

DECISION

Request No.: 10

Protest and Request for Redress

Event: 2023 Formula Kite Youth Europeans and KiteFoil Masters Worlds Race Number: Race number 2 day 3
Hearing Schedule: 2023-05-26 17:20

PARTIES AND WITNESSES

Request No.: 10: YOUTH - Male - BRA 149 - Lucas Fonseca

YOUTH - Male - ITA 122 - Riccardo Pianosi

VALIDITY

Objection to Jury: No

Within Time Limit: Within Time Limit

Incident Identified: Yes

Proper Hail: Protest hailed

Red Flag Displayed: N/A

Decision: Request Valid

PROCEDURAL MATTERS

1. Simone Vannucci (ITA coach) attended the hearing as an observer.

FACTS FOUND

1. The conditions were 12 knots of wind and flat water.
2. Six seconds before the start, BRA 146 and ITA 122 were sailing on starboard tack towards the start line, with BRA 146 eight meters clear astern and 4 meters to leeward of ITA 122.
3. BRA 146 lowered her kite accelerated and after 3 seconds established a leeward overlap with ITA 122 with a lateral distance of 2 meters between them.
4. Immediately after, there was contact between the tips of BRA 146 and ITA 122's kites.
5. There was damage to BRA 146: 3 broken bridles.
6. BRA 146 retired from race F2 and sailed ashore.
7. ITA 122 took a One-Turn Penalty.
8. ITA 122 finished race F2 in the 6th position.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: RRS 11, 14, 15, 43.1(b), F4.44.1(b) and 64.2(a)

1. When acquiring right of way through her own actions, BRA 146 failed to initially give ITA 122 room to keep clear, and broke RRS 15.
2. ITA 122 to windward failed to keep clear of BRA 146 to leeward, and broke RRS 11.
3. Since ITA 122 broke RRS 11 while she was sailing within the room to which she was entitled, she is exonerated under RRS 43.1(b) for this breach.
4. BRA 146 did not avoid contact when it was reasonably possible, and broke RRS 14.
5. It was not reasonably possible for ITA 122, the kiteboard sailing within the room to which she was entitled to avoid contact with BRA 146 when it was clear that BRA 146 was not giving room. ITA 122 did not break RRS 14.
6. By retiring, BRA 146 took the appropriate penalty for her breach.

DECISION

Date & Time: 2023-05-26 17:52 CEST

The protest is upheld. Since BRA 146 took an applicable penalty, she is not further penalized under RRS 64.2(a).

PROTEST COMMITTEE

Committee Type: International Jury

Chaired By: Nikolaos Papageorgiou (GRE)

