

DECISION

Request for Redress

Request No.: 09

Event: Sun Hung Kai & Co. Hong Kong Race Week 2024 Race Number: 1 and 2
Hearing Schedule: 2024-02-03 16:20

PARTIES AND WITNESSES

Request No.: 09: Optimist - Main - CHN 7015 - Han Ming Shen

Protest Committee

Interpreters: Wilson Zhan (Interpreter/Coach)

VALIDITY

Objection to Jury: No

Within Time Limit: Within Time Limit

Incident Identified: Yes

Proper Hail: N/A

Red Flag Displayed: N/A

Decision: Request Valid

PROCEDURAL MATTERS

Observers: David Fan, Alain Choi, Cathy Delany-Hobbs, Felix Ng, (Jury) Chan Wai Kei (Spectator)

FACTS FOUND

- CHN 7015 entered into Optimist Intermediate Fleet Class for the regatta.
- The organizing authority had no process to verify registration details and fleet allocations for this regatta.
- After Day 1 of racing, the race committee learned that CHN 7015 is a ranked sailor with the (Chinese Yachting Association) with substantial experience in the Optimist class of boat.
- Upon learning of that fact, the Race Committee reallocated CHN 7015 to Main Fleet in accordance with NoR 4.8.
- This change occurred after Day 1 races (Race1 and 2) had been completed in Intermediate fleet.
- The NoR and Sailing Instructions are silent on a procedure for scoring a boat after application of NoR 4.8
- The Race Committee scored CHN 7015 DNC for for all races on Day 1 (Race 1 and 2) of the Main Fleet competition.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: NoR 4.8

- The race committee was permitted to reallocate Optimist 7015 per NOR 4.8. This action was not an improper action.
- The absence of procedures for scoring a boat after application of NOR 4.8 is an omission of the Organizing Authority.
- By scoring CHN 7015 DNC for Races 1 and 2 in Main Fleet, her score in those races was made significantly worse through no fault of her own by the omission of the Organising Authority. Therefore, the requirements for redress in RRS 62.1(a) are met.

DECISION

Date & Time: 2024-02-03 17:05 HKT

- Redress is given to CHN 7015 and she is to be scored in races 1 and 2, points equal to the average, rounded to the nearest tenth of a point (0.05 to be rounded upward), of her points in all races sailed in the Main Fleet before the last scheduled day of the regatta (on 2 to 3 February).
- No other boat's score shall change.

PROTEST COMMITTEE

Committee Type Protest Committee

Chaired By: Howie Suen (HKG)

Committee Members: Benjamin Harding (HKG), Rut Subniran (THA), Masaaki Tanaka (JPN), Chao Wang (CHN)