

DECISION

Request Number: 01

Protest

Event: Europe Open Week 2019 Race Number: 6

Hearing Date: 2019-08-01

PARTIES AND WITNESSES

Initiator: Europe - ITA 10 - DARIO AYALA

Respondent(s): Europe - ESP 563 - Roger Tomas Sanchez

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

FACTS FOUND

1. Right after the start, wind was 15 knots.
2. ITA 10 and ESP 563 were sailing on starboard, ITA 10 to windward fetching the start pin end and ESP 563 to leeward, not fetching it.
3. ESP 563 tacked to port and contact occurred between her bow and the port side of ITA 10, in the middle of the gunwale.
4. There was damage on ITA 10's gunwale.
5. ESP 563 retired.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

1. ESP 563 on port did not keep clear of ITA 10 on starboard breaking rule 10 and 14.
2. It was not reasonably possible for ITA 10 to avoid the contact, therefore she did not break rule 14.
3. By retiring from the race, ESP 563 took the appropriate penalty for her breach.

DECISION

No further penalty imposed

Date & Time: 2019-08-01 16:50 CEST

PROTEST COMMITTEE

Chaired By: Jens True (DEN)

Committee Members: Ioannis Papazoglou (CYP), Paco Quinonero (ESP), Jean Pierre Cordonnier (FRA), Marina Psychogyiou (GRE)

Written Decision Requested By: ITA 10

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