

DECISION

Protest by TC

Request No.: 25

Heard Jointly With Number(s): 21, 22, 23, 24

Event: 2021 Formula Kite World Championships Race Number: 10
Hearing Schedule: 2021-10-16 19:30

PARTIES AND WITNESSES

Request No.: 25: Technical Committee

Formula Kite - Male - FRA 84 - Thomas Lombardo

Request No.: 24: Technical Committee

Formula Kite - Female - FRA 150 - Lauriane Nolot

Request No.: 23: Technical Committee

Formula Kite - Female - ITA 140 - Tiana Laporte

Request No.: 22: Technical Committee

Formula Kite - Male - ITA 76 - Mario Calbucci

Request No.: 21: Technical Committee

Formula Kite - Male - FRA 36 - Maxime Nocher

VALIDITY

Objection to Jury: No

Within Time Limit: Within Time Limit

Incident Identified: Yes

Proper Hail: Protest hailed

Red Flag Displayed: Yes

Decision: Request Valid

PROCEDURAL MATTERS

FACTS FOUND

1. Flymaax V2 15m2 kites have been found to have a difference compared to the registered design which has been submitted to the IKA.
2. The leading edge air vent flap has 15 mm width, where the originally submitted design has 30mm width.
3. The max wind that the kite can be used increased from 20 knots to 25 knots.
4. Flymaax V2 15 kites with the modification were available on the market after the Formula Kite European Championships on 12 September 2021.
5. FRA 36 used her Flymaax V2 15m2 kite in races from Q1 to Q10. FRA 36 was aware of the modification.
6. ITA 76 used her Flymaax V2 15m2 kite in races from Q1 to Q10. ITA 76 was not aware of the modification.
7. ITA 140 never used her Flymaax V2 15m2 kite. ITA 140 was not aware of the modification.
8. FRA 150 used her Flymaax V2 15m2 kite in races from Q8 to Q12. FRA 150 was not aware of the modification.
9. FRA 84 used her Flymaax V2 15m2 kite in races Q1 and Q2. FRA 84 was not aware of the modification.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: CR B.1, C.10.1(a), RRS 78.1

1. The modification is not in compliance with Class Rule B.1 and C.10.1(a), therefore FRA 36, ITA 76, ITA 140, FRA 150 and FRA 84 have broken rule 78.1.

2. Using the Discretionary Penalty Policy, a starting penalty of 20% was decided.
3. The penalty was increased for FRA 36, because she was aware of the modification.
4. The penalty was decreased for ITA 76, ITA 140, FRA 150, FRA 84, because they were not aware of the modification.

DECISION**Date & Time:** 2021-10-16 20:10 CEST

1. No penalty imposed to ITA 140.
2. FRA 36: points equal to 30% of the number of kiteboards in her fleet, applied to races from Q1 to Q10, calculated to the nearest tenth of a point, (0.05 to be rounded upward), but not worse than the score for DNF.
3. ITA 76: points equal to 10% of the number of kiteboards in her fleet, applied to races from Q1 to Q10, calculated to the nearest tenth of a point, (0.05 to be rounded upward), but not worse than the score for DNF.
4. FRA 150: points equal to 10% of the number of kiteboards in her fleet, applied to races from Q8 to Q12, calculated to the nearest tenth of a point, (0.05 to be rounded upward), but not worse than the score for DNF.
5. FRA 84: points equal to 10% of the number of kiteboards in her fleet, applied to races Q1 and Q2, calculated to the nearest tenth of a point, (0.05 to be rounded upward), but not worse than the score for DNF.

PROTEST COMMITTEE**Chaired By:** Marina Psychogyiou (GRE)**Committee Members:** Anastazja Lewandowska (POL), Jacob Andersen (DEN), Arnaud Mante (FRA), Marco Giampà (ITA)**Printed:** 19 Oct 15:24