

# Hearing Decision



## EurILCA Senior European Championships & Open European Trophy 2022

**Case Number**

31

**With Case**

**Race Number**

4

**Hearing Status**

Closed

### Type of Hearing

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

**Valid**

yes

**Date of Race**

17/11

**Received Time**

15:48:59

### PARTIES

Class/Fleet	Fleet	Boat or Committee or Person	Represented By/Not Present
ILCA 7 MEN	Blue	CRO 218915	CVINAR Alec
ILCA 7 MEN	Blue	ITA 219227	BORIO Attilio

### Witnesses

Name	Boat - Committee - Role
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### Case Summary:

### Procedural Matters:

Arbitration was refused.

### Facts Found:

1. Wind 16kn, seastate 0.5m.
2. CRO 218915 and ITA 219227 on the last beat to the finish line.
3. Both boats were sailing on starboard tack with ITA 219227 to leeward of CRO 218915.
4. CRO 218915 was inside overlapped to ITA 219227 when ITA 219227 entered the zone of the starboard end finishing mark.
5. At a distance of 1 boat length from the mark, ITA 219227 pointed to the transom of the finish committee vessel.
6. CRO 218915 bore away.
7. Contact occurred between ITA 219227's starboard side first quarter and CRO 218915's port side midships.
8. CRO 218915 passed at a distance of 0.5m to the transom of the finish committee vessel.
9. There was no damage.
10. CRO 218915 took a Two-Turns Penalty.

### Conclusion & Rules:

1. ITA 219227 outside overlapped at the zone failed to give CRO 218915 mark-room, and broke RRS 18.2(b).

2. CRO 218915 to windward failed to keep clear of ITA 219227 to leeward, and broke RRS 11.

3. Since CRO 218915 broke RRS 11 while she was sailing within the mark-room to which she was entitled, she is exonerated under RRS 43.1(b) for this breach.

4. ITA 219227 did not avoid contact when it was reasonably possible, and broke RRS 14.

5. Since ITA 219227 was right-of way boat and the contact did not cause damage or injury, she is exonerated under RRS 43.1(c) for breaking RRS 14.

6. It was not reasonably possible for CRO 218915 the boat sailing within the mark-room to which she was entitled to avoid contact with ITA 2198227 when it was clear that ITA 219227 was not giving mark-room. CRO 218915 did not break RRS 14.

**Decision:**

ITA 219227 is DSQ in race 4.

<b>Short Decision:</b>	<b>Decision Date</b>	<b>Decision Time</b>
ITA 219227 is DSQ in race 4.	18/11	16:50:24
<b>Panel Chair</b>	<b>Panel Members</b>	
Filip Moczorodynski	Zlatko Jakelic, Tonny Jensen, Heiko Thölmann, Baptiste VERNIEST	