

# DECISION

Request No.: 09

## Protest

Event: 2022 49er and 49erFX Junior European Championships Race Number: 4  
Hearing Schedule: 2022-10-15 20:30

### PARTIES AND WITNESSES

**Request No.: 09:** POL 19 - Mateusz Gwózdź

49er - ITA 311 - Jan Pernarcic

**Witnesses:** POL 4

### 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

### PROCEDURAL MATTERS

1. POL 19 was represented by Mateusz GWÓZDŹ.
2. ITA 311 was represented by Jan PERNARCIC.
3. Szymon CIERZAN (POL 4) attended the hearing as a witness.
4. Filippo BINETTI POZZI (HUN 373) attended the hearing as a witness.

### FACTS FOUND

1. The wind was 5-6 knots with flat water at the time of the incident.
2. 30 seconds after the start in race 4, POL 19 was sailing on starboard, ITA 311 on port, on a collision course.
3. ITA 311 held her course.
4. POL 19 bore away and sailed astern of ITA 311.
5. If POL 19 had not born away, a contact would have occurred between the bow of POL 19 and the starboard wing of ITA 311.
6. No penalty was taken.

**Diagram:** Diagram not endorsed

### CONCLUSIONS AND RULES THAT APPLY

**Rules:** RRS 10

1. ITA 311 on port failed to keep clear of POL 19 on starboard, and broke RRS 10.

### DECISION

ITA 311 is DSQ in race 4.

**Date & Time:** 2022-10-15 22:19 CEST

### PROTEST COMMITTEE

**Chaired By:** Yoann Peronneau (FRA)

**Committee Members:** Bence Borocz (HUN), Sally Burnett (GBR)