

# DECISION

Request No.: 30

## Protest by PC and Request for Redress by RC

Event: 40° Lake Garda Meeting Optimist Race Number: 10  
Hearing Schedule: 2022-04-17 16:55

### PARTIES AND WITNESSES

**Request No.: 30:** Protest Committee

Juniors - Bronze - GER 1009

Juniors - Bronze - NOR 3860

**Witnesses:** GER1009

### VALIDITY

**Objection to Jury:** No

**Within Time Limit:** Within Time Limit

**Incident Identified:** Yes

**Proper Hail:** N/A

Protestee informed by a notice on the notice board

**Red Flag Displayed:** Not required

**Decision:** Request Valid

### PROCEDURAL MATTERS

The protest committee protested NOR 3860 under RRS 60.3(a)(1).

### FACTS FOUND

1. In race no. 10 there were 10 m/s of wind.
2. GER 1009 was on starboard tack on close-hauled at the starting line before the warning signal with no speed.
3. NOR 3860 was on port tack on a beam reach.
4. In a distance of 2 boat lengths to GER 1009, NOR 3860 started bearing away.
5. There was a collision between the port side of the hull of GER 1009 and the port side of NOR 3860.
6. The collision resulted in a 5cm crack with water entering boat.
7. No boat took a penalty.
8. GER 1009 could continue racing until the gate and was then retiring the race.

**Diagram:** Diagram not endorsed

### CONCLUSIONS AND RULES THAT APPLY

**Rules:** 10, 14, 62.1(b)

1. The damage was serious as it significantly impacted the performance of the boat (Case 141).
2. Since NOR 3860 and GER 1009 were not racing but were sailing in the racing area and intended to race, the preamble to RRS Part 2 applies.
3. NOR 3860 on port failed to keep clear of GER 1009 on starboard, and broke RRS 10
4. NOR 3860 did not avoid contact when it was reasonably possible, and broke RRS 14.
5. It was not reasonable possible for GER 1009 to avoid contact when it became clear that NOR 3860 is not keeping clear. Therefore she did not break RRS 14.
6. As NOR 3860 has broken RRS 14 in an incident resulting in serious damage when not racing, her penalty shall apply to the race sailed nearest in time to that of the incident which is race 10.
7. GER's score in race 10 was made significantly worse through no fault of her own by physical damage because of the action of NOR 3860 that was breaking RRS 10 and 14 and was penalized. GER 1009 is therefore entitled to redress according to RRS 62.1(b)

### DECISION

**Date & Time:** 2022-04-17 17:31 CEST

NOR 3860 is disqualified in race 10.

Redress is given to GER 1009. GER 1009 is to be scored in race 10 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 sailed in the final series, except race 10. No other boat's score shall change.

**PROTEST COMMITTEE**

**Chaired By:** Mina Stanikic (SRB)

**Committee Members:** Riccardo Savorani (ITA), Piero Occhetto (ITA), Rainer Kornfeld (AUT), Holger Herburger (GER), Ulrich Fischer (GER)