

DECISION

Request No.: 02

Event: Malta Sailing Federation Dinghy Nationals 2023 Race Number: 3
Hearing Schedule: 2023-11-04

PARTIES AND WITNESSES

Request No.: 02: ILCA 6 - 216602 - Lara Merten

ILCA 6 - MLT217319 - Lacey Aquilina

Witnesses: Michaela Mifsud

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

Arbitration offered and refused

FACTS FOUND

MLT 217319 on starboard tack attempting to fetch the windward mark 1 touched the Mark as a result of MLT 219472 actions that broke rule 18.3 and rule 13.

This fact was established in the previous hearing. MLT 217319 Vs MLT 214972

MLT 217319 tacked onto port to clear the Mark and crossed in front of MLT 216602.

MLT 216602 was comfortably fetching the Mark on starboard tack and bore away to pass leeward of MLT 217319's stern who was on port.

MLT217319 tacked to windward of MLT 216602 and gave her mark room.

MLT 216602 sailed above close hauled to round the mark cleanly.

MLT 217319 took a 2 turn penalty.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: 10 and 18.3

After MLT 217319 tacked inside the zone from port to starboard she broke rule 18.3 when she caused MLT 216602 to sail above close hauled.

MLT 217319 on Port tack also broke rule 10 when she did not keep clear of MLT 216602 on starboard tack.

MLT 217319 broke rule 31 by touching the mark but is exonerated under rule 43.1 a and b

MLT 217319 exonerated herself by taking 2 turns

DECISION

The Protest is Dismissed

Date & Time: 2023-11-03 19:05 CET

PROTEST COMMITTEE

Committee Type Protest Committee

Chaired By: Torben Precht-Jensen (DEN)

Committee Members: David Dalli (MLT) Adrian Gauci Borda