

# DECISION

Request for Redress

Request No.: 06

Heard Jointly With Number(s): 07

Event: KiteFoil World Series Gizzeria & A's Youth Foil Europeans Race Number: 5  
Hearing Schedule: 2022-07-21

## PARTIES AND WITNESSES

**Request No.: 06:** KF MEN - MEN - USA 47 - Markus Edegran

KF MEN - GBR 43 - Jack Mckendrick

**Request No.: 07:** KF MEN - GBR 43 - Jack Mckendrick

KF MEN - FRA 49 - Kerneur Julien

**Witnesses:** xantos villegas

## 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-Hearing No.6 was heard together with Hearing No.7 in accordance with RRS 63.2 since both hearings arose from the same incident
- 2-FRA 49 did not come to the hearing, the hearing proceeded in accordance with RRS 63.3(b).

## FACTS FOUND

- 1-USA 47 and FRA 49 were sailing on port tack towards the starting line to start with FRA 49 15 metres to leeward and 20 metres ahead of USA.
- 2-GBR 43 was sailing on starboard tack and on collision course with FRA 49. Close to FRA 49, GBR 43 bore away sharply and passed behind of FRA 49.
- 3-At that point, USA 47 and GBR 43 were on head to head collision course. Immediately after, USA 47 bore away sharply.
- 4-There was contact between USA 47's and GBR 43's kites. Several lines were broken in both kiteboards. There was no tangle.
- 5-FRA 49 retired of the race after finishing.
- 6-USA 47 and GBR 43 could not finish the race (N5).

**Diagram:** Diagram not endorsed

## CONCLUSIONS AND RULES THAT APPLY

**Rules:** 63.2, 63.3.b, 10, 14

- 1-FRA 49 on port did not keep clear of GBR 43 on starboard breaking RRS 10.
- 2-GBR 43, right of way, changed the position of her kite without giving room to USA 47 to keep clear, breaking RRS 16.1.
- 3-It was not reasonably possible for GBR 43 and USA 47 to avoid the contact, therefore they did not break RRS 14.
- 4-Since GBR 43 was compelled to break RRS F2.16.1 as a consequence of FRA 49 breaking RRS 10, she is exonerated under RRS 43.1(a) for this breach.
- 5-The score of USA 47 and GBR 43 was made significantly worse in race 5 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 or was penalised. Therefore the requirements of RRS 62.1(b) are met.
- 6-By starting on port when other kiteboards were starting on starboard, FRA 49 intentionally broke RRS 10, clearly violating the recognized principles of sportsmanship and broke RRS 2.

## DECISION

**Date & Time:** 2022-07-21 20:44 CEST

1-GBR 43 and USA 47 are given redress in race 5 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.  
2-FRA 49 is DNE in race 5.

**PROTEST COMMITTEE**

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

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