

# DECISION

Reopening by PC

Request No.: 05

Heard Jointly With Number(s): 04

Event: 33rd Izola Spring Cup 2022 Race Number: 2  
Hearing Schedule: 2022-04-16 16:15

## PARTIES AND WITNESSES

Request No.: 05: 420 - GER 53599 - Antonia Mospak

420 - AUT 8 - Felix Hreniuk

Request No.: 04: 420 - GER 53599 - Antonia Mospak

420 - AUT 8 - Felix Hreniuk

## 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

Jury properly constituted under N1.5 as one member missing due to illness.

It was not reasonable possible to add a new member to PC acc RRS 66.2

Hearing held under 63.3(b), Protestee not present

## FACTS FOUND

GER 53599 on STB above cloused hauled near the starting line approx. 30 sec before the start. GER 53599 at a distance of a boat length to the starting line. GER 53599 overlapped to windward by other boats being closer to the starting line. AUT 8 sailing on STB astern of the boats to windward of GER 53599 pointing at GER 53599 STB last quarter. At a distance of less than one boat length AUT 8 bore off pointing below the transom of GER 53599. GER 53599 pushed her tiller full way to starboard. Contact occurred between AUT 8 STB shrouds and GER 53559 tiller, which end was outside the gunwhale.

**Diagram:** Diagram not endorsed

## CONCLUSIONS AND RULES THAT APPLY

Rules: 14, 66

Both boats sailing on STB, overlapped but none is to leeward of the other.

AUT 8, did not act to avoid contact with GER 53599 when it was reasonably possible. AUT 8 broke RRS 14.

It was not reasonably possible for GER 53599 to avoid contact with AUT 8 when it was clear that AUT 8 was not keeping clear. GER 53599 did not break RRS 14.

## DECISION

AUT 8 to be scored DSQ in race 2

Date & Time: 2022-04-16 17:15 CEST

## PROTEST COMMITTEE

**Chaired By:** Heiko Thoelmann (GER)

**Committee Members:** Pierluigi De Luise (CRO), Stanko Uzmah (SLO), Christian Hotwagner (AUT)Duvonis Vuga