

# RYA CASE BOOK 2009 – 2012

## Supplement No 1, January 2011

### Contents:

- Change to the abstract of ISAF Case 2
- The abstract of ISAF Cases 113 and 114: the full texts of the cases are to be found on the ISAF website ([www.sailing.org](http://www.sailing.org)), together with corrections to the 2009 printed version of the ISAF Case Book.
- New RYA Cases 2010/1, 2010/2 and 2010/3: there were no new 2009 cases.
- Index of ISAF and RYA cases by rule number, updated to 2011

### ISAF CASE 2

Change the abstract to:

*If the first of two boats to reach the zone is clear astern when she reaches it and if later the boats are overlapped when the other boat reaches the zone, rule 18.2(a), and not rule 18.2(b), applies. Rule 18.2(a) applies only while boats are overlapped and at least one of them is in the zone.*

### NEW ISAF CASES

#### ISAF CASE 113

Rule 20.1, Room to Tack at an Obstruction: Hailing and Responding

*When a boat hails under rule 20.1 for room to tack, all boats that hear her hail and that will have to respond to give her that room must do so.*

#### ISAF CASE 114

Rule 16.1, Changing Course

Rule 18.2, Mark-Room: Giving Mark-Room

Definitions, Mark-Room

Definitions, Room

*When a boat is entitled to room, the space she is entitled to includes space for her to keep clear of or give room to other boats when required to do so by the rules.*

### NEW RYA CASES

#### RYA 2010/1

Rule 62.2, Redress

*The time within which a boat must lodge a claim for redress regarding her score in the results begins when the boat's owner or person in charge learns of the score, even if the results are marked 'provisional'.*

### SUMMARY OF THE FACTS

The series comprised one race per day on a number of consecutive Sundays. The series sailing instructions said that the protest time limit was within two hours of the last boat in the race finishing, and that the results of races would be posted as soon as practicable on the notice board situated in the main entrance hall of the club.

The last boat finished the first race of the series at 11:40 on Sunday. Results marked 'provisional' were posted in the club's bar shortly afterwards, at 12:15. The owner of *Evelyn* was in the bar at the time, and was heard to comment on the handicaps used. Lacking his reading spectacles, he returned to inspect the results on the notice board in the hall at 10:00 on Tuesday and lodged a

request for redress at 11:30 on that day, claiming that incorrect handicaps had been applied by the Club to *Evelyn* and other boats.

At the hearing the protest committee found that the results were available in the clubhouse on the Sunday afternoon, that *Evelyn*'s request was out of time because the time for lodging the request began when the last boat finished and there were no grounds for extending the time limit. The request was, therefore, invalid and would not be heard.

*Evelyn* appealed, claiming either that the time limit began only when her owner saw results that were not qualified as 'provisional' on the board in the entrance hall, or that, if the time limit was as stated by the protest committee there was a good reason to extend it.

## DECISION

*Evelyn*'s appeal is dismissed. The request for redress was not submitted within the time limit.

A request for redress is not a protest, and therefore the protest time limit does not automatically determine the time within which a request must be lodged. Rule 62.2 specifies that the time limit is the later of the protest time limit and two hours after the incident and that a protest committee is required to extend that time limit if there is good reason to do so. The 'incident' in this case was the owner learning the results of the race. Results marked 'provisional' cannot be ignored and it is best practice for a race committee to publish provisional results at the earliest opportunity. This gives competitors an early opportunity to check the race committee's records and ask for any errors to be corrected.

The appellant was aware that the results had been posted at about 12:15. The posting of the results was not on the board specified in the sailing instructions, but the appellant's awareness of them was, nevertheless, an 'incident' that set the time-limit clock running. There was no good reason why the request could not have been lodged by 14:15 on the Sunday and, therefore, there was no reason for the protest committee to extend the time limit.

Request for redress by *Evelyn*, Royal Solent Y. C.

## **RYA 2010/2**

Rule 28.1, Sailing the Course

*When a mark is not at its advertised position, a boat that rounds that position (but not the mark itself) breaks rule 28.1.*

## SUMMARY OF THE FACTS

The race committee of the club, which was the organizing authority for a race in the local inter-club regatta, set a course that included a mark laid for the season by another club. This mark was in fact out of its advertised position by over 1 nm, a fact of which the race committee was not aware until it was too late to act. *Fable*, not knowing the new location of the mark, rounded the position she believed was its correct location. Her course did not leave the mark's new position on the required side. *Tenacity* was aware of the mark's new position, sailed to it and rounded it. *Tenacity* protested *Fable*. The protest was dismissed on the grounds that *Fable* made the best effort to sail the intended course. *Tenacity* appealed.

## DECISION

*Tenacity*'s appeal is upheld. *Fable* is to be scored DSQ.

Rule 28.1 requires boats to leave each mark on the required side in order. It is possible for rule 28 to be changed in the sailing instructions to permit boats to use the intended location of a missing mark (which is quite common in offshore races when the race committee can have no knowledge of a change to the actual position of a mark). In the absence of such a sailing instruction, it follows that *Fable* broke rule 28.

