

DECISION

Request No.: 01

Protest and Request for Redress

Event: KiteFoil World Series Gizzeria & A's Youth Foil Europeans Race Number: 2
Hearing Schedule: 2022-07-21

PARTIES AND WITNESSES

Request No.: 01: KF MEN - SLO 41 - Toni Vodisek

KF MEN - DEN 35 - Johan Beckett

Witnesses: ITA 62

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

FACTS FOUND

- 1-SLO 41 and DEN 35 were sailing on a beat. SLO 41 on port. DEN 35 on starboard.
- 2-DEN 35 crossed ahead of SLO 41 and completed a tack to port at 5-10 metres to windward of SLO and clear ahead.
- 3-At that time, DEN 35's kite was upwards of SLO 41's.
- 3-Immediately after the tack, DEN 35 moved its kite downwards.
- 4-There was immediate contact between DEN 35's and SLO 41's kites. There was no tangle.
- 5-There was damage in SLO 41's kite. 2 lines were broken.
- 6-SLO 41 did not finish in race 2, went ashore, fixed the damage and raced in the rest of the races of the day.
- 7-DEN 35 retired from the race 2

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: F2 16.1, 12, 14, 43.1.a, F4.44.1.b, 62.1.b

- 1-DEN 35, right of way, changed the position of her kite without giving room to SLO 41 to keep clear, breaking RRS F2.16.1 and 14.
- 2-SLO 41, clear astern did not keep clear of DEN 35 clear ahead, breaking RRS 12.
- 3-It was not reasonably possible for SLO 41 to avoid the contact, therefore she did not break RRS 14.
- 4-Since SLO 41 was compelled to break RRS 12 as a consequence of DEN 35 breaking RRS F2.16.1, she is exonerated under RRS 43.1(a) for this breach.
- 5-By retiring, DEN 35 took the appropriate penalty for her breach under RRS F4.44.1(b).
- 6-The score of SLO 41 was made significantly worse in race 2 through no fault of her own by damage caused by the action of a kiteboard that was breaking a rule of part 2 and took an appropriate penalty. Therefore the requirements of RRS 62.1.(b) are met.

DECISION

Date & Time: 2022-07-21 18:13 CEST

- 1-DEN 35 retired. No further penalty imposed.
- 2-SLO 41 is given redress in race 2 and will be scored points equal to the average of her scores in the other races of the day rounded to the nearest tenth of a point (0.05 to be rounded upward). This shall not change the score of the other kiteboards.

PROTEST COMMITTEE

Chaired By: Aleksander Prusinski (POL)

Committee Members: Ewa Jodlowska (POL), Santiago Villamil (ARG)

