

Racing Rules of Sailing

New Case based on Q&A D001

A submission from the Chairman of the Racing Rules Committee

Purpose or Objective

To propose a new case based on an ISAF Q&A.

Proposal

CASE XXX

Rule 24.2, Interfering with another Boat

For the purpose of determining whether rule 24.2 applies to an incident, a boat is sailing on the leg which is consistent with her course immediately before the incident and her reasons for sailing that course.

Assumed Facts for Question 1

The course for a race begins with a windward leg to the windward mark, followed by a short reach to an offset mark and then a run to the leeward mark. Boats L and W sail the windward leg and round the windward mark and the offset mark. On the run, while L and W are on the same tack sailing towards the leeward mark, L luffs W, and W responds and keeps clear. After the race, W learns that L had failed to start and has been scored OCS. W protests L alleging that L broke rule 24.2.

Question 1

For the purposes of rule 24.2, were L and W sailing on the same leg of the course or different legs when L luffed W?

Answer 1

For the purpose of determining whether rule 24.2 applies to an incident, a boat is sailing on the leg which is consistent with the course she is sailing before the incident and with her reasons for sailing that course. L had not started, but she was unaware that she had made that error. Therefore, L was sailing on the leg of the course to the leeward mark. Clearly W was on the same leg. Therefore, when L luffed W, rule 24.2 did not apply between them.

Assumed Facts for Question 2

The facts are the same as for Question 1, but with these differences: L started correctly, but she was unaware of the requirement to round the offset mark and she failed to round it on the required side. After rounding the windward mark she sailed towards the leeward mark until she luffed W.

Question 2

For the purposes of rule 24.2, were L and W sailing on the same leg of the course or different legs when L luffed W?

Answer 2

Clearly W was sailing on the leg to the leeward mark. Because L was unaware of the requirement to round the offset mark and had been sailing towards the leeward mark from the time she rounded the windward mark until she luffed W, L was also sailing on the leg to the leeward mark. Therefore, when L luffed W, rule 24.2 did not apply between them.

Assumed Facts for Question 3

The facts are the same as for Question 2, but with these differences: After L had sailed part of the way to the leeward mark, she realized that she had failed to round the offset mark and she turned back to correct her error. While L was beating to windward to the offset mark she encountered boat X. X had rounded the windward mark and the offset mark and was running towards the leeward mark on the same tack as L. L deviated from her proper course to the offset mark in order to luff X. X protested L alleging that L broke rule 24.2.

Question 3

For the purposes of rule 24.2, were L and X sailing on the same leg of the course or different legs when L luffed X?

Answer 3

Clearly X was sailing on the leg to the leeward mark. When L realized that she failed to round the offset mark and turned to sail towards the offset mark, she was no longer sailing on the leg to the leeward mark and had begun to sail on the leg from the windward mark to the offset mark. She was sailing on that leg when she encountered X. Therefore, the boats were sailing on different legs when L luffed X. Rule 24.2 did apply between L and X, and L broke it.

Current Position

None. The case is new. However, it is based on current ISAF Q&A D001.

Reasons

To comply with an item in the minutes of the 2012 Racing Rules Committee meeting in Dublin by proposing a new case based on current ISAF Q&A D001. At that meeting, the Racing Rules Committee recommended that that Q&A was sufficiently helpful and interesting to competitors and officials that it be proposed as a new case.

This case helps to answer the question, 'For the purposes of rule 24.2, how can a protest committee determine what leg of the course a boat was sailing on when an incident occurred?' This question has been debated for many years, but no guidance has been given in the Case Book. In the view of the Case Book Working Party, the question of what leg a boat is sailing on is similar to the question of whether or not a boat was sailing her proper course at a particular time. It is also similar to one of the questions with which the protest committee was confronted in Case 34.

In the Case Book Working Party's opinion, the answers to all three of these questions depend on the course the boat was sailing prior to the incident and the reasons she gives for sailing that course.