Tenacity v Fable, Medway Y A Regatta

## **RYA 2010/3**

Rule 62.1(a), Redress

Rule A9, Race Scores in a Series Longer than a Regatta

*When the starting area is not stated in the sailing instructions, it will normally be the area where boats in good time for their start will sail between their preparatory signal and starting signal.*

*When a boat never reaches the starting area, for whatever reason, she is to be scored DNC. When she reaches the starting area after the starting signal but does not start, DNS will be the correct score if the race committee and starting line are still in position, otherwise she is to be scored DNC.*

### **SUMMARY OF THE FACTS**

The committee boat for the start of a race held in heavy weather was some distance from the moorings of *Zanzara* which set off late for the starting area. She turned back because of damage incurred from the conditions when 0.8 nm from the committee boat, 23 minutes after the scheduled start time. She was scored DNC, and requested redress, seeking a DNS score under rule A9 that would improve her series score. The protest committee, feeling that *Zanzara's* score should reflect the effort she had made compared with other boats that either never set out or turned back earlier, awarded redress of a DNS score. It referred its decision to the RYA.

### **DECISION**

The decision of the protest committee is corrected. *Zanzara's* score is changed back to DNC.

All judgements as to whether or not a boat has reached the starting area will depend on individual circumstances, but the RYA interprets the starting area as normally meaning the area where boats in good time for their start will sail between their preparatory and starting signals. In effect, it is the area in which the race committee can easily identify a boat, usually from her sail number, since the basis of the choice between scores of DNC and DNS is whether the race committee knows that the boat was in its vicinity while the start line was in position. In all the circumstances of this case, a distance of 0.8 nm was too far to rank as being within the starting area.

It also follows that, for a boat to be entitled to a DNS score when she has arrived late at the designated location of the starting line and then retired before starting, the race committee must still be present, and the starting line must still be in position.

Request for redress by *Zanzara*, Hamble River S.C.

# ISAF AND RYA CASES, INDEXED BY THE RACING RULES OF SAILING 2009-2012

RULE	ISAF CASES					RYA CASES					
Basic Principle	31	39	65	71		1990/8	2001/2	2002/5	2004/3	2005/5	
1.1	20										
2	27	31	34	47	65	1967/13	1986/6	1988/8	1989/6	1989/13	1990/8
	73	74	78			1999/5	2001/2	2004/3			
3(a)	98					1994/10	1999/3				
Part 2 Preamble	67	109				1996/1	2002/14				
10	9	23	43	50	75	1981/3	1984/11	1986/1	1991/4	1996/1	
	87	88	99	105							
11	7	12	13	14	24	1984/3	1986/3	1988/8	1990/1	2003/8	2008/7
	25	46	51	53	70						
	73	74									
12	2	15	24	41	77						
	91										
13	15	17				1975/6	1976/2				
14	2	7	11	13	14	1975/4	1986/3	1988/1	1988/7	1991/4	1999/5
	23	25	26	27	30	2002/3	2002/5	2002/11	2003/5	2003/8	2008/3
	43	50	54	75	77						
	81	87	88	91	92						
	99	105	107								
14(b)	19					2001/3	2004/3				
15	2	7	13	24	27	1990/1	2003/7	2006/4	2008/4	2008/6	
	53	81	93	105							
16.1	6	7	13	14	25	1967/5	1975/5	1975/6	1990/6	1991/1	1993/5
	26	46	52	60	75	2001/5	2001/14	2002/2	2002/5	2003/1	2003/7
	76	92	93	105	114	2008/6					
16.2	6	92				1967/5	1975/5				
17	7	13	14	46		1975/6	2008/7				
Section C Preamble						2008/1					
18.1	9	12	15	26	60	1962/8	1981/3	1988/9	1996/5		
	76	95									
18.2(a)	2	59	114			1976/2	2008/7				
18.2(b) and (c)	2	12	15	25	59	1976/2	1981/3	1985/3	2003/1	2004/8	2008/7
	63	70	75	81	114						
18.2(d)						1992/9	2002/15				
18.3	93	95				1974/8					
18.4	75					2003/7					
18.5	12	63	70	93		1975/6	2003/1	2003/5	2003/7		
19	3	11	23	29	30	1962/8	1968/11	1977/7	1984/11	1985/3	2001/14
	33	41	43	49							
20	3	10	11	33	35	1973/5	1974/5	1982/6	1984/11	1988/3	2001/14
	54	101	113								
Section D Preamble						1996/1					
22						1990/6					
23.1						1986/6	1996/1				
23.2						1967/13	1988/9				

