

DECISION

Protest by PC

Request No.: 07

Heard Jointly With Number(s): 01

Event: Ora Cup Ora Race Number: 1
Hearing Schedule: 2023-08-05 09:30

PARTIES AND WITNESSES

Request No.: 07: Protest Committee

JUNIORES - TUR 9402 - Dai Ege

Request No.: 01: JUNIORES - LTU 197 - Scheidt Erik

JUNIORES - ESP 3319 - Gandrille García Pepe

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

Under RRS 61.1(c), the hearing#7 is heard together with hearing#1; the PC applied RRS 60.3(a)(2) as, during the hearing of the valid protest#1, learnt that TUR, although not a party to the hearing, was involved in the incident and may have broken a rule - RRS 60.3(a)(2) applies.

The PC informed TUR of its intention to protest as soon as reasonably possible, by posting immediately on the ONB a notice about its intention to protest TUR.

TAMER BASLIG coach of TUR attended the hearing as an observer.

FACTS FOUND

1. Wind speed 7 kn, pretty flat water, zone of the 1st windward mark.
2. LTU on stb tack was sailing close-hauled on the starboard layline, 2.5 boat lengths from mark 1.
3. ESP and TUR on port tack overlapped bow-to-bow, with TUR inside 1 boat length to leeward of the port layline and 2 boat lengths from mark 1.
4. ESP was on collision course with LTU.
5. When ESP was approximately 1 boat length away from LTU, ESP hailed room to tack to TUR.
6. At that time, ESP and TUR were respectively 1.5 and 1 boat length from mark 1.
7. TUR held her course and was silent.
8. When approximately 0.5 boat length away from ESP, LTU bore away and passed 10 cm. astern of ESP.
9. No contact. No boat took a penalty.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: RRS 10, RRS 20.2(b) and (c), 43.1(a)

1. TUR neither tacked as soon as possible nor immediately responded after ESP hailed her for room to tack, as required by RRS 20.2(b) and (c).
2. ESP on port failed to keep clear of LTU on starboard, and broke RRS 10.
3. Since ESP was compelled to break RRS 10 as a consequence of TUR breaking RRS 20.2(b) and (c), she is exonerated under RRS 43.1(a) for this breach.

See WS Case#3: "A leeward port-tack boat, hailing for room to tack when faced with an oncoming starboard-tack boat, an obstruction, is not required to anticipate that the windward boat will fail to comply with her obligation to tack promptly or

otherwise provide room."

DECISION

Date & Time: 2023-08-05 10:32 CEST

TUR 9402 is DSQ in race 1.

PROTEST COMMITTEE

Committee Type Protest Committee

Chaired By: Giovanni Battista Albrizzi (ITA)

Committee Members: Alessio Brugnerotto (ITA), Giorgio Bolla (ITA), Sergio Petrina (AUS), Lucia Ranza (ITA)

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