

# DECISION

Request No.: 06

## Protest

Event: 2023 CORK International Regatta / CORK Olympic Classes Regatta & Sail Canada Youth Championships Race Number: 3  
Hearing Schedule: 2023-08-09 16:55

### PARTIES AND WITNESSES

**Request No.: 06:** 29er - CAN 3059 - Ethan Thomson

29R - CAN 2739 - Thomas Desrochers

**Witnesses:** CAN 2593 Matt Young and CAN 2691 Philippe Duku

### 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

CAN 2739 was sailing on starboard tack and CAN 3059 was sailing on port tack.

CAN 3059 crossed three boats lengths clear astern of 2739.

CAN 2739 gybe on port tack outside the zone and 4-5 boats lengths to leeward of 3059.

CAN 2739 overstood the mark and was sailing 5 degrees higher than CAN 3059.

CAN 3059 was clear ahead before the zone and there is a reasonable doubt that 2739 established an overlapped at the zone.

When CAN 2739 and CAN 3059 reached the mark simultaneously, CAN 2739 was to leeward and outside.

CAN 2739 established an inside overlapped inside the zone and did not provide mark-room to CAN 3059.

CAN 3059 beared off to avoid a collision.

No contact occurred.

Neither boats took a penalty.

**Diagram:** Diagram not endorsed

### CONCLUSIONS AND RULES THAT APPLY

**Rules:** 18.2 (b) and 18.2 (e)

1. Since there was reasonable doubt that 2739 obtained the overlap before she reached the zone, in accordance with RRS 18.2(e) it is presumed that she did not do so.

2. 2739 clear astern at the time 3059 reached the zone failed to give 3059 mark-room, and broke RRS 18.2(b).

### DECISION

2739 is DSQ in race 3.

**Date & Time:** 2023-08-09 18:35 EDT

### PROTEST COMMITTEE

**Committee Type:** Protest Committee

**Chaired By:** Elizabeth Rouget (CAN)

**Committee Members:** Martin Rheaume (CAN), Mark Hatch (NZL)