

# Hearing Decision



## FRENCH OLYMPIC WEEK

<b>Case Number</b> 77	<b>With Case</b>	<b>Race Number</b> 17	<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> 29/04	<b>Received Time</b> 14:26:37
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### PARTIES

Class/Fleet	Fleet	Boat or Committee or Person	Represented By/Not Present
FORMULA KITE M	Bronze	POL 34	Piotr Szymiec
FORMULA KITE M	Bronze	FRA 36	Paul Labordère

### Witnesses

Name	Boat - Committee - Role
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### Case Summary:

Port starboard incident

### Procedural Matters:

1. The hearing was heard by a panel of three members in accordance with RRS N1.4(b).
2. The hearing was scheduled to start at 16:50 and started at 17:15
3. FRA 36 did not come to the hearing, the hearing proceeded in accordance with RRS 63.3(b).

### Facts Found:

1. The wind was 12 kts, with choppy waves.
2. POL 34 and FRA 36 were sailing upwind at a speed of approximately 23 kts
3. POL 34, was on starboard tack on the layline of mark 1, to be left to port.
4. FRA 36 was on port tack was on a converging course with POL 34
5. When the distance between them was 30 meters, FRA 36 bore away.
6. The distance to the mark at that moment was 100 meters.
7. When the distance between them was 20 meters, FRA 36 luffed.
8. Immediately after the luff of FRA 36, their lines contacted without a tangle.
9. POL 34 capsized after the contact.

### Conclusion & Rules:

1. FRA 36 on port failed to keep clear of POL 34 on starboard, and broke RRS 10.
2. FRA 36 did not avoid contact with POL 34 34, when it was reasonably possible, and broke RRS 14.
3. It was not reasonably possible for POL 34, the right-of-way kiteboard, to avoid contact with FRA 36 when it was clear that FRA 36 was not keeping clear. Y did not break RRS 14.

**Decision:**

1. FRA 36 is DSQ in race 17.

**Short Decision:**

FRA 36 is DSQ in race 17.

**Decision Date**

29/04

**Decision Time**

17:25

**Panel Chair**

Gonzalo Heredia

**Panel Members**

Mateo Ferrer Skoknic, Romain Gautier