

DECISION

Protest by PC

Request No.: 01

Event: Impera Winter Regatta 2023 Race Number: 1
Hearing Schedule: 2023-12-07 16:00

PARTIES AND WITNESSES

Request No.: 01: Protest Committee

420open - ITA 56729 - Flavio Fabbrini
420open - ITA 57364 - Ginmarco Postiglione
420open - ITA 57074 - Benedetta Catania
420open - ITA 55423 - Edoardo Pastorino
420lady - ITA 57367 - Benedetta Franco
420open - ITA 57173 - Elena Giannelli
420lady - ITA 57073 - Ludovica Pastorino
420open - ITA 56267 - Matteo Bacigalupo
420lady - ESP 57146 - Ona García Parés
420lady - ESP 57018 - Júlía Peña
420lady - ESP 56709 - Jana Rahola Codina
420lady - ITA 57242 - Margherita Ruggeri
420open - ITA 56901 - Flavio Fabbrini
420open - ITA 57375 - Edoardo Lupi
Support Person - Pietro Canepa
Support Person - David Wehrle
Support Person - Bjorn Glawe
Support Person - Antonaz Matuaz
Support Person - Carlos de Magua
Support Person - Muzio Scacciati
Support Person - Daniele Catalani
Support Person - Antonio Tamburin
420open - GER 57412 - Hannes Wehrle
420open - ITA 57245 - Sicaro Imogene Masami
420open - ITA 57039 - Federico Bossi
420open - ITA 57046 - Tommaso Comelli
420open - ITA 57372 - Filippo Comelli
420open - ITA 57244 - Luca Bongiovanni
470 - ITA 111 - Gioia Bertolani
470 - ITA 5 - Manuel Scacciati
420open - ESP 55249 - María Blanco Domènech
420open - ESP 55980 - Joan Hadzi Janev
420open - ITA 57376 - Nicolas Margaria
420open - ITA 57375 - Edoardo Lupi

470 - ITA 28 - Inti Catalani
420open - ITA 55433 - Luca Germano
470 - GER 22 - Johann Emmer
470 - GER 49 - Amelie Wehrle
420open - ITA 57283 - Lisa Vucetti
420open - ITA 57254 - Matteo Mioni
470 - ITA 70 - Chiara Valenti

VALIDITY

Objection to Jury: No

Within Time Limit: Beyond with Good Reason Getting all details from accreditation of ten support boats and supported competitors took 30 minutes after getting ashore and before filing the protest.

Incident Identified: Yes

Proper Hail: Hail not required

Red Flag Displayed: Not required

Decision: Request Valid

PROCEDURAL MATTERS

57412 was represented by Daniel Wehrle (coach) as permitted by RRS 63.3(a)
GER 22 and GER 49 were represented by Bjorn Glawe (coach) as permitted by RRS 63.3(a)
56901, 57242, 57245, 57039, 57046, 56279, 57372, 57244 were represented by Antonio Tamburin (coach) as permitted by RRS 63.3(a)
55249, 55980, 56709, 57018, 57146 were represented by Carlos de Magua (coach) as permitted by RRS 63.3(a)
Muzio Scacciati and Daniele Catalani and supported boats ITA 9, ITA 111, ITA 28, 55433 did not come to the hearing, the hearing proceeded in accordance with RRS 63.3(b).
Bruno Mantero (coach for Circolo Vele Vernazzolesi on the water with second rib 173 and supporting the same boats as rib 174 driven by Pietro Canepa) attended the hearing as an observer.
Claudio Uras presented the allegation under RRS 60.3(d)

FACTS FOUND

Conditions during the day have been very light and race committee had postponed races from 30 minutes after Delta was displayed around 11am and until 2:00 pm when AP over Alpha was displayed.
During the postponement for race 1 or after AP over alpha was displayed on race day 1, the following support persons were identified without a personal floatation device (pfd) while afloat (SI 23.4) or without kill cord while engine was running (SI 23.5) or without identification sticker displayed (SI 23.2). See details below:
Daniel Wehrle (Rib #175) without pfd
Bjorn Glawe (Rib #157) without pfd
Antonaz Matuaz (Rib 160) without pfd and without identification sticker displayed
Carlos de Magua (Rib 168) without pfd and without kill cord while engine was running
Muzio Scacciati (Rib 169) without kill cord while engine was running
Daniele Catalani (Rib 154) without pfd
Antonio Tamburin (Rib 171) without pfd and without kill cord while engine was running
Bruno Mantero (Rib 174) without kill cord while engine was running
Bruno Valenti (Rib 166) without kill cord while engine was running
All support persons attending the hearing apologized acknowledging there is no excuse for failing to comply to safety prescriptions.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: 60.3(d), 64.5, SI 23.2, SI 23.4, SI 23.5

Antonaz Matjaz did not display the numbered sticker provided by the organizing committee at registration and broke SI 23.2.

Daniel Wehrle, Bjorn Glawe, Antonaz Matjaz, Carlos de Magua, Daniele Catalani, Antonio Tamburin, were not wearing a personal floatation device while afloat and broke SI 23.4.

Carlos de Magua, Muzio Scacciati, Antonio Tamburin, Bruno Valenti, Pietro Canepa, drivers of the support boats, were not wearing the kill cord while the engine was running and broke SI 23.5

DECISION

Date & Time: 2023-12-07 16:47 CET

Using the Discretionary Penalty Policy for support persons, failure to wear life jacket or kill cord for the first time identifies a starting penalty in the range of Levels 1-3. The penalty level was decreased because of light weather conditions decreasing the safety concerns, and because of genuine apologies presented, so a penalty Level 1 is applied for support persons, corresponding to a warning.

Antonaz Matjaz, Daniel Wehrle, Bjorn Glawe, Carlos de Magua, Daniele Catalani, Antonio Tamburin, Muzio Scacciati, Bruno Valenti, Pietro Canepa are given a warning.

57412 is warned under RRS 64.5(b)(2) that a penalty may be imposed if Daniel Wehrle commits a further breach of any rule.

56901, 57242, 57245, 57039, 57046, 56729, 57372, 57244 are warned under RRS 64.5(b)(2) that a penalty may be imposed if Antonio Tamburin commits a further breach of any rule.

55433 is warned under RRS 64.5(b)(2) that a penalty may be imposed if Daniele Catalani commits a further breach of any rule.

57283, 57254 are warned under RRS 64.5(b)(2) that a penalty may be imposed if Antonaz Matjaz commits a further breach of any rule.

55249, 55980, 56709, 57018, 57146 are warned under RRS 64.5(b)(2) that a penalty may be imposed if Carlos de Magua commits a further breach of any rule.

56267, 57073, 57173, 57367, 57375, 57376, 55423, 57074, 57364 are warned under RRS 64.5(b)(2) that a penalty may be imposed if Pietro Canepa commits a further breach of any rule.

ITA 9, ITA 111 are warned under RRS 64.5(b)(2) that a penalty may be imposed if Muzio Scacciati commits a further breach of any rule.

ITA 28 is warned under RRS 64.5(b)(2) that a penalty may be imposed if Daniele Catalani commits a further breach of any rule.

ITA 70 is warned under RRS 64.5(b)(2) that a penalty may be imposed if Bruno Valenti commits a further breach of any rule.

GER 22, GER 49 are warned under RRS 64.5(b)(2) that a penalty may be imposed if Bjorn Glawe commits a further breach of any rule.

PROTEST COMMITTEE

Committee Type Protest Committee

Chaired By: Claudio Uras (ITA)

Committee Members: Jean-Miltiade Bouyoukas (FRA), Marco Sarcoli (ITA)