

DECISION

Request No.: 17

Protest

Event: 2022 Formula Kite European Championships Race Number: 3
Hearing Schedule: 2022-09-29 18:40

PARTIES AND WITNESSES

Request No.: 17: Formula Kite - Men - 94 - Toni Vodisek
FK - Men - FRA 65 - Theo De Ramecourt

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

Prior to the hearing, SLO 94 corrected the protestee to FRA 65.

FACTS FOUND

1. The wind was approximately 15 knots.
2. Prior to the start of Race 3, SLO 94 and FRA 65 were on starboard tack, with SLO 94 clear ahead and slightly to windward of FRA 65.
3. Both kiteboards were foiling, and FRA 65 was sailing faster than SLO 94.
4. Approximately 5 seconds before the start, FRA 65 became overlapped to leeward of SLO 94, at a lateral distance of under 5m.
5. There was immediately contact between FRA 65's kite top and SLO 94's kite bottom.
6. Neither kiteboard took a penalty.
7. There was no tangle, damage or injury.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: RRS 11, 14, 15 and 43.1(b)

1. When acquiring right of way through her own actions, FRA 65 failed to initially give SLO 94 room to keep clear, and broke RRS 15.
2. FRA 65 did not avoid contact when it was reasonably possible, and broke RRS 14.
3. It was not reasonably possible for SLO 94 to avoid the contact, therefore she did not break RRS 14.
4. SLO 94 to windward failed to keep clear of FRA 65 to leeward, and broke RRS 11.
5. Since SLO 94 broke RRS 11 while she was sailing within the room to which she was entitled, she is exonerated under RRS 43.1(b) for this breach.

DECISION

FRA 65 is DSQ in race 3.

Date & Time: 2022-09-29 19:05 EEST

PROTEST COMMITTEE

Chaired By: Stavros Kouris (GRE)

Committee Members: Rosemary Collins (AUS), Marios Zisimatos (GRE), Pauline Den Burger (NED), Finn Mrugalla (GER)