

# DECISION

Request No.: 01

## Charter boating leaking leading to competitive disadvantage

Event: O'pen Skiff World Championships 2023 Race Number: 2-4  
Hearing Schedule: 2023-07-18 12:15

### PARTIES AND WITNESSES

**Request No.: 01:** U15 - Blue ribbon - JPN 108236 - Marsden HAKU

U15 - BLUE ROBBON - All - Na - na NA

**Witnesses:** Open skiff charter rep Samual and Kaison (sail #108250) Puls father Chris  
Puls

### VALIDITY

**Objection to Jury:** No

**Within Time Limit:** Beyond Time Limit JPN 108236 failed to deliver the request for redress as reasonably possible after learning of the reasons for making it, as required by RRS 62.2. There was no good reason for the International Jury to extend the time.

**Incident Identified:** N/A

**Proper Hail:** N/A

**Red Flag Displayed:** Not required

**Decision:** Request Invalid

### PROCEDURAL MATTERS

1. JPN 108236 was represented by Haku Marsden
2. The Organizing Authority did not come to the hearing. The hearing proceeded in accordance with RRS 63.3(b).
3. Mike Marsden, father of JPN 108236 represented the sailor during the hearing.
4. Kentaro Tanaka, coach of JPN 108236 attended the hearing as an observer.
5. Based on the information in the written request, the International Jury proceeded with Case No. 1 as a request of redress as permitted by RRS 64.1(c).

### FACTS FOUND

1. The O'pen Skiff U15 fleet raced 4 races on the 17th of July 2023.
2. JPN 108236's boat was provided by the official supplier of the boats for the event (Take Outdoors France).
3. JPN 108236 realized that his boat was taking in water after the end of race 1. JPN 108236 approached his coach rib and drained water between races.
4. JPN 108236 came back ashore at 17:00.
5. Afterwards, JPN 108236's boat was inspected by the provider representative approximately around 18:00. The boat had a pin hole at the bottom of the mast slot and the silicon was missing at the bow section of the hull.
6. After coming back ashore, JPN 108236 de-rigged the boat and went for dinner.
7. JPN 108236 waited and contacted his club in Japan in order to use their expertise on how to proceed with the hearing. Due to a difference in the time zone they managed to contact the club approximately at 23:30.
8. The protest time limit for the U15 fleet on the 17th of July 2023 was at 19:05.
9. JPN 108236 lodged a request for redress at 23:54 on the 17th of July 2023.

**Diagram:** Diagram not endorsed

### CONCLUSIONS AND RULES THAT APPLY

**Rules:** RRS 62.2, 63.5, 64.1(c).

JPN 108236 failed to deliver the request for redress as reasonably possible after learning of the reasons for making it, as required by RRS 62.2. There was no good reason for the International Jury to extend the time. Therefore, the requirements for a valid request for redress are not met, and the hearing is closed under RRS 63.5.

**DECISION****Date & Time:** 2023-07-18 12:27 CEST

The request for redress is invalid, the hearing is closed under RRS 63.5.

**PROTEST COMMITTEE****Committee Type** International Jury**Chaired By:** Bojan Gale (SLO)**Committee Members:** Sylvie Harle (FRA), Stavros Kouris (GRE), Luca Supplizi (ITA), Paolo Marendon (ITA)**Printed:** 18 Jul 12:44