



## **INFORMATION TO COMPETITORS FROM THE PROTEST COMMITTEE**

*This document does not in any way modify or replace the rules of the competition.*

**Version October 2022**

### **Notice of Race and Sailing Instructions**

Please see the documents posted on the class website and the online notice board for information on the Notice of Race and Sailing Instructions used at this event.

### **Telegram group**

Information on the event's Telegram group is complementary. While race officials will make every effort to communicate information and notifications on the group, it is the responsibility of the competitors to monitor the official notice board.

### **Outside Help and Support Boat Regulations**

RRS 41 applies from a kiteboard's preparatory signal until she has cleared the finishing line after finishing (see RRS 41 and the definition Racing). A kiteboard that receives instructions or help to change equipment outside the launching area after her preparatory signal breaks RRS 41. A kiteboard that receives help from a support person or rescue boat while racing, including to untangle or to recover, breaks RRS 41.

### **Race committee errors in scoring a kiteboard UFD or BFD**

Competitors sometimes want to challenge the race committee's decision to score them UFD or BFD. Before requesting redress, competitors are encouraged to consult with the race committee. For a kiteboard to be given redress, the competitor must provide conclusive evidence that the race committee has made an error in identifying the kiteboard. Even video evidence is rarely conclusive. In the absence of conclusive evidence to the contrary, the protest committee will uphold the race committee's decision.

Evidence of the relative positions of two kiteboards that are scored differently is not conclusive evidence that either kiteboard started properly.

### **Informing the protestee**

One of the protest validity requirements is to inform the protestee at the first reasonable opportunity.

When the protest involves an incident on the water and the protestee is too far to hear, the protesting kiteboard shall inform the protestee at the first reasonable opportunity. (RRS 61.1(a)(1))

When there is a tangle, the protesting kiteboard shall attempt to inform the protestee within the protest time limit. (RRS 61.1(a)(4))

### **Protests by the protest committee for incidents while racing**

Protest committee members will not normally be on the water but, when possible, will follow the racing from ashore or through drone and camera footage.

The protest committee will not usually protest for a breach of a rule of Part 2 unless they observe an apparent breach of good sportsmanship (RRS 2). Examples of breaches, where the protest committee will consider protesting, include:

- deliberately or knowingly breaking a rule without justification for exoneration and not taking the appropriate penalty;
- intimidating other kiteboards, often evidenced by unnecessary shouting or foul language;
- team tactics, sailing to benefit another kiteboard to the detriment of your own position;
- reckless sailing that results in, or is likely to result in, tangle, damage or injury.

### **On the water penalties**

When a kiteboard breaks a rule, she shall take the appropriate penalty.

- For breaches of rules of Part 2 or RRS 31, the appropriate penalty is the one-turn-penalty including a tack and a gybe with her foil in the water. (RRS 44.1 and 44.2)
- When the kiteboard, by her breach, gained a significant advantage or caused injury, serious damage or significant disadvantage to the other kiteboard, her penalty shall be to retire. (RRS 44.1)

### **Causing tangle**

When during a hearing a kiteboard that has retired from a race is found to have broken a rule and caused a tangle for the first time in the event, she will not be further penalized but the incident will be counted to determine the number of tangles the kiteboard has caused during the event, even if the race is restarted.

When during a hearing a kiteboard is found to have broken a rule and caused a tangle for the second or subsequent time in the same event, her penalty shall be a disqualification that is not excludable, even if she retired from the race or if the race is restarted. (RRS 36(b) and 64.2(c))

### **Recognized principles of sportsmanship**

In kiteboarding, contact, other than minor incidents, is likely to cause injury, damage on the equipment or a tangle. Actions with a high risk of breaking a rule and/or causing serious damage or injury, may be considered violations of the recognized principles of sportsmanship and such breaches are likely to be penalized under RRS 2. Examples of such breaches is starting on port or tacking to port in the zone.

### **Redress**

From 2021, RRS 62 is not changed in RRS Appendix F, therefore tangle is not anymore, a possible reason for giving redress.

For a kiteboard to be entitled to redress when both a tangle and damage or injury occur, it needs to be established that what made the kiteboard's score significantly worse through no fault of her own was the damage or the injury and not the tangle.

For instance, if a kiteboard does not finish a race because she was involved in an incident and was tangled with another kite and rescued, any injury or damage caused in that incident are not the reason she did not finish in the race as the tangle had prevented her from continuing in the race already. Therefore, the kiteboard is not entitled to redress.

If a kiteboard that was involved in an incident, tangled with another kiteboard and eventually untangled is then unable to continue in the race because of damage or injury, redress may be considered for the places she lost after being untangled. However, if when she got untangled, she was already at the back of the fleet, any further loss of places may not fulfil the condition of her score being made significantly worse.

If the injury or damage makes her score significantly worse in the following race(s), redress may be considered for those races.

If a kiteboard's score has been made significantly worse through no fault of her own, by an action of another kiteboard that resulted in a penalty under RRS 2, the protest committee may consider giving redress to that kiteboard under RRS 62.1(d).

### **Video and Tracking Evidence**

A party wishing to bring video or tracking evidence to a hearing is responsible for providing the equipment required to view the evidence. Internet connection may not be available during a hearing. It should be possible for all parties and the panel to view the evidence at the same time.

Tracking system information, if available, may be presented, but is of limited accuracy. The images produced are enhanced from the actual data as an aid to the viewer. The system may be used to get an indicative position of the kiteboard for visualization, but it is not sufficiently precise to be used for race management purposes or protest committee decisions that require exact positioning information.

### **Observers at Hearings**

Each party may bring one person to observe at a hearing, unless the protest committee panel decides in a particular case that it is inappropriate. Observers must sign and comply with the requirements in the document titled "Information for Observers".

### **Medal series**

Medal series hearings will be conducted orally at the protest committee station, as soon as possible after the end of the protest time. Race officials who have witnessed the incident may give testimony remotely. It is the responsibility of the relevant kiteboards to attend hearings in which they are parties or have been named as witnesses.

Additional to the other validity requirements, to request a hearing in races of the medal series, competitors shall notify the race committee on the finish line while flag B is displayed, except that a kiteboard that does not finish shall notify any official boat before the protest time limit.

### **RRS 69 – Misconduct**

Misconduct may result in a hearing under RRS 69 and a very heavy penalty. Examples of misconduct may include:

- Actions that result in injury, with the effect that the injured competitor is unable to compete in a subsequent race.
- Any form of cheating, including not telling the truth in a hearing.

### **Questions on protest committee procedure and policy**

Competitors, team leaders and coaches are welcome to discuss procedure and policy with the protest committee chair. The protest committee will usually be available by the jury rooms during protest time or can be contacted through the race office.