

# DECISION

Protest by PC

Request No.: 02

Heard Jointly With Number(s): 03

Event: RS Feva European Championship 2023 Race Number: 4  
Hearing Schedule: 2023-07-12 16:15

## PARTIES AND WITNESSES

**Request No.: 02:** Protest Committee

RS Feva - CZE 6561 - 5 - Michaela Kučerová

Support Person - MIROSLAV SERCL

Support Person - MICHAL KUCERA

RS Feva - junior - CZE 6565 - 6 - Ondřej Šercl

**Request No.: 03:** Protest Committee

Support Person - MICHAL KUCERA

Support Person - MIROSLAV SERCL

RS Feva - junior - CZE 6565 - 6 - Ondřej Šercl

RS Feva - CZE 6561 - 5 - Michaela Kučerová

**Witnesses:** Tamas Kovats

## VALIDITY

**Objection to Jury:** No

**Within Time Limit:** Within Time Limit

**Incident Identified:** Yes

**Proper Hail:** Hail not required

**Red Flag Displayed:** Not required

**Decision:** Request Valid

## PROCEDURAL MATTERS

1. Hearing No. 3 was heard together with Hearing No.2 in accordance with RRS 63.2 since both hearings arose from the same incident.
2. Competitors supported by MICHAL KUCERA and MIROSLAV SERCL who attended the hearing are: CZE 6561 and CZE 6565
3. CZE 6565 was represented by Ondřej Šercl
4. CZE 6561 was represented by Michaela Kučerová
5. Marios Zisimatos, member of the International Jury, was appointed by the jury to present the allegation in accordance with RRS 63.9.

## FACTS FOUND

1. During Race 4, half way through leg 4 (second run), support vessel #43 approached and made physical contact with CZE 6565, for at least 30 seconds.
2. When asked by the Jury, the support persons onboard the vessel said they were fixing something broken on CZE 6565.
3. Vessel #43 is registered for coaches MICHAL KUCERA and MIROSLAV SERCL
4. CZE 6565 finished the race and was scored 31 in race 4
5. CZE 6565 confirms that she was aware that she had to retire from the race after receiving outside help

**Diagram:** Diagram not endorsed

## CONCLUSIONS AND RULES THAT APPLY

**Rules:** RRS 2, 41, 63.2, 64.5(b), SI 21.2

1. CZE 6565 received help from an outside source, and broke RRS 41.

2. By knowingly breaking rule 41 and not retiring from the race, CZE 6565 failed to compete in compliance with the principles of sportsmanship and fair play. CZE 6565 broke RRS 2.

3. By motoring less than 50m from a boat which was racing, support persons MICHAL KUCERA and MIROSLAV SERCL broke SI 21.2.

**DECISION**

**Date & Time:** 2023-07-12 16:44 CEST

CZE 6565 is DNE in Race 4.

Support persons MICHAL KUCERA and MIROSLAV SERCL are warned.

CZE 6561 is warned under RRS 64.5(b)(2) that a penalty may be imposed if MICHAL KUCERA and MIROSLAV SERCL commits a further breach of any rule.

**PROTEST COMMITTEE**

**Committee Type:** International Jury

**Chaired By:** Ron Barak (ISR)

**Committee Members:** Vilmos Naray (HUN), Sylvie Harle (FRA), Jernej Krampšek (SLO), Tamás Kovács (HUN)

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