

DECISION

Request No.: 04

Protest and Request for Redress

Event: 2021 Snipe Open European Championship Race Number: 2
Hearing Schedule: 2021-09-02 18:50

PARTIES AND WITNESSES

Request No.: 04: Snipe - Ita 31563 - Red Cappucet - Fabio Rochelli
Snipe - Bel 28956 - Sarah De Canniere

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

Arbitration held and redirected to the full jury for the request of redress since BEL 28956 retired from race N 2 and accepted full responsibility for the incident
ITA 31563 represented by Fabio Rochelli for the request for redress

FACTS FOUND

1. wind 16 knots; waves of 0.8 m
2. NOR 31314 ITA 31563 and BEL 28956 were approaching the port mark of the leeward gate
3. ITA 31563 entered the zone on starboard clear astern to NOR 31314 and clear ahead of BEL 28956
4. ITA 31563 gybed to port 1 boat length before the mark
5. NOR 31314 rounded the mark 1 meter in front of ITA 31563
6. When ITA 31563 came abreast the port gate mark on port tack at a distance to the mark of about 0.5 meters, BEL 28956, luffed and hit the port side of ITA 31563 from clear astern with her bow.
7. Collision produced a damage on the port side of ITA 31563, about 20 cm from her stern. Damage was a crack of about 10 cm long.
8. ITA 31563 continued to sail on the beat and after about 100 mt bore away and was forced to stop due to entrance of water in the boat
9. ITA 31563 did not finish that race
10. NOR 31314 finished the race in position 18
11. BEL 28956 retired from race 2
12. After provisional repair on the water, ITA 31563 sailed and finished the next 2 races of the day

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: 14, 18.2(b), 62.2(b) App A9(c)

1. BEL 28956 failed to give mark room to ITA 31563 clear ahead, and broke RRS 18.2(b).
2. BEL 28956 also broke RRS 14
3. It was not reasonably possible for ITA to avoid contact with BEL 28956 when it was clear that BEL 28956 was not giving mark room to her. ITA 31563 did not break RRS14.
4. ITA 31563 was unable to finish race 2. Her score in race 2 was made significantly worse through no fault of her own due to physical damage because of the action of a boat that broke a rule of part 2.
5. BEL 28956 took the appropriate penalty by retiring from race 2 under RRS 44.1(b) and cannot be further penalized.

DECISION**Date & Time:** 2021-09-02 20:41 CEST

1. Redress granted. ITA 31563 will be scored with 19 points in race 2,

PROTEST COMMITTEE**Chaired By:** Ute Reisinger (AUT)**Committee Members:** Franco Battistin (CRO), Rainer Kornfeld (AUT), Peter Taylor (GBR), Anastasios Fotis (GRE)**Printed:** 03 Sep 17:44