

DECISION

Request No.: 01

Protest

Event: Melges 24 European Championship 2022 Race Number: 7
Hearing Schedule: 2022-10-27 12:40

PARTIES AND WITNESSES

Request No.: 01: Melges 24 - Corinthian - ITA139 - ALeAli EUROCART - francesco Maria Crichiutti

M 24 - CRO 728 - Ante Cestic

Witnesses: No

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

ITA 139 did not withdraw the protest after the arbitration meeting.
International Judge Uros Zvan joined the hearing remotely via Zoom conference call.

FACTS FOUND

1. Flat water, wind speed 10 knots.
2. At the offset mark, ITA was reaching 1 m. clear ahead of CRO.
3. While CRO was hoisting the spinnaker and launching the bowsprit, a contact occurred between the bowsprit of CRO and right corner of the stern of ITA.
4. The bowsprit is 1.4 m. long.
5. The stern of ITA presents a nick 10 mm wide and 2 mm deep, 60 mm below the sheerline in the right corner.
6. No boat took a penalty turn.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: RRS 12, RRS 14.

1. CRO clear astern failed to keep clear of ITA clear ahead, and broke RRS 12.
2. CRO did not avoid contact when it was reasonably possible, and broke RRS 14.
3. It was not reasonably possible for ITA, the right-of-way boat to avoid contact with CRO when it was clear that CRO was not keeping clear. ITA did not break RRS 14.

DECISION

Date & Time: 2022-10-27 14:04 CEST

CRO 728 does not accept the proposal of the arbitrator to take a Post-Race Penalty.
ITA 139 does not withdraw the protest. Case moves to a full hearing

PROTEST COMMITTEE

Chaired By: Claudio Uras (ITA)

Committee Members: Uros Zvan (SLO), Luke Scott (RSA), Giorgio Bolla (ITA), Alen Kustic (CRO)