

# DECISION

Request No.: 01

## Protest

Event: Finn Open and U23 European Masters 2022 Race Number: 4  
Hearing Schedule: 2022-09-15 19:00

### PARTIES AND WITNESSES

Request No.: 01: Finn - Masters - ESP123 - Miguel Alvarez

Finn - Masters - SUI99

### 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

### FACTS FOUND

1. Wind 10 knots, sea condition small waves.
2. On the 3rd leg of Race 4, ESP 123 was close hauled on starboard on a collision course with SUI 99 close hauled on port.
3. ESP 123 hailed "starboard" but SUI 99 took no avoiding action and hit ESP 123 on her port side midships causing a 20cm vertical gash in ESP 123s hull
4. SUI 99 took a Two-Turns Penalty.
5. Both boats carried on sailing and finished Race 4.

**Diagram:** Endorsed by Protest Committee

### CONCLUSIONS AND RULES THAT APPLY

**Rules:** RRS10 and RRS14

1. SUI 99 on port failed to keep clear of ESP 123 on starboard, and broke RRS 10.
2. SUI 99 did not avoid contact when it was reasonably possible, and broke RRS 14.
3. It was not reasonably possible for ESP 123 to avoid contact with SUI 99 when it was clear that SUI 99 was not keeping clear. ESP 123 did not break RRS 14.
4. The collision resulted in serious damage, ESP123 will not be able to continue the championship.

### DECISION

**Date & Time:** 2022-09-15 18:31 CEST

SUI 99 is DSQ from race 4.

### PROTEST COMMITTEE

**Chaired By:** Simon Philbrick (GBR)

**Committee Members:** Patricia Neri (GBR), David Hudson (RSA), Jordi Lamarca-Sindreu (ESP), Paco Quinonero (ESP), Joseph Gimenez (NJ obs) ESP123 (obs)

**Written Decision Requested By:** ESP123, SUI99