

DECISIONE

Protesta e Richiesta di riparazione

Richiesta N.: 01

Udienza congiunta con caso(i): 02

Evento: Campionato Italiano Contender 2020 Prova numero: 2

Data dell'udienza: 27/09/2020

PARTI E TESTIMONI

Richiesta N.: 01: Contender - ITA 140 - Marco Barbieri
Contender - ITA 373 - Paolo Jannarone
Contender - ITA 12 - Alessandro Della Giovanna
Contender - ITA 4 - Paolo Castiglioni
Contender - GER - 2472 - Frank Heimburger

Richiesta N.: 02: Contender - ITA 373 - Paolo Jannarone
Contender - ITA 4
Contender - GER
Contender - ITA 12

Interpreti: PC

VALIDITÀ

Obiezioni alla composizione della giuria: No

Entro il tempo limite: Entro il tempo limite 19:43, PTL 19:46

Incidente identificato: Sì

Gridato 'protesto': Chiamata non corretta

Bandiera rossa esposta: Non richiesto

DECISIONE: Richiesta valida

QUESTIONI PROCEDURALI

Mr. Frank Heimburger (GER 2472) does not speak Italian, so the hearing will be conducted in English.

The PC will act as interpreter if translation from Italian to English (and vice versa) is needed.

Protests #1 and #2 arise from the same incident, so they will be heard together as per WS Case 49.

As result of the incident described in protest #1 there was serious damage to the protestor's boat, so RRS 61.1(a)(4) applies and the protest is valid.

Protest #2 is not valid because ITA 373 did not inform the protestees as required by RRS 61.1(a).

FATTI ACCERTATI

1. Race #2, wind 10-12 knots with small waves.
2. ITA 140, ITA 373, ITA 12, ITA 4 and GER 2472 were sailing overlapped on port tack on a broad reach to mark #3.
3. At the zone of mark #3 ITA 373 was overlapped outside of ITA 140, ITA 12 was overlapped outside of ITA 373, GER 2472 was overlapped outside of ITA 12 and ITA 4 was overlapped outside of GER 2472.
4. ITA 140 luffed and touched the mark.
5. There was a contact between all the boats
6. In the contact between ITA 140 and ITA 373 damage occurred at the center of the boat of ITA 140 and ITA 140 capsized.
7. ITA 140 recovered from the capsize and finished the race. She lost many places while recovering.
8. No one took a Two-Turns Penalty.
9. ITA 140 did not sail race #3 and race #4.
10. ITA 140 requested redress.

Diagramma: Accettato dalla giuria

CONCLUSIONI E REGOLE APPLICATE

1. ITA 140 touched mark #3 and broke RRS 31.
2. ITA 140 to windward failed to keep clear of ITA 373 to leeward, and broke RRS 11.
3. ITA 373 to windward failed to keep clear of ITA 12 to leeward, and broke RRS 11.
4. ITA 12 to windward failed to keep clear of GER 2472 to leeward, and broke RRS 11.
5. GER 2472 to windward failed to keep clear of ITA 4 to leeward, and broke RRS 11.

6. ITA 373, outside overlapped at the zone, failed to give ITA 140 mark-room, and broke RRS 18.2(b).
7. ITA 12, outside overlapped at the zone, failed to give ITA 373 mark-room, and broke RRS 18.2(b).
8. GER 2472, outside overlapped at the zone, failed to give ITA 12 mark-room, and broke RRS 18.2(b).
9. ITA 4, outside overlapped at the zone, failed to give GER 2472 mark-room, and broke RRS 18.2(b).
10. It was not reasonably possible for ITA 140, ITA 373, ITA 12 and GER 2472, boats entitled to mark-room, to avoid contact.
11. ITA 4, the right-of-way boat, did not avoid contact with GER 2472 when it was reasonably possible. ITA 4 broke RRS 14, however she shall be exonerated because the contact did not cause damage or injury, as per RRS 14(b).
12. ITA 140 was compelled to break RRS 31 while she was sailing within the mark-room to which she was entitled, she shall be exonerated for that breach as per RRS 21(b)
13. ITA 140, ITA 373, ITA 12 and GER 2472 broke RRS 11 while they were sailing within the mark-room to which they were entitled, so they shall be exonerated for that breach as per RRS 21(a).
14. ITA 373, ITA 12 and GER 2472 were compelled to break RRS 18.2(b) by the actions of ITA 4 breaking RRS 18.2(b), so they shall be exonerated for that breach as per RRS 64.1(a).
15. ITA 140's score in race #2, #3 and #4 was made significantly worse through no fault of her own by physical damage because of the actions of a boat that was breaking a rule of Part 2, so the requirement for granting redress as per RRS 62.1(b) is met.
16. Redress is granted to ITA 140 as follows: she will be scored points equal to the average, to the nearest tenth of a point (0.05 to be rounded upward), of her points in all the races in the series except race #2, #3 and #4, as per RRS A10(a), with the limitation that such redress can be awarded for fewer than half of ITA 140's scores included in the series score, as per WS Case 116.

DECISIONE

ITA 4 DSQ in race #2 for breaking RRS 18.2(b).

Redress granted.

If a total of 4 or 5 races will be sailed, ITA 140 shall be scored in race #2 points equal to the average of her score in all the races except #2, #3 and #4.

If a total of 6 or 7 races will be sailed, ITA 140 shall be scored in race #2 and #3 points equal to the average of her score in all the races except #2, #3 and #4.

Data e ora: 2020/09/27 10:16 CEST

COMITATO DELLE PROTESTE

Presieduta da: Alessandro Berrone (ITA)

Membri del comitato: Gian Paolo Grosselli (ITA)

Stampato: 2020-09-27 21:54