

Hearing Decision



FRENCH OLYMPIC WEEK

Case Number 30	With Case	Race Number 8	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 18:36
---------------------	------------------------------	-------------------------------

PARTIES

Class/Fleet	Fleet	Boat or Committee or Person	Represented By/Not Present
FORMULA KITE M	Single	SGP 25	Maximilian Maeder
FORMULA KITE W	Single	CRO 13	Marija Dolenc

Witnesses

Name	Boat - Committee - Role
Qibin Huang	CHN 55

Case Summary:

Board to board incident & request for redress

Procedural Matters:

The online system did not work properly so the Initiator had to come from the Kiteboards venue to Race Office to get a paper copy of the protest and to submit it. Time limit extended.

Facts Found:

About 15-17 kts of wind, choppy water.
On the second windward leg SGP 25 on close-hauled course on starboard tack and CRO 13 on her second downwind leg on port tack, on collision course.
About 10 seconds before the contact, SGP 25 luffed to avoid CRO 13 but still there was a collision between the boards. The kites tangled and the lines of SGP 25's kite broke.
CRO 13 did not change her course before the collision.
SGP 25 and CRO 13 both retired from that race.

Conclusion & Rules:

CRO 13 on port tack failed to keep clear of SGP 25 on starboard tack and broke RRS 10. She also did not avoid contact when it was reasonably possible, and broke RRS 14.

It was not reasonably possible to SGP 25 the right of way board to avoid contact with CRO 13 when it was clear that CRO 13 was not keeping clear. SGP 25 did not break RRS 14.

SGP 25 score in race 8 was made significantly worse through no fault of her own by physical damage because of the action of CRO 13 that was breaking a rule of Part 2 and took an appropriate penalty. Therefore, the requirements for redress under RRS 62.1(b) are met.

Decision:

Protest upheld. No further penalty to CRO 13.

Redress is given to SGP 25. SGP 25 is to be scored in race 8 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 before the last scheduled day of the qualifying series, except race 8.

Short Decision:		Decision Date	Decision Time
Formula Kite M Protest upheld. No further penalty to CRO 13. SGP 25 RDG for race 8.		26/04	22:05:31
Panel Chair	Panel Members		
Sylvie Harlé	Mateo Ferrer Skoknic, Andrus Poksi		