

DECISION

Request No.: 05

Protest

Event: RS Aero World Championship Race Number: 3
Hearing Schedule: 2023-07-27 16:15

PARTIES AND WITNESSES

Request No.: 05: Aero - Aero5 - 4447 - Yunseo Lee

RS Aero 5 - ITA 3491 - Ludovica Cui

Interpreters: ITA 3491 is not comfortable to discuss the protest in English, one of the members of the PC will be her translator.

VALIDITY

Objection to Jury: No

Within Time Limit: Beyond with Good Reason was receiving medical attention

Incident Identified: Yes

Proper Hail: Protest hailed

Red Flag Displayed: Not required

Decision: Request Valid

PROCEDURAL MATTERS

FACTS FOUND

1. wind was around 20 knots and the sea was choppy.
2. KOR 4447 was sailing on a beat to windward on starboard tack.
3. KOR 4447 capsized.
4. KOR 4447 reported an injury to his right shoulder.
5. KOR 4447 was scored DNF in race 3.
6. after the end of the last race of the day, 4447 asked for medical assistance when back ashore.
7. KOR 4447 did not present any medical certificate about its injury.
8. KOR 4447 was able to race the following 3 races of July 27.
9. KOR 4447 asked redress for race 3 when he gave the final statement in this hearing (he asked for average points based on scoring of races of the day).
10. KOR 4447 was scored 22 in race 1 and DNF either in race 2 and 3.
11. ITA 3491 was scored DNF in race 3.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: 64.1.

There is no evidence (see RRS 64.1) that a boat broke a rule and this therefore prevents furthermore the PC from taking into consideration KOR 4447's request for redress (see RRS 62.1(b)).

DECISION

Date & Time: 2023-07-27 16:55 CEST

Protest is dismissed, redress is not granted.

PROTEST COMMITTEE

Committee Type: Protest Committee

Chaired By: Franco Pagliarani (ITA)

Committee Members: Marco Giampà (ITA), Sian Reynolds (GBR), Marco Sarcoli (ITA)