Hearing Decision



FRENCH OLYMPIC WEEK

Case Number	With Case	Race Number	Hearing Status
53		15	Closed

Type of Hearing

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

Valid	Date of Race	Received Time
yes	28/04	14:06:19

PARTIES

Class/Fleet	Fleet	Boat or Committee or Person	Represented By/Not Present
FORMULA KITE M	Gold	FRA 17	Benoit Gomez
FORMULA KITE M	Gold	POL 32	Maksymilian Zakowski

Witnesses

Name	Boat – Committee - Role

Case Summary:

A port starbord situation between kites on the beat

Procedural Matters:

POL 32 did not come to the hearing, the hearing proceeded in accordance with RRS 63.3(b).

Facts Found:

1. Race 15, 1st beat to windward, in 12 kts of wind and light choppy water
2. FRA 17 was close-hauled on starboard overlapped 14 m to windward and slightly behind POL 32.
3. POL 32 luffed and tacked onto port.
4. FRA 17 raised the kite to try to avoid collision.
5. Immediately, there was a colision between POL 32 and FRA 17, causing damage to FRA 17 (attaching line was broken and there was a hole in the leading edge of the kite).
6. The kites were tangled.
7. FRA 17 retired from the race, as it was no longer possible to race.
8. FRA 17 sailed to the beach, repaired and managed to sail next race.
9. POL 32 retired from the race.

Conclusion & Rules:

1. POL 32 on port failed to keep clear of FRA 17 on starboard, and broke RRS 10.
2. POL 32 did not avoid contact when it was reasonably possible, and broke RRS 14.
3. It was not reasonably possible for FRA 17 the right-of-way boat to avoid contact with POL when it was clear that POL 32 was not keeping clear. FRA 17 did not break RRS 14.
4. By retiring from the race, POL took the appropriate penalty under F4.44.1(b)
5. FRA 17's score in race 15 was made significantly worse through no fault of her own by physical damage because of the action of POL 32 who broke RRS 10 and took an appropriate penalty. Therefore, the requirements for redress in RRS 62.1 are met.

Decision:

1. No further penalty for POL 32 but the incident is counted to determine the number of tangles the kiteboard has caused during the event.
2. Redress is given to FRA 17. FRA 17 is to be scored in race 15 points equal to the average, rounded to the nearest tenth of a point (0.05 to be rounded upward), of her points in all races sailed in the final series except race 15.

Short Decision:	Decision Date	Decision Time
Kite M Gold : Redress is given to FRA 17. FRA 17 is to be scored in race 15 points equal to the average of her points in all races sailed in the final series except race 15.	28/04	16:43:39

Panel Chair	Panel Members
Alina Stratigiou	Sylvie Harlé, Klaus Lahme