

# Hearing Decision



## FRENCH OLYMPIC WEEK

<b>Case Number</b> 23	<b>With Case</b>	<b>Race Number</b> 8	<b>Hearing Status</b> Closed
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### Type of Hearing

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

<b>Valid</b> yes	<b>Date of Race</b> 26/04	<b>Received Time</b> 17:49:05
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### PARTIES

Class/Fleet	Fleet	Boat or Committee or Person	Represented By/Not Present
FORMULA KITE W	Silver	FRA 27	HELOISE PEGOURIE
FORMULA KITE W	Silver	BRA 31	Maria do Socorro VASONCELLO

### 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. BRA 31 did not come to the hearing, the hearing proceeded in accordance with RRS 63.3(b).
3. Hearing 23 was scheduled on 26 April at 18:40 and started at 19:05.

### Facts Found:

1. Approaching the leeward mark, FRA 27 was sailing on starboard and BRA 31 on port, on a converging course, going at 30 knots.
2. When FRA 27 and BRA 31 were less than 2 meters apart, FRA 27 bore away and BRA 31 started to gybe.
3. Immediately after, both kiteboard lines got tangled, outside of the zone.
4. Damage to FRA 27: broken bridle line.
5. FRA 27 and BRA 31 called the rescue boat to get untangled.
6. FRA 27 and BRA 31 did not finish race 8.

### Conclusion & Rules:

1. BRA 31 on port failed to keep clear of FRA 27 on starboard, and broke RRS 10.
2. BRA 31 did not avoid contact when it was reasonably possible, and broke RRS 14.
3. It was not reasonably possible for FRA 27, the right-of-way kiteboard, to avoid contact with BRA 31 when it was clear that BRA 31 was not keeping clear. FRA 27 did not break RRS 14.
4. By retiring from the race, BRA 31 took the appropriate penalty under RRS F4.44.1(b).
5. The score of FRA 27 in race 8 was made significantly worse through a tangle, but through damage or injury. Therefore, the requirements for redress in RRS 62.1 are not met.

**Decision:**

Protest upheld. No further penalty to BRA 31, however the incident is counted to determine the number of tangles the kiteboard has caused during the event.

Redress is not given to FRA 27.

**Short Decision:**

BRA 31 retired, no further penalty. Redress not given.

**Decision Date**

29/04

**Decision Time**

19:33:59

**Panel Chair**

Andrus Poksi

**Panel Members**

Yoann Peronneau, Alina Stratigiou