

DECISION

Request No.: 18

Protest

Event: Marina Militare Nastro Rosa Tour 2021 Race Number: R6 (race 3 of the 19th of September)
Hearing Schedule: 2021-09-19 18:40

PARTIES AND WITNESSES

Request No.: 18: Diam 24 - Luna rosa - Maelle Frascari

Diam 24 - Oman sail; Marina Militare - Umberto Crivelli, Ali

Witnesses: Maelle: LR helm, witness of LR

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

LR has been represented by Laura.

FACTS FOUND

- 1- 4 bl to mark 1, after crossing LR, OMA tacked to starboard and established an overlap with LR 1 bl to windward and 1/4 bl to astern and also an overlap with MM 2 bl to leeward.
- 2- LR, OMA and MM all were sailing above the starboard lay line.
- 3- OMA began to bear away 2 bl from the mark.
- 4- OMA entered the zone 1bl windward to LR as overlapped board to board.
- 5- MM bore away in the zone while rounding mark 1.
- 6- There was 1,5 bl lateral distance between OMA and MM while rounding the mark.
- 7- LR bore away 1,5 bl from the mark.
- 8- LR luffed till head to wind 1 bl from the mark in order not to hit the mark.
- 9- LR's starboard hull's bottom hit OMA's port hull.
- 10- There was no damage.
- 11- OMA rounded the mark with 1 m lateral distance to mark.
- 12- LR tacked twice to round mark 1.
- 13- No boat took a penalty turn.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: 14, 18.2(b), 43.1(c), 44.2

1. OMA did not avoid contact when it was reasonably possible, and broke RRS 14.
2. LR, the boat sailing within the mark-room to which she was entitled, did not act to avoid contact when it became clear that OMA was not giving mark-room. LR broke RRS 14, but is exonerated as the contact did not cause damage or injury.
3. OMA, outside overlapped, failed to give LR mark-room, and broke RRS 18.2(a).
4. By not taking penalty turns after the incident, OMA failed to comply with the requirements of RRS 44.2.

DECISION

OMA is DSQ in race 3 of the 19th of Sept.

Date & Time: 2021-09-19 20:30 CEST

PROTEST COMMITTEE

Chaired By: Andrus Poksi (EST)

Committee Members: Pinar Coskuner Genc (TUR), Neven Baran (CRO), Gonzalo Heredia (ARG)

Printed: 2021-10-05 10:06