

DECISION

Request No.: 11

Protest

Event: 2023 Formula Kite European Championships Race Number: F6
Hearing Schedule: 2023-09-23 16:25

PARTIES AND WITNESSES

Request No.: 11: ISR 43 - Gal Zukerman

ESP 21 - Gisela Pulido Borrell

VALIDITY

Objection to Jury: No

Within Time Limit: Within Time Limit

Incident Identified: Yes

Proper Hail: Protest hailed

Red Flag Displayed: N/A

Decision: Request Valid

PROCEDURAL MATTERS

The hearing was scheduled for 16:25.

ESP 21 requested additional time to prepare for the hearing.

The International Jury agreed to delay the hearing and it commenced at 16:40.

The panel of the International Jury was composed in accordance with RRS N1.4(b).

FACTS FOUND

1. The conditions at the time of the incident were 16-17 knots of wind speed with water a little choppy.
2. ISR 43, SUI 30 and ESP 21 were on starboard tack approaching mark 5.
3. When SUI 30 reached the zone, she was 1m clear ahead and 4m leeward of ISR 43.
4. When ISR 43 reached the zone, she was at least 5m clear ahead and slightly to windward of ESP 21.
5. SUI 30 slowed down and rounded the mark.
6. ISR 43 also slowed down and gybed to port to round the mark, 5m abeam of the mark.
7. ESP 21, sailing faster, gybed between ISR 43 and the mark.
8. ESP 21 was then overlapped 2m to windward of ISR 43.
9. Less than 1 second after ESP 21 gybed, contact occurred between the tips of the kites.
10. There was no damage, tangle or injury.
11. No penalty was taken.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: RRS N1.4(b) , RRS 11, RRS 14 and RRS F2.18.2(a)(2)

1. ESP 21 not overlapped with ISR 43 and not in the zone at the time ISR 43 reached the zone, failed to give ISR 43 mark-room, and broke RRS F2.18.2(a)(2).
2. After her gybe, ESP 21 to windward failed to keep clear of ISR 43 to leeward, and broke RRS 11.
3. ESP 21 did not avoid contact when it was reasonably possible, and broke RRS 14.
4. It was not reasonably possible for ISR 43 the right-of-way kiteboard to avoid contact with ESP 21 when it was clear that ESP 21 was not keeping clear. ISR 43 did not break RRS 14.

DECISION

ESP 21 is DSQ in race F6.

Date & Time: 2023-09-23 17:34 BST

PROTEST COMMITTEE

Committee Type International Jury
Chaired By: Rosemary Collins (AUS)
Committee Members: Enrica Mameli (ITA), Finn Mrugalla (GER)