

# DECISION

Request No.: 17

## Protest

Event: Nacra 15 Open European Championships 2024 Race Number: 10  
Hearing Schedule: 2024-05-03 14:35

### PARTIES AND WITNESSES

**Request No.: 17:** Nacra15 - POL 164 - Makary Galka Franek Wołyniec

Nacra 15 - HUN 232 - Peter Illinger - Levente Balogh

**Witnesses:** Hun 278 Peter ROKA

### VALIDITY

**Objection to Jury:** No

**Within Time Limit:** Within Time Limit

**Incident Identified:** Yes

**Proper Hail:** Protest hailed

**Red Flag Displayed:** Not required

**Decision:** Request Valid

### PROCEDURAL MATTERS

### FACTS FOUND

Wind 15 knots, small waves

At the gate in Race 10:

POL 164 entered the zone on starboard, sailing high, heading for the Starboard hand mark.

HUN 232, also on port, sailing directly downwind, was overlapped inside POL 164, with HUN 278 inside her.

HUN 278 on port gybed clear ahead of HUN 232. HUN 232 then became overlapped outside HUN 278.

There was another boat inside HUN 278. HUN 278 sailed wide of the mark.

HUN 232 also sailed wide of the mark.

When HUN 232 was one and half metres from POL164 there was contact between the bow of HUN 278 and the starboard hull of HUN 232. HUN 232 was pushed sideways.

There was then contact between the bow of HUN 232 and the starboard quarter of POL 164.

POL 164 has a dent ahead of the stern of the starboard hull

No penalty was taken

**Diagram:** Diagram not endorsed

### CONCLUSIONS AND RULES THAT APPLY

**Rules:** 14, 18.2(b), 43.1(a)

POL 164, outside overlapped at the zone, failed to give HUN 232 mark-room, and broke RRS 18.2(b).

POL 164 did not avoid contact when it was reasonably possible, and broke RRS 14.

It was not reasonably possible for HUN 232, the boat sailing within the mark-room to which she was entitled, to avoid contact with POL 164 when it was clear that POL 164 was not giving mark-room. HUN 232 did not break RRS 14.

HUN 232, outside overlapped at the zone, failed to give HUN 278 mark-room, and broke RRS 18.2(b).

Since HUN 232 was compelled to break RRS 18.2(b) as a consequence of HUN 278 breaking RRS [18.2(b), she is exonerated under RRS 43.1(a) for this breach.

### DECISION

POL 164 is DSQ in race10

**Date & Time:** 2024-05-03 14:39 CEST

### PROTEST COMMITTEE

**Committee Type:** International Jury

**Chaired By:** Bruno Tamburini (ITA)

**Committee Members:** Susanne Kuusansalo (FIN), Fabio Palermi (ITA), Leo Vekemans (BEL), Gordon Davies (IRL)