



**CASE BOOK - INTERPRETATIONS OF
THE RACING RULES OF SAILING
2013 - 2016**

2015 SUPPLEMENT TO THE CASE BOOK

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2015 Supplement

to

The Case Book for 2013 – 2016

This supplement contains new Cases 133, 134 and 135, which were approved for publication at the ISAF Annual Conference in November 2014. Each of the questions addressed in these cases was previously addressed in a Q&A in the Q&A Booklet posted on the ISAF website. The supplement also contains minor revisions to Case 116. A revised edition of The Case Book for 2013-2016, containing the changes and cases in this supplement, can be found on the ISAF website, www.sailing.org.

CASE 116

In the last sentence of Answer 1 delete ‘only’, and in the first sentence of Answer 2 delete the comma after ‘scores’.

CASE 133

Definitions, Mark-Room

Definitions, Room

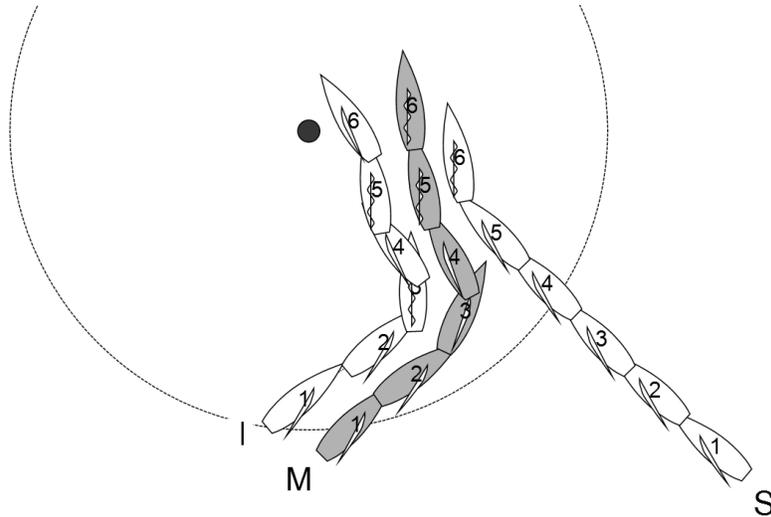
Rule 18.3, Mark Room: Tacking in the Zone

Rule 21, Exoneration

Rule 64.1(a), Decisions: Penalties and Exoneration

Analysis of the application of rule 18.3 to a situation at a windward mark to be left to port in which two port-tack boats tack in quick succession to leeward of a

starboard-tack boat that is fetching the mark. Both of the boats that tacked broke rule 18.3.



Assumed Facts

Boat M does not hail for room to tack. Shortly after position 2, Boat I decides she can tack and fetch the mark. Just after I luffs to tack, M begins to tack. I passes head to wind shortly before M does. As the boats tack, Boat S continues to sail a close-hauled course and there is space for one boat (but not two) to pass between S and the mark. Between positions 4 and 5, I luffs to round the mark. In response to I's luff, both M and S luff above close-hauled. There is no contact. No boat takes a Two-Turns Penalty. Both S and M protest I.

Question

How does rule 18.3 apply to this incident and what should the decision be?

Answer

The two protests were the result of a single incident, so they should be heard together.

S broke no rule. She was required by rule 11 to keep clear of M from the moment M completed her tack, and she did so.

After I and M passed head to wind, each of them was on the same tack as S who was fetching the mark, so rule 18.3(a) applied to both I and M with respect to S. When both I and M luffed between positions 4 and 5, S sailed above close-hauled to avoid contact, so both I and M broke rule 18.3(a). However, M is exonerated under rule 64.1(a) for breaking rule 18.3(a) because she was compelled to luff by I's luff.

After I changed tack she was fetching the mark. When M changed tack she became overlapped outside I, so rule 18.3(b) applied to M. It required M to give I mark-room, including 'space to comply with her obligations under the rules of Part 2' (see the definitions Room and Mark-Room). When I luffed to sail to the mark, she broke rule 18.3(a). Because M did not give I space to comply with rule 18.3(a) as I sailed to the mark, M broke rule 18.3(b).

Note that I is not exonerated for her breach of rule 18.3(a). She is not exonerated under rule 64.1(a) because she was not compelled to luff between positions 4 and 5. Instead she could have borne off after position 4 and left the mark to starboard. She is not exonerated under rule 21 because rule 18.3(a) is not one of the rules listed in rule 21(a).

To sum up, I broke rule 18.3(a) by causing S to sail above close-hauled and she is not exonerated for that breach. M broke rule 18.3(b) by failing to give I mark-room and she is not exonerated for that breach. Therefore, both I and M are disqualified.

