

DECISION

Protest

Request Number: 08

Heard Jointly With Number(s): 10

Event: Flying Junior World Championship 2019 **Race Number:** 5
Hearing Date: 2019-07-26

PARTIES AND WITNESSES

Initiator: FJ - O - Germany GER 361 - 23 - Jwl Wigman

Respondent(s): FJ - O - Italy ITA 3820 - 30 - Camilla Agnoli

Witnesses: GER 288 (for GER 361)

VALIDITY

Objection to Jury: No

Within Time Limit: Within Time Limit

Incident Identified: Yes

Proper Hail: Protest hailed

Red Flag Displayed: Not required

DECISION: Request Valid Protest 8 is valid, protest 10 is invalid but it is anyway discussed jointly to case 8

PROCEDURAL MATTERS

FACTS FOUND

1. In race 5 conditions were 6-8 knots and moderate swell
2. GER 361, (GER 288) and ITA 3820 sailing towards leeward mark on a run, with GER on starboard and ITA 3820 on port, on leg 5 before the final reach to the finish.
3. GER 361 entering the zone clear ahead of ITA 3820 and gybed inside the zone of the leeward mark
4. GER 361 entering the zone clear ahead of (GER 288 and) ITA 3820
5. GER 361 rounded leeward mark allowing about one boat length between the mark and herself, slower than ITA 3820 due to an issue with the spinnaker
6. ITA 3820 rounded the mark while GER 361 was leaving the mark, and established on overlap to windward
7. GER luffed and there was immediately a contact without damage between the boom of ITA 3820 and the jib and forestay of GER 361

Diagram: Endorsed by Protest Committee

CONCLUSIONS AND RULES THAT APPLY

1. ITA 3820 to windward failed to keep clear of GER 361 to leeward, as required by RRS 11.
2. Although it was reasonably possible ITA 3820 did not avoid contact with GER 361 as required by RRS 14.
3. Although it was reasonably possible, GER 361 the right-of-way boat did not avoid contact with ITA 3820 when it was clear that ITA 3820 was not keeping clear, as required by RRS 14, but she is exonerated (14.2 b) because there was no damage.

DECISION

Protest Upheld ITA 3820 DSQ in race 5

Date & Time: 2019-07-26 11:05 CEST

PROTEST COMMITTEE

Chaired By: Roberto Armellini (ITA)

Committee Members: Miro Magasic (CRO), Benno Loske (GER)

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