

Hearing Decision



FRENCH OLYMPIC WEEK

Case Number 31	With Case	Race Number 7	Hearing Status Closed
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Type of Hearing

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

Valid yes	Date of Race 26/04	Received Time 18:50:16
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PARTIES

Class/Fleet	Fleet	Boat or Committee or Person	Represented By/Not Present
iQFOiL Men	Single	FRA 77	Pierre Le coq
iQFOiL Men	Single	KOR 153	Chaneui Kim

Witnesses

Name	Boat - Committee - Role
	FRA 152

Case Summary:

Procedural Matters:

KOR 153 did not attend the hearing.

The jury panel was a three person panel in accordance with appendix N1.4(b)

Facts Found:

Start of race Nr. 7:

KOR 153 on port had a contact with FRA 307 on Starboard and both boards stopped.

FRA 77 on port tack windward and behind KOR bore away and passed behind KOR 153 and established a leeward overlap at a distance of 5 meters to KOR 153.

In this moment KOR 153 lost control over his mast and it fell down hitting the bow of FRA 77.

FRA 77 fell into the water.

The front side FRA 77's board was damaged, with a 10cms hole through which water could get in.

FRA 77 did not finish the race but instead repaired his board on the coach boat.

KOR 153 did a one turn penalty and continued the race.

Conclusion & Rules:

KOR 153 to windward failed to keep clear of FRA 77 to leeward, and broke RRS 11;

After causing serious damage to FRA 77, the appropriate penalty for KOR 153 was to retire. By taking a One Turn Penalty, KOR 153 did not take the appropriate penalty under rule 44.1(b)

FRA 77's score in race 7 was made significantly worse through no fault of her own by physical damage because of the action of KOR 153 that broke RRS 11. Therefore, the requirements for redress as changed by RRS B5.62.1(b) are met.

Decision:

Redress is given to FRA 77.

FRA 77 is to be scored in race 7, average points based on the Course and Marathon Races in the opening series, without considering Slalom Races, calculated as per RRS A9(a), subject to WS Case 116 and not worse than her finishing position.

KOR 153 is DSQ in race 7

Short Decision:

Redress is given to FRA 77.
KOR 153 is DSQ in race 7

Decision Date

27/04

Decision Time

21:55

Panel Chair

Ana Maria Sanchez del Campo Ferrer

Panel Members

Klaus Lahme, Marco Sarcoli