

Hearing Decision

2021 iQFOiL European Championships

Case Number

12

With Case

Race Number

11

Hearing Status

Closed

Type of Hearing

Protest - an allegation that one or more boats broke a rule

Valid

yes

Date of Race

26/10

Received Time

17:57:05

PARTIES

Class/Fleet	Fleet	Boat or Committee or Person	Represented By/Not Present
iQFOiL Women	Single	MEX 28	Mariana Aguilar Chávez Peón
iQFOiL Women	Single	GBR 248	Alice Read

Witnesses

Name	Boat - Committee - Role
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Case Summary:

Procedural Matters:

Facts Found:

Approaching the first mark; wind speed: 16 knots.
MEX 28 was sailing on starboard tack on the layline.
GBR 248 was sailing on port tack, on a converging course with MEX 28.
Contact occurred between the foil mast of GBR 248 and the front of the board of MEX 28.
Damage to MEX 28: hole on the front of the board.
Both boards capsized.
Before the incident, MEX 28 was around the 15th position.
MEX 28 could not finish race 11 and was not able to sail in race 12.
GBR 248 retired from race 11.

Conclusion & Rules:

GBR 248 on port failed to keep clear of MEX 28 on starboard, and broke RRS 10.
GBR 248 did not avoid contact when it was reasonably possible, and broke RRS 14.
GBR 248 took the appropriate penalty by retiring as required by RRS B4.44.1.
It was not reasonably possible for MEX 28, the right-of-way board to avoid contact with GBR 248 when it was clear that GBR 248 was not keeping clear. MEX 28 did not break RRS 14.
MEX 28's score in races 11 and 12 was made significantly worse through no fault of her own by physical damage and capsize because of the action of GBR 248 that broke RRS 10 and took the appropriate penalty. Therefore, the requirements for redress in RRS B5.62.1(b) are met.

Decision:

Protest upheld. GBR 248 took the applicable penalty and is not further penalized.
Redress is given to MEX 28. MEX 28 is to be scored in races 11 and 12, points equal to the average, rounded to the nearest tenth of a point (0.05 to be rounded upward), of her points in all races sailed before the last scheduled day of the regatta if racing is later scheduled on that day, except races 11 and 12, but no worse than her finishing position. No other board's score shall change.

Short Decision:

Redress given to MEX 28 in races 11 and 12: average of all races in the opening series before the last day of the series.

Decision Date Decision Time

27/10

19:33:18

Panel Chair

Ron Barak

Panel Members

Manuel Gamito, Walter Mielke, Yoann Peronneau, Baptiste VERNIEST