

DECISION

Request No.: 05

Protest

Event: 2023 World Cup Series Sardinia Race Number: 8
Hearing Schedule: 2023-10-20

PARTIES AND WITNESSES

Request No.: 05: Male - GER 55 - Alan Fedit

Male - ITA 38 - Riccardo Zorzi

Witnesses: Jeremiah McDonald (NZL 34)

VALIDITY

Objection to Jury: No

Within Time Limit: Beyond with Good Reason

Incident Identified: Yes

Proper Hail: Protest hailed

Red Flag Displayed: N/A

Decision: Request Valid

PROCEDURAL MATTERS

Jeremiah McDonald (NZL 34) provided evidence as a witness for ITA 38.

FACTS FOUND

1. GER 55 delivered her protest via the online platform RacingRulesofSailing.org at 16:25. However, the hearing request form was shown as being empty.
2. At 16:35, GER 55 approached the jury office, demonstrating the technical issues with delivering the protest and delivered a second protest which was also shown as being empty.
3. After two members of the protest committee had checked the settings of RacingRulesofSailing.org, GER 55 delivered her protest with the same content as the previous attempts at 16:57.
4. The protest time limit for the fleet GER 55 and ITA 38 were assigned to was 16:52.
5. The conditions at the time of the incident in race 8 were 20 knots of wind and small chop.
6. On the downwind, GER 55 was sailing on starboard tack.
7. ITA 38 was sailing on port tack on collision course with GER 55.
8. At a distance of 3m from ITA 38, GER 55 bore away. At the same time, ITA 38 gybed to starboard tack.
9. The closest distance between GER 55 and ITA 38 was 1,5m.
10. If GER 55 had not changed her course, contact would have occurred between GER 55 and the wing of ITA 38.
11. Neither wingfoil took a penalty.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: RRS 10 and 61.3

1. GER 55 failed to deliver the protest within the protest time limit, as required by RRS 61.3. However, there was good reason for the Protest Committee to extend the time limit under RRS 61.3.
2. ITA 38 on port tack failed to keep clear of GER 55 on starboard tack, and broke RRS 10.

DECISION

ITA 38 is DSQ in race 8.

Date & Time: 2023-10-20 17:33 CEST

PROTEST COMMITTEE

Committee Type: Protest Committee

Chaired By: Marina Psychogyiou (GRE)

Committee Members: Finn Mrugalla (GER), Alina Stratigiou (GRE)

