

# Hearing Decision



## 2022 iQFOIL EUROPEAN CHAMPIONSHIPS

**Case Number**  
33

**With Case**

**Race Number**  
9

**Hearing Status**  
Closed

### Type of Hearing

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

**Valid**

**Date of Race**  
22/05

**Received Time**  
14:33:33

### PARTIES

Class/Fleet	Fleet	Boat or Committee or Person	Represented By/Not Present
IQFOIL MEN	Gold	FRA 152	Tom Arnoux
IQFOIL MEN	Gold	AUS 111	Will Mcmillan

### Witnesses

Name	Boat - Committee - Role
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### Case Summary:

Tacking

### Procedural Matters:

valid

### Facts Found:

Approaching mark 1 in Race 9 FRA 152 was on starboard tack and AUS 111 on port.

The wind strength was 8/15 kts

When about 3 lengths away AUS 111 started to luff and tack.

Almost immediately there was contact with FRA being touched on his shaft and the back of his boom.

Fra stopped instantly and capsized.

No boat took a penalty

Fra finished in 60th place

### Conclusion & Rules:

When acquiring right of way through her own actions, AUS 111 failed to initially give FRA152 room to keep clear, and broke RRS 15.

X did not avoid contact when it was reasonably possible, and broke RRS 14

It was not reasonably possible for FRA152 the boat sailing within the room to which she was entitled to avoid contact with AUS111 when it was clear that AUS111 was not giving room. FRA152 did not break RRS 14.

FRA 152 to windward failed to keep clear of Y to leeward, and broke RRS 11.

Since FRA 152 broke RRS 11a rule of Section A while she was sailing within the room to which she was entitled, she is exonerated under RRS 43.1(b) for this breach.

FRA 152's score in race 9 was made significantly worse through no fault of her own by capsizing because of the action of AUS111 [that broke a RRS 15(rule of Part 2) and was penalized

## Decision:

Aus 111 took the appropriate penalty. No change to her score.

FRA 152 to be given average points in race 9 in accordance with rule A9 (a), replacing 'in all races' with 'in all races from 19/5/22 through 20/5/22, but no worse than 60th.

### Short Decision:

AUS had taken penalty

FRA 152 to be given average points in race 9 in accordance with rule A9 (a), replacing 'in all races' with 'in all races from 19/5/22 through 20/5/22, but no worse than 60th.

### Decision Date Decision Time

19/05 18:05:09

### Panel Chair

Ron Barak

### Panel Members

Michael Butterfield, Anna Cuccia, Manuel Gamito, Walter Mielke