

DECISION

Protest

Request No.: 05

Heard Jointly With Number(s): 04

Event: Tre Golfi Sailing Week 2022 Race Number: Race 4
Hearing Schedule: 2022-05-19 18:50

PARTIES AND WITNESSES

Request No.: 05: Maxi - 3G, MEC - ITA ITA 2424 - STELLA MARIS - MATTEO FOSSATI

Maxi - 3G, MEC - ITA ITA 13973 - SHIRLAF - GIUSEPPE PUTTINI

Request No.: 04: 2424

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

Protestor represented by Antonio Marrai.

Protestee represented by Gabriele Bruni.

FACTS FOUND

1. Wind 8 knots, flat water.
2. 5 seconds before the starting signal ITA 2424 was sailing on starboard-tack towards the starboard end of the starting line.
3. ITA 2424 was overlapped to windward of another boat and could not pass between this boat and the race committee signal vessel.
4. ITA 242 tacked on to port-tack and passed the race committee signal vessel on the stern..
5. At the starting signal, ITA 13973 on starboard-tack, was on the course side of the starting line.
6. ITA 13973 tacked to port-tack, bore away and sailed towards the race committee signal vessel.
7. After passing the bow of the race committee signal vessel ITA 13973 bore away.
8. ITA 13973 became aware of ITA 2424, bore away sharp and immediately there was contact between the bow of ITA 13973 and the port side of ITA 2424.
9. There was damage to the port side stanchions, the pulpit and the antenna mast of ITA 2424. The antenna mast was torn out of the deck fitting leaving a hole of 20 centimetres in diameter in the aft deck of ITA 2424.
10. Both boats retired from the race.
11. The race was abandoned.
12. ITA 2424 is not able to repair the damages and race in the remaining races.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: RRS 14, 21.1, 62

1. While sailing towards an extension of the starting line to start after the starting signal, ITA 13973 failed to keep clear of ITA 2424, and broke RRS 21.1.
2. ITA 13973 did not avoid contact when it was reasonably possible, and broke RRS 14.
3. It was not reasonably possible for ITA 2424 to avoid contact with ITA 13973 when it was clear that ITA 1973 was not keeping clear. ITA 2424 did not break RRS 14.
4. ITA 2424's score in the series was made significantly worse through no fault of her own by physical damage because of the action of ITA 13973 that was breaking RRS 11, 14 and 21 and took an appropriate penalty.

DECISION

Date & Time: 2022-05-19 19:32 CEST

1. The Protest is Upheld. ITA 13973 took the applicable penalty and is not further penalized.
2. ITA 2424's request for redress is granted. ITA 2424 is to be scored in races #4 and #5 points equal to the average, rounded to the nearest tenth of a point (0.05 to be rounded upward), of her points in all races except races #4 and #5. This shall not change the score of the other boats.

PROTEST COMMITTEE**Chaired By:** Andres Perez (ESP)**Committee Members:** Timo Haß (GER), Giuseppe D'amico (ITA), Marco Flavio Tosello (ITA)

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