

DECISION

Request No.: 32

Protest

Event: 2022 Formula Kite European Championships Race Number: Final Series 6
Hearing Schedule: 2022-10-01 16:50

PARTIES AND WITNESSES

Request No.: 32: FK - Men - GER 57 - Jannis Maus

FK - Men - MON 86 - Alexander Ehlen

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. The panel of the International Jury was composed in accordance with RRS N1.4(b).
2. Albarel Max (coach of MON 86) attended the hearing as an observer.

FACTS FOUND

1. The wind was 10 to 12 knots with flat water.
2. GER 57 and MON 86 were approaching mark 4 on starboard tack.
3. When entering the zone of mark 4, GER 57 was overlapped 3m to windward of MON 86.
4. When rounding mark 4, the body of the competitor of GER 57 touched mark 4.
5. At this time, the distance between GER 57 and MON 86 was approximately 2m and GER 57 was sailing with her kite fully up.
6. At the same time, the wing tips of kites of GER 57 and MON 86 touched.
7. No damage, injury or tangle occurred.
8. Neither kiteboard took a penalty.

Diagram: No Diagram Needed

CONCLUSIONS AND RULES THAT APPLY

Rules: RRS 11, 14, F2.18.2(a)(1), 43.1(b) and N1.4(b)

1. MON 86 outside overlapped at the zone failed to give GER 57 mark-room, and broke RRS F2.18.2(a)(1).
2. MON 86 did not avoid contact when it was reasonably possible, and broke RRS 14.
3. GER 57 to windward failed to keep clear of MON 86 to leeward, and broke RRS 11.
4. Since GER 57 broke RRS 11 while she was sailing within the mark-room to which she was entitled, she is exonerated under RRS 43.1(b) for this breach.
5. It was not reasonably possible for GER 57, the kiteboard sailing within the mark-room to which she was entitled, to avoid contact with MON 86 when it was clear that MON 86 was not giving mark-room. GER 57 did not break RRS 14.

DECISION

MON 86 is DSQ in race F6.

Date & Time: 2022-10-01 17:26 EEST

PROTEST COMMITTEE

Chaired By: Marios Zisimatos (GRE)

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