

# Hearing Decision



## 2022 iQFOIL EUROPEAN CHAMPIONSHIPS

**Case Number**  
4

**With Case**  
5

**Race Number**  
3

**Hearing Status**  
Closed

### Type of Hearing

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

**Valid**

**Date of Race**  
17/05

**Received Time**  
17:10:38

### PARTIES

Class/Fleet	Fleet	Boat or Committee or Person	Represented By/Not Present
IQFOIL MEN	Blue	HKG 21	Ching Yin Cheng
IQFOIL MEN	Blue	SUI 63	Elia Colombo

### Witnesses

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

### Procedural Matters:

Protest 4 and 5 heard together, as they refer to the same incident.

### Facts Found:

1. Race 3 with 10-12 knots of wind with flat water.
2. HKG 21 and SUI 63 were sailing upwind towards mark 1 on starboard tack, HKG 21 being leeward of SUI 63 by 40 centimetres also with an unidentified board to leeward of HKG.
3. When HKG 21 begin to manouver to round the mark, she luffed slightly for the unidentified board to fit between her and the mark.
4. A contact occurred between HKG 21's back and the boom of SUI 63.
5. Both boards capsized due the incident.
6. The incident cause SUI63's mast and sail to break but did not cause any injury.
7. SUI 63 retired from Race 3.

### Conclusion & Rules:

1. SUI 63 failed to give HKG 21 mark-room as required by RRS B2 18(b)
2. SUI 63 to windward also failed to keep clear of HKG 21 to her leeward and broke RRS 11.
3. SUI 63 also broke RRS 14 as she did not avoid the contact with HKG 21.
4. When it was clear that SUI 63 was not keeping clear nor giving mark-room, it was not reasonably possible for HKG 21 to avoid contact. Therefore, HKG 21 does not break RRS 14.
5. HKG 21 is entitled to redress in accordance with RRS B5 62.1 (b), as she capsized because of the action of SUI 63 breaking a RRS of Part 2 and being penalized. Her score in Race 3, was made significantly worse. Therefore, the request for redress fulfills the requirements of RRS 62.

## Decision:

1. SUI 63 took the appropriate penalty by retiring from the race and she is not further penalized.
2. HKG 21 is given redress in Race 3, average points as per RRS A9(a) of all her series score in slalom races sailed in the qualification series, excluding the last scheduled day of qualification.

### Short Decision:

HKG 21 is given redress.

### Decision Date

17/05

### Decision Time

17:10

### Panel Chair

Ron Barak

### Panel Members

Michael Butterfield, Anna Cuccia, Manuel Gamito, Walter Mielke