

DECISION

Request No.: 05

Protest

Event: 2023 World Cup Series Silvaplana Race Number: 11
Hearing Schedule: 2023-06-14 17:10

PARTIES AND WITNESSES

Request No.: 05: WingFoil Racing - Male - FRA 46 - Mateo Dussarps

WingFoil Racing - Male - COL 15 - Andres Pereira

Witnesses: FRA 56 Clement Colmas

VALIDITY

Objection to Jury: No

Within Time Limit: Beyond with Good Reason

Incident Identified: Yes

Proper Hail: Protest hailed

Red Flag Displayed: Not required

Decision: Request Valid

PROCEDURAL MATTERS

1. COL 15 did not come to the hearing, the hearing proceeded in accordance with RRS 63.3(b).
2. The protest committee applied RRS 64.1(c) and considered redress for FRA 46.

FACTS FOUND

1. Wind speed was 15 knots, water was flat, starboard reaching start.
2. 5 seconds before the start, FRA 46 was approaching the starting line, sailing towards the first mark.
3. COL 15 was 1 meter to leeward of FRA 46.
4. COL 15 luffed 45 degrees above the course to the first mark and 3 seconds before the start, contact occurred between COL 15 and FRA 46.
5. Both wingfoils capsized and there was damage on the mast and the front wing of FRA 46.
6. FRA 46 recovered, resumed racing in last position and finished in 8th place.
7. No wingfoil took a penalty.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Rules: 14, 17

1. During the last minute before her starting signal, COL 15 overlapped to leeward of FRA 46 on the same tack sailed above the shortest course to the first mark while they remained overlapped and contact occurred; therefore, COL 15 broke RRS 17 and 14.
2. It was not reasonably possible for FRA 46 to avoid contact; therefore, she did not break RRS 14.
3. FRA 46's place in race 11 was made significantly worse by capsizing. Therefore, the requirements for redress in RRS 62.1 are not met.

DECISION

COL 15 is DSQ in race 11.
Redress is not given to FRA 46.

Date & Time: 2023-06-14 17:50 CEST

PROTEST COMMITTEE

Committee Type: Protest Committee

Chaired By: Alina Stratigiou (GRE)

Committee Members: Marina Psychogyiou (GRE), Nikolaos Papageorgiou (GRE)

