

Hearing Decision



EurILCA Senior European Championships & Open European Trophy 2022

Case Number	With Case	Race Number	Hearing Status
47	42	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	16:18:24

PARTIES

Class/Fleet	Fleet	Boat or Committee or Person	Represented By/Not Present
ILCA 7 MEN	Blue	ITA 219227	BORIO Attilio
ILCA 7 MEN	Blue	ISR 214931	BENHAROCHE Maor

Witnesses

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

Case Summary:

Procedural Matters:

Hearing No. 47 was heard together with Hearing No. 42 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. ISR 214931 and ITA 219227 were sailing on port, overlapped, with ITA 219227 to windward less than 2 boat widths apart.
3. Another boat was sailing on starboard tack on the port side of ITA 219227, on a converging course with ITA 219227 and ISR 214931.
4. The boat sailing on starboard tack held her course.
5. When ITA 219227 and the boat sailing on starboard tack were less than one boat widths apart, ITA 219227 bore away and contact occurred between the mast of ISR 214931 and the boom of ITA 219227.
6. The starboard boat bore away and made no contact with ITA 219227.
7. There was no damage, no penalty was taken.

Conclusion & Rules:

1. ISR 214931 the outside boat at the obstruction, failed to give ITA 219227 room to pass between her and the obstruction, despite being able to do so from the time the overlap began. ISR 214931 broke RRS 19.2(b).

2. ISR 214931 did not act to avoid contact when it became clear that ITA 219227 was not keeping clear. ISR 214931 broke RRS 14.

3. Since ISR 214931 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.

4. ITA 219227 on port failed to keep clear of a boat on starboard, and broke RRS 10.

5. ITA 219227 to windward failed to keep clear of ISR 214931 to leeward, and broke RRS 11.

6. Since ITA 219227 broke RRS 10 and RRS 11 while she was sailing within the room to which she was entitled, she is exonerated under RRS 43.1(b) for these breaches.

Decision:

ISR 214931 is disqualified (DSQ) in race 6.

Short Decision:	Decision Date	Decision Time
ISR 214931 is DSQ in race 6.	19/11	19:04:22
Panel Chair	Panel Members	
Filip Moczorodynski	Pauline den Burger - Wilmink, Tonny Jensen, Heiko Thölmann, Baptiste VERNIEST	