

DECISION

Request Number: 9

Protest

Event: Hydrofoil Pro Tour - La Ventana Race Number: 3 Silver

Hearing Date: 2016-03-23

PARTIES AND WITNESSES

Initiator: #47 Amil Kabil

Respondent(s): #31 Andrew McManus

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

1. #47 was on a starboard tack approaching the windward mark on the first leg.
2. #31 was on a port tack on a collision course with #47.
3. #31 began to tack just to leeward of #47 and their kites tangled.
4. Both boats capsized and neither was able to complete the race.
5. #47's kite was damaged such that it could not be repaired before the next race.
6. #47 attempted to get to shore and use his smaller kite for the next race, but there was not enough wind to fly the smaller kite.
7. #47 could not make the start of race 4 and did not finish.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

#31 did not keep clear of #47 while tacking and broke RRS 13.

#31 did not avoid contact with #47 and broke RRS 14

#47's score in Race 3 and Race 4 was made significantly worse through no fault of her own because of the action of #31.

DECISION

Protest Upheld

No further penalty shall be imposed on #31 as she retired.
#47 shall be given redress for races 3 and 4 in the form of average points based on races 1, 2, 5 and 6.

Date & Time: 2016-03-23 16:39 PDT

PROTEST COMMITTEE

Chaired By: Paul Zupan (USA)

Committee Members: Rafael Zarazua (MEX), Paul Zupan (USA)

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