

# DECISION

Request No.: 03

## Protest and Request for Redress

Event: 40 Copa del Rey MAPFRE Race Number: 2  
Hearing Schedule: 2022-08-02 18:30

### PARTIES AND WITNESSES

**Request No.: 03:** J70 - ESP1121 - Alcaidesa Marina - Gustavo Martinez

J70 - ESP1466 - Nautia.net - Teo Matheu

**Witnesses:** ESP1419

### 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

### FACTS FOUND

ESP1121 on starboard and ESP1466 on port approaching the leeward gate with ESP1121 overlapped on the inside when entering the zone.

The mark was to be left to port.

When ESP1121 was next to the mark, there was contact between the bow of ESP1466 and starboard side of ESP1121.

ESP1121 continued racing

There was constructional damage on ESP1121 (cracked fiber at the starboard rail and deck loose from the side).

ESP1121 sailed with a heel not typical for the conditions to avoid taking in water and did not put tension on the backstay.

ESP1466 made a penalty turn after the incident.

**Diagram:** Diagram not endorsed

### CONCLUSIONS AND RULES THAT APPLY

**Rules:**

ESP1466 did not keep clear as a port boat, nor give mark-room to ESP1121. ESP1466 broke RRS 10, 14 and 18.2b.

It was not reasonable for ESP1121 to avoid contact.

There was serious damage and the performance of ESP1121 was made worse through no fault her own.

ESP1466 failed to take the appropriate penalty.

### DECISION

**Date & Time:** 2022-08-02 19:00 CEST

ESP1466 is disqualified in race 2,

Redress is given to ESP1121. ESP1121 is to be scored in race [2] points equal to the average, rounded to the nearest tenth of a point (0.05 to be rounded upward), of her points in all races in the preliminary series, except race [2]. This shall not be worse than [5] her finishing position in the race. No other boat's score shall change.

### PROTEST COMMITTEE

**Chaired By:** Manuel Santos e Silva (POR)

**Committee Members:** Andres Perez (ESP), Pinar Coskuner Genc (TUR), Mats Björklund (FIN), Maria Torrijo (ESP)