

DECISION

Protest

Request No.: 33

Heard Jointly With Number(s): 34

Event: 2022 Formula Kite European Championships Race Number: F7
Hearing Schedule: 2022-10-01

PARTIES AND WITNESSES

Request No.: 33: FK - Women - FRA 34 - Alexia Fancelli

FK - Women - AUT 51 - Alina Kornelli

Request No.: 34: FK - Women - AUT 51 - Alina Kornelli

FK - Women - FRA 34 - Alexia Fancelli

Witnesses: Heloise Pegourie (FRA 45)

VALIDITY

Objection to Jury: No

Within Time Limit: Within Time Limit

Incident Identified: Yes

Proper Hail: Protest hailed Protest hailed by AUT 51 at first reasonable opportunity

Red Flag Displayed: Not required

Decision: Request Valid

PROCEDURAL MATTERS

1. The panel of the International Jury was composed in accordance with RRS N1.4(b).
2. Hearing No. 33 was heard together with Hearing No. 34 in accordance with RRS 63.2 since both hearings arose from the same incident.

FACTS FOUND

1. The wind was 10-14 knots with flat water.
2. FRA 34 and AUT 51 were foiling as they were approaching the start line on starboard tack.
3. FRA 34 was overlapped approximately 2m to windward of AUT 51.
4. Approximately 8 to 10 seconds before the starting signal there was contact between the kites of FRA 34 and AUT 51.
5. The kites remained in contact for 1 to 2 seconds and then released.
6. Both kiteboards started the race on time, and finished the race.
7. There was no tangle, damage or injury.
8. Neither kiteboard took a penalty.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: RRS 11, 14, F4.43.1(c), 63.2 and N1.4(b).

1. FRA 34 to windward did not keep clear of AUT 51 to leeward, breaking RRS 11.
2. FRA 34 did not avoid contact when it was reasonably possible, and broke RRS 14.
3. AUT 51, the right-of-way boat did not act to avoid contact when it became clear that FRA 34 was not keeping clear. AUT 51 broke RRS 14.
4. Since AUT 51 was right-of-way kiteboard and the contact did not cause damage, injury or tangle, she is exonerated under RRS F4.43.1(c) for breaking RRS 14.

DECISION

FRA 34 DSQ for race F7

Date & Time: 2022-10-01 18:30 EEST

PROTEST COMMITTEE

Chaired By: Rosemary Collins (AUS)

Committee Members: Stavros Kouris (GRE), Pauline Den Burger (NED)