

DECISION

Request No.: 18

Protest and Request for Redress

Event: 2022 Formula Kite European Championships Race Number: Q5 Blue
Hearing Schedule: 2022-09-29 19:30

PARTIES AND WITNESSES

Request No.: 18: FK - Men - BRA 45 - Bruno Lobo

FK - Men - ITA 79 - Riccardo Pianosi

VALIDITY

Objection to Jury: No

Within Time Limit: Within Time Limit

Incident Identified: Yes

Proper Hail: Protest hailed

Red Flag Displayed: Not required

Decision: Request Valid

PROCEDURAL MATTERS

FACTS FOUND

1. Wind speed: 17 knots.
2. Approaching mark 1 for the second rounding, BRA 45 and ITA 79 were on port tack, with BRA 45 10m ahead and 5m to leeward of ITA 79.
3. After BRA 45 passed the starboard layline, she put her kite up and tacked onto starboard.
4. ITA 79 immediately put her kite up.
5. Approximately 2-3 seconds later, contact occurred between the kites and lines, causing tangle and damage to BRA 75's kite (ripped batten pocket).
6. At the time of the incident, BRA 45 was in 2nd position and ITA 79 in 3rd.
7. Both kiteboards stayed tangled for 5 minutes and retired from race 5.
8. BRA 45 sailed in race 6, but her performance was affected by the batten being out of position.
9. BRA 45 finished race 6 in 8th position.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: RRS 14, F2.16.1, 43.1(b), F4.44.1(b), 62.1

1. When changing course and the position of her kite, BRA 45 the right-of-way kiteboard did not give ITA 78 room to continue keeping clear, breaking RRS F2.16.1.
2. BRA 45, the right-of-way kiteboard, did not act to avoid contact with ITA 79 when it was reasonably possible. BRA 45 broke RRS 14.
3. ITA 79 on port did not keep clear of BRA 45 on starboard, breaking RRS 10.
4. Since ITA 79 broke RRS 10 while she was sailing within the room to which she was entitled, she is exonerated under RRS 43.1(b) for this breach.
5. It was not reasonably possible for ITA 79 to avoid the contact, therefore she did not break RRS 14.
6. By retiring, BRA 45 took the appropriate penalty for her breach under F4.44.1(b).
7. BRA 45's score in races 5 and 6 was made significantly worse through her own fault. Therefore, the requirements for redress in RRS 62.1 are not met.

DECISION

Date & Time: 2022-09-29 20:04 EEST

BRA 45 retired. No further penalty imposed but the incident is counted to determine the number of tangles the kiteboard has caused during the event.
Redress is not given to BRA 45.

PROTEST COMMITTEE

Chaired By: Finn Mrugalla (GER)

Committee Members: Yoann Peronneau (FRA), Stavros Kouris (GRE), Marios Zisimatos (GRE), Pauline Den Burger (NED)