

# DECISION

Request Number: 13

Request for Redress

Event: 2018 Asian Games Sailing Competition Race Number: 3,4,5

Hearing Date: 2018-08-25

## PARTIES AND WITNESSES

**Initiator:** 49er - M - KOR 515 - CHAE BONJIN

**Respondent(s):**

## VALIDITY

**Objection to Jury:** No

**Within Time Limit:** Within Time Limit

**Incident Identified:** Yes

**Proper Hail:** Protest hailed

**Red Flag Displayed:** Yes

**DECISION:** Request Valid

## PROCEDURAL MATTERS

### FACTS FOUND

1. On the 2nd windward leg of Race 3, both KOR on starboard and CHN on port were converging on a close hauled course.
2. When KOR was approaching CHN, KOR hailed "Starboard" repeatedly to CHN but CHN held her course.
3. KOR bore away to pass astern of CHN, however, there was a contact between KOR's bow and CHN's starboard side wing.
4. Both boats capsized.
5. KOR's jib was torn at the tack and the crew injured on the back with pain. Subsequently, the crew saw a doctor after going ashore for treatment and a medical certificate describing the trauma and treatment was given and tendered to the jury.
6. KOR retired the Race 3.
7. KOR replaced the damaged jib, and sailed in Races 4 and 5 and finished both race.
8. CHN took a one turn penalty after the incident
9. CHN had a hole on the starboard wing as a result of the incident but finished the race.
10. KOR lodged a protest against CHN and CHN was disqualified from Race 3. (See Case 12)
11. KOR's results until Race 5 were 4,1,DNF,4,4.

**Diagram:** Diagram not endorsed

### CONCLUSIONS AND RULES THAT APPLY

1. Due to the action of CHN breaking a Part 2 rule, KOR suffered physical damage and injury to her crew and had to retire from Race 3.
2. KOR is entitled to redress under RRS 62.1(b) for Race 3.
3. The Jury is not satisfied that KOR met the requirements of RRS 62.1 to be given redress in Races 4 and 5.

### DECISION

**Date & Time:** 2018-08-25 18:05 WIB

Redress given to KOR in Race 3 which is the average points from Races 1 and 2, rounded to the nearest tenth of a point (0.05 to be rounded upward).

### PROTEST COMMITTEE

**Chaired By:** Leonard Chin (MAS)

**Committee Members:** Masaaki Tanaka (JPN), Muhammad Ramlan (INA), Lock Kit (SGP), Benjamin Harding (HKG)

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