

DECISION

Request No.: 21

Protest and Request to Reopen

Event: 2023 Formula Kite Youth (U21) World Championships Race Number: F6
Hearing Schedule: 2023-07-22 19:10

PARTIES AND WITNESSES

Request No.: 21: FK - Male - FRA 25 - Anton Pariente

FK - Male - CUB 28 - Adriano Castro Ortiz

Witnesses: Video, go pro, anil garnier

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. Antoine Weiss (French coach) attended the hearing as an observer.
2. During the hearing the protest committee clarified in accordance with RRS 64.1(c) that the hearing request was not a protest and request for redress and proceeded with it accordingly.

FACTS FOUND

1. The conditions at the time of the incident were 8 knots of wind and flat water.
2. Ten seconds before the starting signal of race F8, FRA 25 and CUB 28 were approaching the starting line on starboard tack.
3. CUB 28 was to windward and astern for FRA 25 but was sailing with greater speed than FRA 25 and closed the gap to FRA 25.
4. At the time of the starting signal, CUB 28's board made contact with the competitor and board of FRA 25. Furthermore the kites of CUB 28 and FRA 25 got tangled.
5. CUB 28 and FRA 25 were tangled for approximately 2 minutes but FRA 25 did not manage to recover before race F8 was completed.
6. No damage or injury occurred to either kiteboard.
7. Both kiteboards retired from the race after getting untangled.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: RRS 11, 14, 62.1, F4.44.1(b), F5.64.2(c)

1. CUB 28 to windward failed to keep clear of FRA 25 to leeward, and broke RRS 11.
2. CUB 28 did not avoid contact when it was reasonably possible, and broke RRS 14.
3. Since CUB 28 caused a tangle by her breach, her penalty was to retire as required by RRS F4.44.1(b).
4. It was not reasonably possible for FRA 25, the right-of-way kiteboard, to avoid contact with CUB 28 when it was clear that CUB 28 was not keeping clear. FRA 25 did not break RRS 14.
5. FRA 25's score in race F8 was made significantly worse through a tangle. Therefore, the requirements for redress in RRS 62.1 are not met.

DECISION

Date & Time: 2023-07-22 19:40 CEST

1. The protest is upheld. Since CUB 28 took an applicable penalty, she is not further penalized under RRS 64.2(a). However, the incident is counted to determine the number of tangles the kiteboard has caused during the event under RRS F5.64.2(c).
2. Redress is not given.

PROTEST COMMITTEE

Committee Type Protest Committee

Chaired By: Timo Haß (GER)

Committee Members: Finn Mrugalla (GER), Stephen Procter (GBR), Max Marselis (NED), Per Olof Ekstrand (SWE)