

Hearing Decision



FRENCH OLYMPIC WEEK

Case Number
32

With Case

Race Number
6

Hearing Status
Closed

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
18:25

PARTIES

| Class/Fleet | Fleet | Boat or Committee or Person | Represented By/Not Present |
|-------------|--------|-----------------------------|----------------------------|
| iQFOiL Men | Single | GER 730 | Lars Poggemann |
| iQFOiL Men | Single | SUI 76 | Sebastian Schärer |

Witnesses

| Name | Boat - Committee - Role |
|------|-------------------------|
|------|-------------------------|

Case Summary:

Procedural Matters:

The hearing was heard by a panel of three members in accordance with RRS N1.4(b).

Facts Found:

1. Wind speed: 15 knots
2. At the start of race 6, GER 730 was sailing on starboard tack and SUI 76 on port tack.
3. Both boards held their course.
4. SUI 76 didn't see GER 730 until the boards were 2 meters apart.
5. SUI 76 started to bear away and GER 730 to luff.
6. Contact occurred with damage to GER 730: broken sail, broken front wing and bent fuselage.
7. Both boards capsized and retired from race 6.
8. GER 730 went back ashore and replaced the fitting.
9. GER 730 did not sail in races 7, 8 and 9.
10. GER 730 sailed in race 10.

Conclusion & Rules:

1. SUI 76 on port failed to keep clear of GER 730 on starboard, and broke RRS 10.
2. SUI 76 did not avoid contact when it was reasonably possible, and broke RRS 14.
3. It was not reasonably possible for GER 730, the right-of-way board, to avoid contact with SUI 76 when it was clear that SUI 76 was not keeping clear. GER 730 did not break RRS 14.
4. By retiring from the race, SUI 76 took the appropriate penalty under RRS B4.44.1.
5. GER 730's score in races 6, 7, 8 and 9 was made significantly worse through no fault of her own by physical damage and capsizing because of the action of SUI 76 that broke RRS 10 and took the appropriate penalty. Therefore, the requirements for redress as changed by RRS B5.62.1(b) are met.

Decision:

1. SUI 76 took the applicable penalty and is not further penalized.
2. Redress is granted to GER 730. GER 730 is to be scored in races 6, 7, 8 and 9, 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.

Short Decision:

SUI 76 retired, no further penalty. Redress given to GER 730.

Decision Date

27/04

Decision Time

22:21:25

Panel Chair

Marco Sarcoli

Panel Members

Yoann Peronneau, Ana Maria Sanchez del Campo Ferrer