

# DECISION

Request No.: 02

## Protest and Request for Redress

Event: KiteFoil World Series Gizzeria & A's Youth Foil Europeans Race Number: 4  
Hearing Schedule: 2022-07-21

### PARTIES AND WITNESSES

**Request No.: 02:** KF MEN - ISR 90 - Dvir Azulay

KF MEN - USA 47 - Markus Edegran

**Witnesses:** Mario calbuci

### 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

### FACTS FOUND

- 1-ISR 90 and USA 47 were sailing on port tack with ISR 90 clear ahead and to leeward of USA 47.
- 2-They were approaching the beach.
- 3-ISR 90 tacked to starboard.
- 4-USA 47 continued sailing on port for a couple of seconds.
- 5-Contact occurred between ISR 90 and USA 47's Kite.
- 6-There was damage in ISR 90's kite. There was a hole in the kite material.
- 7-ISR 90 tried to pull up the kite up but it resulted impossible.
- 8-ISR 90 retired from the race, went ashore, fixed the damage and raced in the rest of the races of the day.
- 9-USA 47 made a turn after the incident and retired.

**Diagram:** Diagram not endorsed

### CONCLUSIONS AND RULES THAT APPLY

**Rules:** 10, 14, F4.44.1.b, 62.1.b

- 1-USA 47 on port did not keep clear of ISR 90 on starboard breaking RRS 10 and 14.
- 2-It was not reasonably possible for ISR 90 to avoid the contact, therefore she did not break RRS 14.
- 3-By retiring, USA 47 took the appropriate penalty for her breach under RRS F4.44.1(b).
- 4-The score of ISR 90 was made significantly worse in race 4 through no fault of her own by damage caused by the action of a kiteboard that was breaking a rule of part 2 and took an appropriate penalty. Therefore the requirements of RRS 62.1.(b) are met.

### DECISION

**Date & Time:** 2022-07-21 18:31 CEST

- 1-USA 47 retired. No further penalty imposed.
- 2-ISR 90 is given redress in race 4 and will be scored points equal to the average of her scores in the other races of the day rounded to the nearest tenth of a point (0.05 to be rounded upward). This shall not change the score of the other kiteboards.

### PROTEST COMMITTEE

**Chaired By:** Aleksander Prusinski (POL)

**Committee Members:** Ewa Jodlowska (POL), Santiago Villamil (ARG)