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CASE 134

Definitions, Proper Course

Rule 17, On the Same Tack; Proper Course

A boat's proper course at any moment depends on the existing conditions. Some of those conditions are the wind strength and direction, the pattern of gusts and lulls in the wind, the waves, the current, and the physical characteristics of the boat's hull and equipment, including the sails she is using.

Assumed Facts

Two boats, W and L, are sailing downwind on the same tack in conditions where they would normally use spinnakers in place of headsails to finish as soon as possible. The next mark is directly downwind from their current positions.

W has a problem hoisting her spinnaker and L, sailing faster, establishes a leeward overlap from clear astern and is subject to rule 17. In order to gain a tactical advantage over W, L decides to continue sailing with her headsail and to delay hoisting her spinnaker.

L then sails the course that results in the best VMG ('velocity made good', velocity towards the next mark) for a boat sailing downwind with a headsail. That course is above the course that would result in her best VMG if she were using her spinnaker.

W protests L alleging that, by not hoisting her spinnaker and sailing a lower, faster course in order to finish as soon as possible, L breaks rule 17. In the hearing L's representative stated that, to finish as soon as possible in the absence of W, L would have hoisted her spinnaker and sailed a faster and lower course.

Question

When L delayed hoisting her spinnaker and instead sailed the course that resulted in the best VMG for a boat sailing downwind with a headsail, did she break rule 17 by sailing above her proper course?

Answer

No. A boat's proper course at any moment depends on the existing conditions. Some of those conditions are the wind strength and direction, the pattern of gusts and lulls in the wind, the waves, the current, and the physical characteristics of her hull and equipment. The sails that she has set are part of her equipment and, therefore, one of the conditions on which her proper course depends. While L was sailing with her headsail, her proper course was the course that gave her the best VMG with her headsail, and not her spinnaker, set. L did not sail above that course so she did not break rule 17.

There is no requirement in the racing rules for a boat to hoist her spinnaker at any particular time or for her to finish as soon as possible. There could be a variety of reasons, including tactical considerations, why a boat would not use a spinnaker. Therefore, even though L stated that in the absence of W she would have hoisted her spinnaker and sailed a lower course, L broke no rule by continuing to sail with her headsail instead of her spinnaker. (See Case 78 for a discussion of tactics that interfere with or hinder another boat's progress.)

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CASE 135

Definitions, Keep Clear

Rule 62.1(b), Redress

If a boat breaks a rule of Part 2 by failing to keep clear, the right-of-way boat, or a third boat, may be entitled to redress if she is physically damaged, even if the damage is not caused directly by a collision with the boat that was required to keep clear.

Assumed Facts for Question 1

Two dinghies, P on port tack and S on starboard tack, are on a collision course on a beat to windward in strong wind (more than 20 knots). P holds her course and, when it becomes clear to S that P is not keeping clear, S immediately and rapidly tacks onto port tack to avoid P. Despite S's attempt to avoid P, there is contact between the boats, but it does not cause damage. However, while tacking to avoid P, S capsizes and in capsizing, the helmsman falls and damages the tiller. After righting the boat, the tiller cannot be repaired and S retires from the race. P takes a Two-Turns Penalty and finishes the race. S requests redress under rule 62.1(b).

Question 1

Is S entitled to redress if her request is valid?

Answer 1

Rule 62.1(b) does not require physical damage (or injury) to have been caused directly by the boat that was breaking a rule of Part 2. It is sufficient that any physical damage (or injury) was the probable consequence of the action of the boat breaking a rule. B is entitled to redress provided that the protest committee concludes that

- P broke rule 10;
- a collision was probable, and S took avoiding action as soon as it was clear that P was not keeping clear;
- the capsize and the helmsman's fall were the result of P not keeping clear and not the result of poor seamanship by S; and
- the damage was not due to the tiller previously having been in poor condition.

Assumed Facts for Question 2

Two boats, A and B, are on a collision course in strong winds. A is required to keep clear of B. A holds her course and, when it becomes clear to B that A is not keeping clear, B immediately and rapidly makes a large change in course to avoid A. There is no contact between A and B. However, while manoeuvring to avoid potentially damaging contact with A, B collides with C, a third boat nearby. C is damaged and loses several places. A takes a Two-Turns Penalty and finishes the race. C requests redress under rule 62.1(b).

Question 2

Is C entitled to redress if her request is valid?

Answer 2

Yes, provided that the protest committee concludes that

- A broke a rule of Part 2;
- a collision was probable, and B took avoiding action as soon as it was clear that A was not keeping clear;
- the damage to C was the result of A not keeping clear and not the result of poor seamanship by B; and

- after B began to change course, it was not reasonably possible for C to have avoided the collision and resulting damage.

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