

DECISION

Protest and Request for Redress

Request No.: 25

Heard Jointly With Number(s): 26

Event: 2020 Formula Kite Individual European Championships Race Number: F5

Hearing Date: 2020-08-22

PARTIES AND WITNESSES

Request No.: 25: Formula Kite - Male - FRA 61 - Maxime Nocher

Formula Kite - Male - ITA 124 - Mario Calbucci

Request No.: 26: Formula Kite - Male - ITA 124 - Mario Calbucci

Formula Kite - Male - FRA 61 - Maxime Nocher

Witnesses: Billy Guy-Maupas - FRA 95

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

FRA 61 and ITA 124 were sailing on a beat to windward, both on port tack.

ITA 124 was 5m clear astern and slightly to windward of FRA 61

FRA 61 lifted her kite and ITA 124 immediately lifted her kite.

There was a contact between the kites and both competitors fell in the water.

There was a contact between the foil of FRA 61 and ITA 124's arm causing injury.

FRA 61 did not finish the race F5. ITA 124 recovered, regained steerage and experienced pain in the arm

ITA 124 retired from the race.

There was no damage and no boat took a penalty.

Diagram: Diagram not endorsed

CONCLUSIONS AND RULES THAT APPLY

FRA 61, right of way, changed the position of her kite without initially giving room to ITA 124 to keep clear, breaking rule 16.1.

It was not reasonably possible for ITA 124 to avoid contact with FRA 61 therefore she did not break rule 14.

The score of ITA 124 was made significantly worse in race F5 through no fault of her own by an injury caused by the action of a kiteboard that was breaking a rule of part 2.

DECISION

FRA 61 is DSQ in race F5.

ITA 124 is given redress in race F5 and will be scored points equal to the average of her scores in the other races of the day rounded to the nearest tenth of a point (0.05 to be rounded upward). This shall not change the score of the other kiteboards.

Date & Time: 2020-08-22 16:50 CEST

PROTEST COMMITTEE

Chaired By: Manuel Santos e Silva (POR)

Committee Members: Anastazja Lewandowska (POL), Marina Psychogyiou (GRE)