

Hearing Decision

2021 iQFOiL European Championships

Case Number
18

With Case
20

Race Number
F1

Hearing Status
Closed

Type of Hearing

Request for redress

Valid
yes

Date of Race
26/10

Received Time
18:36:36

PARTIES

Class/Fleet	Fleet	Boat or Committee or Person	Represented By/Not Present
iQFOiL Men	Silver	POR 17	André Pereira
iQFOiL Men	Silver	DEN 234	Kasper Storvang

Witnesses

Name	Boat - Committee - Role
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Case Summary:

Procedural Matters:

Hearing No. 18 was heard together with Hearing No. 20 in accordance with RRS 63.2 since both hearings arose from the same incident.

At the time of the incident it was obvious to POR 17 that serious damage resulted. POR 17 attempted to inform DEN 234 of her intention to protest. Protest is valid under RRS B5.61.1(a)(4).

Facts Found:

Race F1, first downwind, about 18 knots of wind.

DEN 234 on starboard and POR 17 on port on converging courses, both with steady courses.

When the boards were 10 meters apart, both boards luffed and immediately bore away and there was a contact 2 seconds later.

Both boards capsized, retired in race F1 and were not able to sail in races F2 to F5.

Damages: 10 centimeters hole affecting the structure in POR 17's board and DEN 234 lost her foil.

Conclusion & Rules:

POR 17 on port failed to keep clear of DEN 234 on starboard, and broke RRS 10.

POR 17 did not avoid contact when it was reasonably possible, and broke RRS 14.

It was not reasonably possible for DEN 234 the right-of-way board to avoid contact with POR 17 when it was clear that POR 17 was not keeping clear. DEN 234 did not break RRS 14.

DEN 234's score in races F1 to F5 was made significantly worse through no fault of her own by physical damage and capsizing because of the action of POR 17 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. POR 17 took the applicable penalty and is not further penalized.

Redress is given to DEN 234. DEN 234 is to be scored in races as described below 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 in the final series, except races for which redress is given. No other board's score shall change.

Race F1: average of all races in the final series

Race F2: if 6 or more races are sailed in the final series

Race F3: if 9 or more races are sailed in the final series

Race F4: if 11 or more races are sailed in the final series

Short Decision:

Redress given to DEN 234: average of all races in the final series in races F1 to F5 (depending on the number of races sailed)

Decision Date Decision Time

27/10

21:30:00

Panel Chair

Ron Barak

Panel Members

Manuel Gamito, Walter Mielke, Yoann Peronneau, Baptiste VERNIEST