

DECISION

Protest

Request Number: 18

Heard Jointly With Number(s): 19, 20, 25

Event: Formula Kite World Championship 2017 Race Number: F2
Hearing Date: 2017-11-23

PARTIES AND WITNESSES

Initiator: FK - Men - FRA 45 - Kerneur Julien

Respondent(s): FK - Men - MON 2 - Maxime Nocher

Witnesses: 64

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

FACTS FOUND

Theo and Riley on starboard tack sailing upwind, Theo clear ahead of Riley. Maxim sailing also upwind at 20 knots of speed on port and on a collision course with Theo and Riley. There was contact between Theo and Maxim, right after Riley lifted his kite but there was contact between the kites and a collision occurred among Theo, Riley and Maxim. The boards had damages and Theo and Riley were injured: Theo had injury on his left leg and Riley on his chest. Riley did not finish race F2 and did not race the rest of the day(F3 to F6). Theo finished race F2. Theo started and finished race F3 and did not race the rest of the day(F4 to F6) . Afterwards Theo and Riley went to hospital: Theo had several stitches on his left leg, Riley was injured in his ribs and chest ligaments. Maxim retired form race F2 and did not race in the rest of the races of the day.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Maxim on port failed to keep clear of Teo and Rayly on starboard as required by rule 10. By not avoiding the collision and infringing rule 10 despite of the fact that it was clear he could not cross, Maxim failed to compete in compliance with the principles of sportsmanship and fair play, Maxim broke RRS 2. It was not reasonably possible for Theo and Riley, the right-of-way kiteboards to avoid contact with Maxim when it was clear that Maxim was not keeping clear. Theo's and Riley's scores were made significantly worse through no fault of her own by Maxim breaking rule 2.

DECISION

Protest Upheld

Maxim is DNE in race F2.

Theo and Riley are given redress for races F2, F3, F4, F5 and F6 according to case 116.

Date & Time: 2017-11-23 10:15 +04

PROTEST COMMITTEE

Chaired By: Marina Psychogyiou (GRE)

Committee Members: Ali Ambusaidi (OMA), alain champy (OMA), Bruno De Wannemaeker (BEL), Andres Perez (ESP)

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