



Case Decision

Décision du jury

As of THU 1 AUG 2024 at 19:19

CASE No. 40

Event: Men's Skiff	Race:
Initiator: Technical Committee	Respondent: CHN (R12)
<p>Protest details: Prior to launching whilst flag "D" was flying, spare corrector weights were presented to the TC by CHN men. The TC instructed CHN men to put the corrector weights on the boat. During post race inspection after race 12, the TC found that corrector weights were installed in the incorrect position and breached class rule C.7.4(a). The corrector weights were installed behind the mast step.</p>	
<p>Procedural matters: <u>Procedural matters of the original hearing:</u></p> <ol style="list-style-type: none"> 1. The Technical Committee was represented by Rob Taylor. 2. Men's Skiff CHN was represented by Tian Liu (crew of CHN). 3. Zuoru Jiang (support person of CHN) attended the hearing as translator for CHN. 4. Tian Wang (deputy team leader for CHN) attended the hearing as an observer. <p><u>Procedural matters after the reopening:</u></p> <ol style="list-style-type: none"> 1. The International Jury decided to reopen Case 40 on 1 August 2024 at 10:05 as it may have made a significant error in deciding on the penalty - see Case 43. 2. The original decision was given on 31 July 2024 at 23:34. 3. Panel members Pauline den Burger (NED) and Masaaki Tanaka (JPN) were replaced by Ana Sanchez del Campo (ESP) and Jon Napier (GBR) in accordance with RRS 66.3(b). A majority of the panel were members of the original panel. 4. The Technical Committee was represented by Rob Taylor. 5. Men's Skiff CHN was represented by Tian Liu (crew of CHN). 6. Zuoru Jiang (support person of CHN) attended the hearing as translator for CHN. 7. Tian Wang (deputy team leader for CHN) attended the hearing as an observer. 	
<p>Facts found: <u>The facts of the original hearing:</u></p> <ol style="list-style-type: none"> 1. Class Rule C.7.4(a) specifies that the corrector weights shall be permanently fixed to the top surface of the deck beside the mast step or along the centre foot rail. 2. On 31 July 2024, after Delta flag for Men Skiff was displayed and when CHN was launching the boat to go afloat, CHN noticed that her corrector weight was missing. 3. The crew of CHN then presented a spare corrector weight to the Technical Committee and received their permission to use it. 4. CHN was unable to fix the corrector weight in its original position because the surface was covered with the old glue. 5. CHN fixed the corrector weight behind the mast step using the fast drying glue. 6. CHN sailed with corrector weight fixed behind the mast step during races 10, 11 and 12. 7. During the post race inspection ashore after race 12, the Technical Committee observed that the corrector weight of CHN was positioned behind the mast step. <p><u>After the reopening, the following new facts were added:</u></p>	



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8. On 31 July 2024 during Men's Skiff racing, the conditions were up to 10 knots of wind.
9. The misplaced corrector weight of CHN weighed 200 grams. The Men's Skiff hull shall weigh 94 kg as a minimum.
10. The position of misplaced corrector weight was 10 cm from the area allowed by class rules.
11. Moving the weight towards the centre of the gravity of the boat has a possible effect on the racing performance however, the corrector weight of 200 grams has no significant influence.

Conclusion:

There were no changes to the conclusions during the reopening.

1. By fixing the corrector weight behind the mast, CHN broke class rule C.7.4(a).
2. As CHN broke class rule C.7.4(a) while sailing in races 10, 11 and 12, the penalty is imposed to all three races, according to RRS 64.4(c).

Rule(s) applicable:

RRS 64.4(c), 66.3(b); CR C.7.4(a), Jury Policies



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Decision:

The decision of the original hearing:

Using the DP Policy a starting penalty of DSQ was decided.

There were no circumstances to justify decreasing or increasing the penalty.

CHN is DSQ from races 10, 11 and 12.

After reopening of the hearing the decision is changed as follows:

A starting penalty of 50% was decided because CHN acknowledged that he misunderstood the class rules, which was reckless but not intentional, and CHN did not try to conceal the breach. The performance of the boat was not significantly affected by misplacing a corrector weight of 200 grams in conditions of 10 knots of wind against a total hull weight of 94kg. The competitor admitted during the reopening that he had broken a class rule.

A starting point of DSQ is inappropriate because, whilst the corrector weight was misplaced, it was very close to the legal position, and there is no intention to conceal the breach.

There were no circumstances to justify increasing or decreasing the penalty from the 50% starting point.

CHN is penalized 50% applied to races 10, 11 and 12, calculated to the nearest tenth of a point, (0.05 to be rounded upward), but not worse than the score for DNF.

Jury:

Ana Sanchez del Campo (WS), Anastazja Lewandowska (POL), Jon Napier (GBR), Selvam Mookken (SGP), Jamie Sutherland (NZL)

Signed: _____

Decision Issued: 1 AUG 2024 Time: 10:42

Ana Sanchez del Campo, Chairman

Legend:

DNF Did Not Finish

DSQ Disqualified

No. Number