

DECISION

Request No.: 28

Protest and Request for Redress

Event: 2024 Formula Kite European Championships Race Number: Race 3 bronze
Hearing Schedule: 2024-03-22

PARTIES AND WITNESSES

Request No.: 28: Formula Kite - Male - CAN 171 - Mac Morrin
Formula Kite - Male - BUL 44 - George Manev

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

1. The panel of the International Jury was composed in accordance with RRS N1.4(b).
2. CAN 171 provided video evidence.

FACTS FOUND

1. Wind 13 knots, no waves.
2. Ten seconds after the start, CAN 171 and BUL 44 were sailing close-hauled on starboard tack, with CAN 171 being 3m clear ahead of BUL 44.
3. BUL 44, sailing faster, established a windward overlap to CAN 171 at a lateral distance of about 10 meters.
4. Immediately after, contact occurred between BUL 44's right wing tip and CAN 171's upper left lines.
5. There was damage: 3 broken bridles on CAN 171's kite.
6. Both kiteboards capsized.
7. There was no injury or tangle.
8. Both kiteboards retired from race F3.
9. CAN 171 did not sail in race F4, because she could not fix her damage in time.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: RRS 11, 14, F4.44.1(b), 62.1(b), 64.2(a), N1.4(b)

1. BUL 44 to windward failed to keep clear of CAN 171 to leeward, and broke RRS 11.
2. BUL 44 did not avoid contact when it was reasonably possible, and broke RRS 14.
3. It was not reasonably possible for CAN 171 the right-of-way kiteboard to avoid contact with BUL 44 when it was clear that BUL 44 was not keeping clear. CAN 171 did not break RRS 14.
4. Since BUL 44 caused serious damage by her breach, by retiring she took an applicable penalty, as required by RRS F4.44.1(b).
5. CAN 171's score in races F3 and F4 was made significantly worse through no fault of her own by physical damage because of the action of BUL 44 that was breaking RRS 11 and 14 and took an appropriate penalty. Therefore, the requirements for redress in RRS 62.1(b) are met.

DECISION

Date & Time: 2024-03-22 19:18 CET

1. The protest is upheld. Since BUL 44 took an applicable penalty, she is not further penalized under RRS 64.2(a).
2. Redress is given to CAN 171. CAN 171 is to be scored in races F3 and F4 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 of phase Q3 of the Opening series

except races F3 and F4. No other kiteboards's score shall change.

PROTEST COMMITTEE

Committee Type International Jury

Chaired By: Yoann Peronneau (FRA)

Committee Members: Marios Zisimatos (GRE), César Sans (ESP)