

# Hearing Decision



## EurILCA Senior European Championships & Open European Trophy 2022

Case Number	With Case	Race Number	Hearing Status
42	47	6	Closed

### Type of Hearing

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

Valid	Date of Race	Received Time
yes	19/11	16:07:15

### PARTIES

Class/Fleet	Fleet	Boat or Committee or Person	Represented By/Not Present
ILCA 7 MEN	Single	USA 218139	MCCANN Richard
ILCA 7 MEN	Blue	ITA 219227	BORIO Attilio

### Witnesses

Name	Boat - Committee - Role
Forest Wachholz	CAN 209616
James Foster	GBR 212907
Arthur Farley	GBR 220500

### Case Summary:

Port-starboard incident in downwind.

### Procedural Matters:

Hearing No. 42 was heard together with Hearing No. 47 in accordance with RRS 63.2 since both hearings arose from very closely connected incidents.

The hearing started without ISR 214931 in accordance with RRS 63.3(b), and he joined the hearing after a few minutes.

### Facts Found:

1. First downwind leg, light wind.
2. ITA 219227 was on port, USA 218139 was on starboard, sailing on converging courses.
3. When there was an overlap of one meter between the boats, and the bow of USA 218139 was less than half a meter from the port side of ITA 219227, USA 218139 bore away.
4. There was contact without damage between the port aft quarter of ITA 219227 and the starboard side close to the bow of USA 218139.
5. No penalty was taken.

### Conclusion & Rules:

1. ITA 219227 on port failed to keep clear of USA 218139 on starboard, and broke RRS 10.
2. ITA 219227 did not avoid contact when it was reasonably possible, and broke RRS 14.
3. USA 218139 the right-of-way boat did not act to avoid contact with ITA 219227 when it became clear that ITA 219227 was not keeping clear. USA 218139 broke RRS 14, but is exonerated under RRS 43.1(c).

**Decision:**

ITA 219227 is disqualified (DSQ) in race 6.

**Short Decision:**

ITA 219227 DSQ in race 6.

**Decision Date**

19/11

**Decision Time**

19:04:22

**Panel Chair**

Filip Moczorodynski

**Panel Members**

Pauline den Burger - Wilmink, Tonny Jensen, Heiko Thölmann, Baptiste VERNIEST