

DECISION

Request No.: 02

Protest

Event: Formula Kite Grand Prix Garda Race Number: 3
Hearing Schedule: 2023-06-08 17:00

PARTIES AND WITNESSES

Request No.: 02: Formula Kite M - ITA 32 - Giuseppe Paolillo

Formula Kite M - TGA 38 - JJ Rice

VALIDITY

Objection to Jury: No

Within Time Limit: Within Time Limit

Incident Identified: Yes

Proper Hail: Protest hailed

Red Flag Displayed: Not required

Decision: Request Valid

PROCEDURAL MATTERS

Jury was constituted under N1.4(b).

FACTS FOUND

1. ITA 32 on starboard and TGA 38 on port were sailing upwind off the starting line on a collision course.
2. ITA 32 did not see TGA 38 as there was a group of kiteboards starting on port.
3. ITA 32 pulled her kite up to slow down and avoid contact with other kiteboards on port but contact occurred resulting in entangle between ITA 32 and TGA 38 and a damage to ITA 32's two bridles.
4. TGA 38 retired from the race.
5. ITA 32 did not finish the race.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: RRS 2, 10, 14, 62.1(d)

TGA 38 on port did not keep clear of ITA 32 on starboard and did not avoid contact breaking rules 10 and 14.

By starting on port, TGA 38 was taking action with a high risk of breaking a rule and causing damage or injury therefore breaking rule 2 (reference FKA Information to competitors from the protest committee).

It was not reasonable possible for ITA 32 to avoid contact, therefore she did not break rule 14.

The score of ITA 32 was made significantly worse in race 3 through no fault of her own by the action of TGA 38 that resulted in a penalty under rule 2.

DECISION

Date & Time:

TGA 38 DNE in Race 3.

The incident is counted to determine the number of tangles TGA 38 has caused during the event.

ITA 32 is given redress in race 3 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

Committee Type: Protest Committee

Chaired By: Jules Tronquet (GER)

Committee Members: Marina Psychogyiou (GRE), Sofia Truchanowicz (POL), Heiko Falch (GER)