

# DECISION

Protest

Request No.: 10

Heard Jointly With Number(s): 08

Event: 2023 ORC Europeans Race Number: 5  
Hearing Schedule: 2023-04-29 16:00

## PARTIES AND WITNESSES

**Request No.: 10:** ORC - B - MLT MLT142 - UNICA - Sonke Stein

ORC - B - MLT MLT274 - TON TON LAFERLA - Rento Cameleiri

**Request No.: 08:** ORC - B - MLT MLT274 - TON TON LAFERLA - Renato Camilleri

ORC - B - MLT MLT142 - UNICA - Jamie Sammut

**Witnesses:** Gregory Mifsud (crew member of Ton Ton), Alex Sant Fournier (crew member of Unica)

## 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

1. Sammut Jamie skipper of MLT 142 Unica attend hearing as an observer.

## FACTS FOUND

1. Last downwind leg to the finishing line. Wind 12 knots. Boat speed around 8 knots.
2. MLT 142 Unica on windward overlapped with MLT 274 Ton Ton Laferla more than two boats length to leeward.
3. Both boats on starboard on converging courses. MLT 274 Ton Ton Laferla a half boat length ahead.
4. Gap between boats reduced.
5. Contact without damage occurred between boom of MLT 142 Unica and lifelines of MLT 274 Ton Ton Laferla.
6. Afterwards MLT 274 Ton Ton Laferla pointing at the starboard finishing mark entered the zone overlapped as the outside and leeward boat of MLT 142 Unica.
7. There was 3-4 meters distance between the starboard finishing mark and MLT 274 Ton Ton Laferla
8. MLT 142 Unica released spinnaker sheets and slowed down.
9. MLT 274 Ton Ton Laferla finished in front of MLT 142 Unica.

**Diagram:** Diagram not endorsed

## CONCLUSIONS AND RULES THAT APPLY

**Rules:** 11, 14, 18.2(b), 43.1(c)

1. MLT 142 Unica to windward failed to keep clear of MLT 274 Ton Ton Laferla to leeward, and broke RRS 11.
2. MLT 274 Ton Ton Laferla outside overlapped at the zone, failed to give MLT 142 Unica mark-room, and broke RRS 18.2(b).
3. MLT 142 Unica did not avoid contact when it was reasonably possible, and broke RRS 14.
4. Since MLT 274 Ton Ton Laferla was right-of way boat and the contact did not cause damage or injury, she is exonerated under RRS 43.1(c) for breaking RRS 14.

**DECISION****Date & Time:** 2023-04-29 17:15 CEST

1. MLT 274 Ton Ton Laferla is disqualified from race no. 5.
2. MLT 142 Unica is disqualified from race no. 5.

**PROTEST COMMITTEE****Committee Type** International Jury**Chaired By:** Manuel Santos e Silva (POR)**Committee Members:** Lorenzo Walch (GER), Uros Zvan (SLO), Bruno Finzi (ITA), David Dalli (MLT)**Printed:** 29 Apr 18:36