

Hearing Decision



FRENCH OLYMPIC WEEK

Case Number 60	With Case	Race Number 16	Hearing Status Closed
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Type of Hearing

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

Valid yes	Date of Race 28/04	Received Time 15:41:53
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PARTIES

Class/Fleet	Fleet	Boat or Committee or Person	Represented By/Not Present
FORMULA KITE M	Single	SUI 18	Gian Andrea Stragiotti
FORMULA KITE M	Single	FRA 26	absent

Witnesses

Name	Boat - Committee - Role
Karl MAEDER	SUI 24

Case Summary:

Incident between kiteboards on opposite tacks at the leeward mark.

Procedural Matters:

1. The hearing was heard by a panel of three members in accordance with RRS N1.4(b).
2. FRA 26 did not come to the hearing, the hearing proceeded in accordance with RRS 63.3(b).
3. Flavio Stragiotti (parent of SUI 18) attended the hearing as observer.

Facts Found:

1. Wind: 20 knots
2. Approaching the leeward mark, SUI 18 was on starboard tack and FRA 26 on port tack, on a converging course.
3. When SUI 18 and FRA 26 were 10 meters apart, FRA 26 lifted her kite, gybed to starboard and crashed in the water ahead of SUI 18.
4. SUI 18 immediately lifted her kite.
5. Contact occurred between their kites and lines, without a tangle.
6. Neither kiteboard took a penalty.

Conclusion & Rules:

1. When acquiring right-of-way through her own actions, FRA 26 failed to initially give SUI 26 room to keep clear, and broke RRS 15.
2. SUI 18 clear astern failed to keep clear of FRA 26 clear ahead, and broke RRS 12.
3. Since SUI 18 broke RRS 12 while she was sailing within the room to which she was entitled, she is exonerated under RRS 43.1(b) for this breach.
4. FRA 26 did not avoid contact when it was reasonably possible, and broke RRS 14.
5. Since FRA 26 was right-of-way boat, and the contact did not cause damage, injury nor tangle, she is exonerated under RRS 43.1(c) for breaking RRS 14.
6. It was not reasonably possible for SUI 18, the kiteboard sailing within the room to which she was entitled, to avoid contact with FRA 26 when it was clear that FRA 26 was not keeping clear. SUI 18 did not break RRS 14.

Decision:

FRA 26 is DSQ in race 16.

Short Decision:

Kite M Bronze
FRA 26 DSQ in race 16.

Decision Date

28/04

Decision Time

19:03:40

Panel Chair

Mateo Ferrer Skoknic

Panel Members

Klaus Lahme, Yoann Peronneau