<b>RULE</b>	<b>ISAF CASES</b>					<b>RYA CASES</b>					
25						1990/5					
26	31					1982/7					
27.1						1983/7	1997/2	2008/2			
28.1	28	90	106	108	112	1974/1	1980/2	1982/10	1982/13	1985/4	1989/8
						1993/1	2000/5	2001/1	2001/6	2002/4	2003/4
						2003/6	2006/1	2006/5	2006/8	2008/1	2008/2
						2010/2					
28.2	58					2001/1	2006/1	2008/1			
29.1	31	71	79			1967/3	1977/1	1994/8	1998/3	2000/3	2004/7
						2006/2					
30.1, 30.2 & 30.3	65	96	111			2004/9					
31	77										
32.1	28	37				1982/17	1999/8				
32.2						1969/1	1974/1	1988/4	1996/4	2001/6	2008/8
34						2002/10					
35						1998/2					
36						1993/5					
41	100					1993/6	1998/1	2005/5			
42	8	69				1988/7	2005/5	2006/3	2007/2		
43.1(a)	89										
44.1 & 44. 2	19	99	107	108		1981/7	1986/7	2001/3	2002/5		
45						1962/4	2007/2				
46	40					1990/2	1997/1				
47.2						2007/2					
48	109										
49	4	36	83								
50.3	4	97									
60	1	19	39	57	80	1969/11	1981/14	1982/3	1990/7	1993/5	2001/12
						2001/15	2002/9	2005/5			
61.1	19	72	85	112		1981/7	1981/14	1990/7	1996/2	1996/8	1999/1
						1999/2	2001/13	2001/15	2002/7	2003/4	2005/5
						2006/3	2008/2				
61.2	22	80				1988/3					
61.3						1989/7	1989/9	2005/7	2006/8		
62.1						2002/6					
62.1(a)	37	44	45	68	71	1969/12	1982/3	1985/3	1989/10	1990/5	1990/7
	80	82				1993/1	1994/3	1994/9	1996/6	1998/3	1999/4
						2002/1	2002/8	2002/10	2004/1	2004/7	2006/2
						2006/8	2008/2	2010/3			
62.1(b)	19	110				1993/5	1996/8				
62.1(c)	20										
62.1(d)	34					1982/10					
62.2	102					1989/9	2005/7	2010/1			
63.1	1					1989/7	1989/8	1999/3	2001/12	2001/15	2005/5
63.2	48					1968/15	1981/14	1987/1	1996/8	2001/15	
63.3	49					1981/5	1981/10	1987/1			
63.4						1981/10	1984/2	2007/1			
63.5	19	22				1981/5	1989/9	2001/13	2006/4		
63.6	104					1981/10	1984/14	1990/3	1992/7	1994/8	2006/4
						2008/4					
63.7	98					2002/8					
64						1999/7	2007/1				
64.1(a)	22	66				1969/11	2001/3	2001/12	2003/3	2004/1	2005/5
						2006/4	2006/5	2008/4			

<b>RULE</b>	<b>ISAF CASES</b>					<b>RYA CASES</b>					
64.1(b)	10	19	107			1986/7	2001/3	2002/5	2002/9	2005/5	
64.1(c)	3	10	11	28	30	1994/4	2005/8				
	49	51	76	93	95						
64.1(d)						1969/1					
64.2	31	45	71			1984/2	1988/4	1989/10	1994/3	1999/6	2000/3
						2001/12	2002/9	2003/6	2006/2	2008/2	
64.3(a)	19										
64.3(b)						1992/2					
66						1994/3	2008/3	2008/5			
69.1	34	65	67			1986/6	2003/4	2005/7			
70.1	55	104				1974/1	1981/5	1995/3			
70.2						2005/2	2005/6				
70.5						2005/2					
71.2						2002/6	2004/1				
71.4	61					2002/13					
76.1						1999/3					
78.1						1997/1	2005/7				
78.3	57										
81						1999/9					
85	44	66	98			1989/6					
86.1(b)						1980/2	1997/2	1998/2	1999/6	2002/14	
86.1(c)	85										
87	98										
88.2	98										
89.2						2002/8					
90.2						2002/8	2004/1				
90.2(c)	32										
90.3(c)						1989/9					
91						1984/13					
A2	78					1997/1					
A3						1962/1					
A5	28	80				1989/7	1989/8	2006/8			
A9						2010/3					
App D						2005/2					
App E						2002/7					
F5	104					2003/3					
J1.2 and J2.2	98					1984/13	1985/4	1989/6	1989/9	1990/2	
App M						1984/14	1987/1	2007/1	2008/5		
<b>Definitions</b>											
<i>Clear astern and Clear ahead; Overlap</i>	12	23	33	43	91	1975/6					
<i>Finish</i>	45	58	82	112							
<i>Interested Party</i>						1980/2	1985/4				
<i>Keep Clear</i>	30	50	60	77	87	1981/10	1984/2				
	88	91				1986/3	1999/5	2002/11	2003/8	2006/4	2006/7
<i>Mark</i>	58										
<i>Mark-Room</i>	15	21	63	70	114	2004/8					
<i>Obstruction</i>	10	23	29	41		1989/12	2001/14				
<i>Party</i>	55					1995/3	2004/1				
<i>Proper Course</i>	9	13	14	21	46	1975/6	1988/8				

