

DECISION

Request for Redress

Request No.: 03

Heard Jointly With Number(s): 04

Event: ORC Mediterranean Championship - Campionato Nazionale Medio e Basso Tirreno Race Number: 3
Hearing Schedule: 2023-05-21 15:20

PARTIES AND WITNESSES

Request No.: 03: ORC - Class C (9.860 > CDL > 8.320) - ITA 16743 - EXCALIBUR E-CUBIT - FABRIZIO GAGLIARDI

Race Committee

Request No.: 04: ORC - Class C (9.860 > CDL > 8.320) - ITA ITA 18999 - GEEX - ANGELO LOBINU

Race Committee

VALIDITY

Objection to Jury: No

Within Time Limit: Within Time Limit

Incident Identified: Yes

Proper Hail: Hail not required

Red Flag Displayed: Not required

Decision: Request Valid

PROCEDURAL MATTERS

1. ITA 16743 was represented by Fabrizio Gagliardi.
2. ITA 18999 was represented by Angelo Lobinu.
3. The race committee was represented by Stuart Childerley.
4. Amedeo Gorriel, crew of ITA 16743, attended the hearing as an interpreter for ITA 16743 and ITA 18999.
5. Hearing no. 3 was heard together with hearing no. 4 in accordance with RRS 63.2, since both hearings arose from the same incident.
6. The member of the international jury Giuseppe D' Amico was not present during the hearing due to an emergency. The panel of the International Jury was properly constituted in accordance with RRS N1.5.

FACTS FOUND

1. In race #3 the race committee signalled a change of the next leg of the course for classes A and B from 050° to 035° at the leeward gate by displaying flag "C" with repetitive sounds on a rib positioned close to the gate.
2. The race committee had informed the competitors on VHF channel 72 that flag "C" is displayed at the gate for classes A and B, stating the new course to mark 1.
3. At that time, the fleet of class C had completed half of the downwind leg (leg 2) in approximately 6 knots of wind.
4. The race committee displayed flag "N" for classes A and B at approximately 10:33 hrs., as the wind had dropped at the gate, and removed flag "C".
5. The fleet of class C reached the leeward gate in the unchanged wind they had been sailing in on the downwind leg, rounded the leeward gate and continued sailing the course.
6. At the end of the windward leg three marks were set. The two original yellow marks for class C and the white "change mark" for classes A and B as per SI 10.1.
7. ITA 18999, who was leading the fleet of class C, rounded the white mark and continued sailing the course.
8. Shortly after ITA 18999 had rounded the white mark the race committee picked up the white mark and towed it away.
9. ITA 16743 sailed to the former approximate position of the white mark, bore away and sailed on a downwind course towards the finishing line.
10. All other boats of the fleet of class C rounded the original yellow marks.
11. ITA 16743 and ITA 18999 were scored NSC in race #3.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: RRS 28.1, 62.1(a), 63.2, A5, N1.5, SI 3.5, SI 10.1

1. ITA 16743 and ITA 18999 failed to sail the course, and broke RRS 28.1.
2. ITA 16743 and ITA 1899 were correctly scored by the race committee in accordance with RRS A5.
3. There was neither an improper action nor omission of the race committee. Therefore, the requirements for redress in RRS 62.1(a) are not met.

DECISION**Date & Time:** 2023-05-21 16:15 CEST

Redress is not given

PROTEST COMMITTEE**Committee Type** International Jury**Chaired By:** Neven Baran (CRO)**Committee Members:** Timo Haß (GER), Stavros Kouris (GRE), Marco Flavio Tosello (ITA)**Printed:** 23 May 10:38