

Hearing Decision



2023 ILCA 4 Youth European Championships & Open European Trophy

Case Number

15

With Case

Race Number

8

Hearing Status

Closed

Type of Hearing

Protest - an allegation that one or more boats broke a rule

Request for redress

Valid

yes

Date of Race

21/04

Received Time

17:17:11

PARTIES

Class/Fleet	Fleet	Boat or Committee or Person	Represented By/Not Present
ILCA 4 GIRLS	Gold	FRA-220130	Joana ALVES LOURENÇO
ILCA 4 GIRLS	Gold	GRE-217948	Theodora DAFERERA

Witnesses

Name	Boat - Committee - Role
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Case Summary:

Port-Starboard situation at the start.

Procedural Matters:

Zlatko Jakelič, IJ, CRO, Jury member gave testimony as as witness

Facts Found:

1. Just before the start GRE 217948 was penalized under Appendix P for breaking rule 42 and took penalty turns below the starting line.
2. FRA 220130 on starboard was approaching starting line to start.
3. Just after GRE 217948 finished her penalty she continued sailing on port tack close-hauled, on converging course with FRA 220130.
4. Immediate contact occurred between GRE 217948 bow and port side of the hull FRA 220130.
5. Damage occurred on the hull of FRA 220130 in the form of 15 cm long scratch at the back of the boat.
6. FRA 220130 finished the race.
7. GRE 217948 took two turns penalty.

Conclusion & Rules:

- 1. GRE 217948 on port failed to keep clear of FRA 220130 on starboard, and broke RRS 10
- 2. GRE 217948 did not avoid contact when it was reasonably possible, and broke RRS 14.
- 3. It was not reasonably possible for FRA 220130, the right-of-way boat to avoid contact with GRE 217948 when it was clear that GRE 217948 was not keeping clear. FRA 220130 did not break RRS 14.
- 4. FRA 220130’s place in race 8 was not made significantly worse by the physical damage because of the action of a boat that was breaking a rule of Part 2 and took an appropriate penalty. Therefore, the requirements for redress in RRS 62.1 are not met.

Decision:

- 1. Protest upheld. GRE 217948 took appropriate penalty and is not further penalized.
- 2. Redress is not given to FRA 220130.

Short Decision:

No further penalty to GRE 217948. Redress not given to FRA 220130.

Decision Date

21/04

Decision Time

19:22:25

Panel Chair

Didier GREZE

Panel Members

Zlatko Jakelic, Gurvinderpal Julka, Cristofol Morales, Uros Zvan