

# DECISION

Request Number: 04

Protest and Request for Redress

Event: 2018 KiteFoil GoldCup World Series Pingtan Race Number: 10

Hearing Date: 2018-09-13

## PARTIES AND WITNESSES

**Initiator:** KiteFoil - Male - GER 86 - GER 86 - Florian Gruber

**Respondent(s):** KiteFoil - Male - FRA 134 - FRA 134 - Theo Lhostis

## VALIDITY

**Objection to Jury:** No

**Within Time Limit:** Beyond with Good Reason Competing in TTR

**Incident Identified:** Yes

**Proper Hail:** Protest hailed

**Red Flag Displayed:** Not required

**DECISION:** Request Valid

## PROCEDURAL MATTERS

### FACTS FOUND

Time limit was extended because the rider sailed in the TTR Championship at the same time of the Kitefoil Championship protest time period. Hearing was heard under RRS 63.3(b), because FRA 134 was in the hospital until the remainder of the championship.

Wind conditions 20-25 knots, 2 m waves.

During the first upwind leg of the 10th race, GER 86 and FRA 134 tacked on starboard layline of mark 1.

GER 86 10 m to leeward and slightly behind FRA 134.

FRA 134's kite hit the water in front of GER 86.

GER 86 jumped in order to avoid hitting FRA 134's lines.

GER 86 contacted with FRA 134's lines and capsized.

GER 86 sustained damage to his bar, and minor damage to his kite.

Neither kite finished the race 10.

**Diagram:** Diagram not endorsed

### CONCLUSIONS AND RULES THAT APPLY

FRA 134 as a windward kiteboard, did not keep clear of GER 86 to leeward, therefore he broke RRS 11

It was not possible for GER 86 to avoid a kiteboard that is capsized, therefore does not break RRS 23.1

For GER 86 and FRA 134 was not reasonably possible to avoid contact and, therefore, they did not break RRS 14

GER 86 score was made significantly worse through no fault of his own by a damage caused by FRA 134 breaking RRS 11 and therefore he's entitled to redress according to RRS F5 62.1(b)

FRA 134 by retiring took and applicable penalty according to RRS 44.1(b) and cannot be further penalized according to RRS 64.1(b)

## DECISION

**Date & Time:** 2018-09-14 10:53 CST

Redress given to GER 86. GER 86 is to be scored in race 10 points equal to the average of his points in races 5-9, excluding race 10.

## PROTEST COMMITTEE

**Chaired By:** Elliot Levy (USA)

**Committee Members:** Anastazja Lewandowska (POL), Paco Quinonero (ESP)

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