS 14.

DECISION

SVK 2363 is DSQ in race N 3

Date & Time: 2023-04-06 21:05 CEST

PROTEST COMMITTEE

Committee Type International Jury

Chaired By: Franco Battistin (CRO)

Committee Members: Alexander Bratt (SWE), Ulli Scheu (SUI), Zlatko Jakelic (CRO), Anastasios Fotis (GRE)