

# DECISION

Request Number: 21

Request for Redress

Event: Zhik 29er World Championship Race Number: 7

Hearing Date: 2017-08-04

## PARTIES AND WITNESSES

**Initiator:** 29er - HKG 2612 - Shaneequa - Calum Gregor

**Respondent(s):** Race Committee

## VALIDITY

**Objection to Jury:** Yes

HKG2612 objected to jury member Ben Fels as a witness.  
Considered and deemed not valid. Rule 63.6 applies.

**Within Time Limit:** Within Time Limit

**Incident Identified:** Yes

**Proper Hail:** Hail not required

**Red Flag Displayed:** Not required

**DECISION:** Request Valid

## PROCEDURAL MATTERS

## FACTS FOUND

1. Ben Fels, a member of the jury witnessed the incident and advised the parties and gave evidence as per rule 63.6.
2. 'O' flag was displayed before the warning signal of the race.
3. 'R' flag was displayed with sound signals at the weather mark as boats on leg 3 approached and rounded the mark.
4. On leg 5, HKG2612 was penalised by the on-water jury for pumping on a very congested leg.
5. HKG2612 finished the race and then retired on the water to comply with rule P2.2, and then approached the jury that signalled the penalty.
6. HKG2612 questioned the jury as to what the penalty was for.
7. The jury advised the penalty was for pumping.
8. HKG2612 denied they were pumping and asked the jury to identify their spinnaker colour.
9. The jury confirmed their spinnaker colour was blue.
10. HKG2612 again denied pumping.
11. HKG2612 at no time directed the on-water jury's attention to the 'O' flag on the Race Committee Vessel.
12. During the hearing HKG2612 testified that they did see the 'O' flag displayed on the Race Committee Vessel. The jury does not accept the testimony of HKG2612 on this point.

**Diagram:** Diagram not endorsed

## CONCLUSIONS AND RULES THAT APPLY

HKG2612 broke rule 2 when she testified that she had seen 'O' flag displayed on the Race Committee Vessel.

## DECISION

Redress Denied

HKG2612 is to be scored DNE for race 7.

**Date & Time:** 2017-08-04 19:00 PDT

## PROTEST COMMITTEE

**Chaired By:** Don Martin (CAN)

**Committee Members:** Damien Boldyrew (AUS), Ben Fels (AUS), Elias Gonzalez (MEX), Don Martin (CAN)

**Printed:** 09 Aug 19:21