

DECISION

Request Number: 32

Request for Redress

Event: 2018 Asian Games Sailing Competition Race Number:

Hearing Date: 2018-08-28

PARTIES AND WITNESSES

Initiator: RS:X Women - SGP 1 - NG LING KAI AMANDA

Respondent(s):

Witnesses: Jarui Jyrki Heikki, CHN 251 coach, Ben Fells, member of international jury

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

FACTS FOUND

1. RSX Woman SGP 1 came to the ramp after race 11. Her board was in the water with her sail on the starboard side also in the water, with the competitor standing on the ramp.
2. 49er CHN 251 approached the ramp, running on port tack at an unsafe speed.
3. Contact occurred between CHN 251's bow and the port side of SGP 1's board.
4. SGP 1 is a new board purchased for this event.
5. Damage to SGP is cracks to the port side aft near the waterline. The opinion of Jarui Jyrki Heikki, a naval architect who inspected the board is that the board will take on water and be difficult to repair. He estimated that the second-hand value of the board would now be dramatically less.
6. Damage to the CHN 251 49er is a small crack to the centreboard that can be repaired.
7. No competitor sustained any injury.
8. CHN team has offered to compensate SGP for the loss of her board, and to provide a used board for her to use for racing for the rest of the Asian Games.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

Since both SGP 1 and CHN 251 had been racing, the RRS Part 2 applied between them at the time of the incident.

CHN 251 on port tack failed to keep clear of, and to avoid contact with SGP 1 who was capsized. CHN 251 broke RRS 23 and 14. The resulting damage to SGP 1 is serious.

It was not reasonably possible for SGP 1 to avoid contact, and she did not break RRS 14.

Since there is no protest against CHN 251, she does not receive a penalty through this hearing.

Since SGP 1 sustained serious damage through no fault of her own, by CHN 251 who broke RRS 23 and 14, SGP 1 is entitled to redress. Since her finishing position in race 11 was not affected, there is no change to her finishing position.

DECISION

Redress is granted. No change to SGP 1's finishing position in race 11.

Date & Time: 2018-08-28 18:05 WIB

PROTEST COMMITTEE

Chaired By: Ayako Shima (JPN)

Committee Members: Lynne Beal (CAN), Sungchul Jeong (KOR), Muhammad Ramlan (INA), Ben Fels (AUS)