

# DECISION

Request No.: 05

## Protest

Event: 2023 Asia-Pacific Formula Kite and TTR Championships Race Number: 12  
Hearing Schedule: 2023-11-25

### PARTIES AND WITNESSES

Request No.: 05: FK - Female - CHN 87 - Wan Li

FK - Female - POL 50 - Julia Damasiewicz

### 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. CHN 87 was represented by Wan Li.
2. POL 50 was represented by Julia Damasiewicz.
3. Ginger (coach of CHN 87) and [father of Julia] attended the hearing as observers.
4. Qu Chun (member of the International Jury) attended the hearing as translator for CHN 87.
5. The panel of the International Jury was composed in accordance with RRS N1.4(b).

### FACTS FOUND

1. The conditions at the time of the incident were 11-12 knots of wind and 0,5m waves.
2. At the starting signal of race 12, CHN 87 and POL 50 were sailing on starboard tack, with POL 50 coming in from clear astern with greater speed and on a course 4m to windward of CHN 87.
3. One second after the starting signal when POL 50 had closed the gap to CHN 87 and was now 5m to windward of CHN 87, contact without damage or tangle occurred between between the leading edge of POL 50's kite and CHN 87's lines.
4. Neither kiteboard took a penalty.

**Diagram:** Diagram not endorsed

### CONCLUSIONS AND RULES THAT APPLY

**Rules:** RRS 12, 14, Appendix F Definition Clear Astern and Clear Ahead; Overlap

1. Since there was reasonable doubt that CHN 87 and POL 50 were overlapped, it is presumed that they were not, in accordance with RRS F Definition Clear Astern and Clear Ahead; Overlap.
2. POL 50 clear astern failed to keep clear of CHN 87 clear ahead, and broke RRS 12.
3. POL 50 did not avoid contact when it was reasonably possible, and broke RRS 14.
4. It was not reasonably possible for CHN 87, the right-of-way kiteboard, to avoid contact with POL 50 when it was clear that POL 50 was not keeping clear. CHN 87 did not break RRS 14.

### DECISION

POL 50 is DSQ in race 12.

**Date & Time:** 2023-11-25 17:33 CST

### PROTEST COMMITTEE

**Committee Type:** International Jury  
**Chaired By:** Marina Psychogiou (GRE)

