

# DECISION

Request No.: 09

## Request to Reopen

Event: 2023 Formula Kite European Championships Race Number: 9  
Hearing Schedule: 2023-09-23 09:30

### PARTIES AND WITNESSES

Request No.: 09: ESP 21 - Gisela Pulido Borrell

Protest Committee

### VALIDITY

**Objection to Jury:** No

**Within Time Limit:** Within Time Limit

**Incident Identified:** Yes

**Proper Hail:** N/A

**Red Flag Displayed:** N/A

**Decision:** Request Valid

### PROCEDURAL MATTERS

ESP 21 was represented by Antonio Minguez (ESP coach).

Hearing No. 9 was heard together with hearing No. 7 in accordance with RRS 63.2 since both hearings arose from the same incident.

### FACTS FOUND

ESP 21 and the International Jury intend to present evidence that the RRS mobile application was malfunctioning on 22/9/2023 when the competitor submitted her protest using the iPhone application.

**Diagram:** Diagram not endorsed

### CONCLUSIONS AND RULES THAT APPLY

**Rules:** RRS 63.2 and 66.1

The evidence that ESP 21 and the International Jury plan to present is new and might be significant. Therefore, the requirements in RRS 66.1 for reopening the hearing are met.

### DECISION

Hearing No 5 will be reopened.

**Date & Time:** 2023-09-23 09:45 BST

### PROTEST COMMITTEE

**Committee Type:** International Jury

**Chaired By:** Jacob Andersen (DEN)

**Committee Members:** Marios Zisimatos (GRE), Pauline den Burger (NED), Finn Mrugalla (GER), Rosemary Collins (AUS)