

Protest nr: 20

Class	49er
Protestor	ITA-23 - Simone Ferrarese
Protestee	IRL-8 - Robert Dickson Dickson
Witnesses	
Type	protest
Incident	ita23 started on starbord and just after the start ita23 had to do an heavy bearaway with low speed because irl 8 started on port and tried to cross. ita 23 protest immediately
Date/Time of hearing	6 Apr 2022 at 19:50
Location	Jury TBA
Facts found:	<p>Procedural Matters:</p> <ul style="list-style-type: none"> <li>- No objections to the Jury:</li> <li>- All parties represented: <ul style="list-style-type: none"> <li>IRL-8 by Robert Dickson</li> <li>GER-115 by Tom Heinrich</li> <li>NZL-18 by William Mckenzie</li> <li>ITA-23 by Simone Ferrarese</li> </ul> </li> <li>- Cases 20, 25 and 31 heard together.</li> <li>- Hearing under N1.4(b)</li> <li>- Witness (Mikolaj Staniul POL-9)</li> <li>- A video presented</li> </ul> <p>-----</p> <p>Facts Found:</p> <ol style="list-style-type: none"> <li>1- Race 5 – Blue Fleet Start – Wind: 12 knots; Sea state: Choppy</li> <li>2- IRL-8, Ger-115 and NZL-18 were starting at the pin end of the starting line on port tack and overlapped.</li> <li>3- IRL-8 to windward overlapped amidships with GER-115 ahead, GER-115 slightly overlapped to windward of NZL-18 ahead. All boats were sailing 1 meter apart.</li> <li>4- A few seconds after the start, they were approaching on a collision</li> </ol>

course with IRL-11, POL-9 and ITA-23 on starboard tack and close-hauled course. IRL-11 clear ahead of POL-9 and ITA-23. POL-9 and ITA-23 were sailing 3 boatlengths to windward and 4 boatlengths behind IRL-11 and were overlapped between them with POL-9 to leeward and ahead of ITA-23.

5- NZL-18 on port tack bore away to pass astern of IRL-11, then GER-115. and finally IRL-8 who slowed down. Contact occurred between the bow of IRL-8 and leeward tiller extension of IRL-11.

6- 2 seconds later POL-9 and ITA-23 on starboard tack bore away to pass astern of GER-115 and IRL-8 both on port tack.

7- When ITA-23 was passing astern of IRL-8 contact occurred between the skipper of ITA-23 and the leeward tiller extension of IRL-8.

8- No damage or injury occurred and no boat took a penalty.

Conclusion:

1- NZL-18 the outside boat at the obstruction, failed to give GER-115 and IRL-8 room to pass between her and the obstruction, despite being able to do so from the time the overlap began. NZL-18 broke RRS 19.2(b).

2. GER-115 the middle boat at the obstruction, failed to give IRL-8 room to pass between her and the obstruction, despite being able to do so from the time the overlap began. GER-115 broke RRS 19.2(b).

3. Since GER-115 was compelled to break RRS 19.2(b) as a consequence of NZL-18 breaking RRS 19.2(b) she is exonerated under RRS 43.1(a) for this breach.

5. Since IRL-8 broke RRS 10 while she was sailing within the room to which she was entitled, she is exonerated under RRS 43.1(b) for this breach.

6. GER-115 and IRL-8 on port failed to keep clear of ITA-23 on starboard, and broke RRS 10.

Rules applicables: RRS 19.2(b), 10, 43.1(a)

Jury Decision: NZL-18, GER-115 and IRL-8 are disqualified in Race #5.

Date of decision: 6 Apr 2022 at 22:09

**51TROFEO**  
S.A.R. PRINCESA  
**SOFÍA**  
*Mallorca*



Spain 2022  
World Cup  
Series



1<sup>ST</sup> TO 9<sup>TH</sup> APRIL  
MALLORCA / SPAIN 2022

SAIL  
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Jury members:



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Tina Ortental (C), Cxema Pico, Fran Vidal (S)

Signature:

7 Apr 2022 20:34:08