

# DECISION

Request No.: 08

## Protest

Event: The Crown Cup - RS Feva Europeans Race Number: 5  
Hearing Schedule: 2022-08-27 19:00

### PARTIES AND WITNESSES

**Request No.: 08:** RS Feva - EST 8088 - Pärtel Orusalu

RS Feva - ITA 7891 - Diego Severi

**Witnesses:** Jente Goossens, Simoni Davide, Leonardo Scarpellini, Siddharta Pasqualini, Fontanot Andrea

**Interpreters:** Chiara Degliangioli

### 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

1. Chiara Degliangioli (coach of ITA 7891) attended the hearing as translator for ITA 7891.
2. Kaito Haamer (helm of EST 8088) attended the hearing as an observer.

### FACTS FOUND

1. Conditions: 8 knots, flat water.
2. Boats approaching mark 2s, sailing downwind.
3. When entering the zone, ITA 7891 was inside overlapped with EST 8088 and an unidentified boat (UB).
4. ITA 7891 was on port, EST 8088 and UB were on starboard.
5. EST 8088, broke the overlap and rounded the mark in front of ITA 7891 and UB.
6. UB was sailing directly towards the mark and leaving less than 0.5 metres between her and mark 2s.
7. When ITA 7891 was 0.5 boat length from the mark and from the UB, ITA 7891 bore away and hit mark 2s, leaving the mark on her port side.
8. UB rounded the mark.
9. ITA 7891 gybed on to starboard and then tacked.
10. ITA 7891 rounded the mark.

**Diagram:** Diagram not endorsed

### CONCLUSIONS AND RULES THAT APPLY

**Rules:** RRS 18.2(b), 31, 43.1(b)

1. The unidentified boat, outside overlapped at the zone, failed to give ITA 7891 mark-room, and broke RRS 18.2(b).
2. ITA 7891 was compelled to touch the mark by the actions of the unidentified boat who failed to give mark room.
3. Since ITA 7891 broke RRS 31 while she was sailing within the mark-room to which she was entitled, she is exonerated under RRS 43.1(b) for this breach.
4. Since the unidentified is not a party to the hearing, therefore she will not be penalized according to RRS 64.2.

DECISION

Date & Time: 2022-08-27 19:52 CEST

Protest upheld. ITA 7891 is exonerated for her breach of RRS 31.  
No further penalty.

**PROTEST COMMITTEE**

**Chaired By:** Václav Brabec (CZE)

**Committee Members:** Jernej Krampšek (SLO), Will Davies (GBR), Niclas Kath ()

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