

# DECISION

Request No.: 36

## Protest

Event: 2022 Formula Kite European Championships Race Number: 1  
Hearing Schedule: 2022-10-01 17:30

### PARTIES AND WITNESSES

Request No.: 36: Kite - Kitefoil - 58 - Nico Parlier

Formula kite - Kitefoil - 3 - Denis Taradin

### 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

1. The panel of the International Jury was composed in accordance with RRS N1.4(b).

### FACTS FOUND

1. The wind speed was 15-17 knots with flat water.
2. Two minutes after the starting signal, FRA 58 was on starboard and CYP 3 was on port, on collision courses.
3. CYP 3 held her course.
4. When the kiteboards were approximately 25m apart, FRA 58 slowed down, bore away slightly and passed approximately 1m behind CYP 3.
5. If FRA 58 had held course and maintained her speed, contact would have occurred between the lines and kites of FRA 58 and CYP 3.
6. There was space for CYP 3 to take a one-turn penalty immediately after the incident.
7. CYP 3 took a one-turn penalty approximately 50s after the incident.

**Diagram:** Diagram not endorsed

### CONCLUSIONS AND RULES THAT APPLY

**Rules:** RRS 10, F4.44.2 and N1.4(b)

1. There was reasonable doubt that CYP 3 could have crossed ahead of FRA 58 if FRA 58 had not taken avoiding actions (see WS Case 50).
2. CYP 3 on port did not keep clear of FRA 58 on starboard, breaking RRS 10.
3. By delaying her penalty turn by 50 seconds after the incident, CYP 3 failed to comply with the requirements of RRS F4.44.2.

### DECISION

CYP 3 is DSQ in race F2.

Date & Time: 2022-10-01 17:58 EEST

### PROTEST COMMITTEE

**Chaired By:** Marios Zisimatos (GRE)

**Committee Members:** Yoann Peronneau (FRA), Finn Mrugalla (GER)