

Hearing Decision



FRENCH OLYMPIC WEEK

Case Number 59	With Case 63	Race Number 7	Hearing Status Closed
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Type of Hearing

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

Valid no	Date of Race 28/04	Received Time 15:15
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PARTIES

Class/Fleet	Fleet	Boat or Committee or Person	Represented By/Not Present
ILCA 7	Gold	ITA217611	Alessio Spadoni
ILCA 7	Gold	NZL211595	Thomas Saunders

Witnesses

Name	Boat - Committee - Role
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Case Summary:

Procedural Matters:

1. The hearing was heard by a panel of three members in accordance with RRS N1.4(b).
2. Case 59 was heard together with Case 63 in accordance with RRS 63.2 since both hearings arose from the same incident.
3. Case 59 was lodged at 15:15 on a paper form because the online system was not working properly.
4. Michael Bullo, the coach of NZL 211595, attended the hearing as an observer.

Facts Found:

1. Wind speed: 10-12 knots
2. Second upwind leg, approaching the windward mark.
3. ITA 217611 on starboard was sailing on the starboard layline approximately four boat lengths.
4. NZL 211595 and HUN 213119 were on port overlapped, with HUN three meters to windward of NZL 211595.
5. ITA 217611 and NZL 211595 were on a converging course, two boat lengths apart.
6. When NZL 211595 was at a distance of 2 meters she started to tack and immediately ITA 217611 bore away and contact occurred between the bow of ITA 217611 and the boom of NZL 211595.
7. HUN 213119 tacked simultaneously with NZL 211595.
8. No penalties taken.
9. No damage occurred.

Conclusion & Rules:

1. After passing head to wind and before being on a close-hauled course, NZL 211595 failed to keep clear of ITA 217611. NZL 211595 broke RRS 13.
2. NZL 211595 did not avoid contact when it was reasonably possible, and broke RRS 14.
3. It was not reasonably possible for ITA 217611 the right-of-way boat to avoid contact with NZL 211595 when it was clear that NZL 211595 was not keeping clear. ITA 217611 did not break RRS 14.

Decision:

NZL 211595 is DSQ in race 7.

Short Decision:

ILCA 7 gold NZL 211595 is DSQ in race 7.

Decision Date

28/04

Decision Time

19:40:16

Panel Chair

Gonzalo Heredia

Panel Members

Bernadette Delbart, Luis Ferrandiz Ruiz, Andrus Poksi, Alina Stratigiou