



A CASE BOOK FOR RADIO SAILING

Interpretations of the
Racing Rules 2017 - 2020

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First edition: February 2015 + updates
Second edition: April 2017

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Preface

The purpose of this book is to define, for competitors and race officials, agreed interpretations of the Racing Rules. Radio sailing worldwide will gain if there is consistency in responding to incidents on the water. The aim of this book is to resolve any doubts amongst sailors and race officials as to how the rules apply in the situations presented here.

The need for a set of agreed interpretations was identified by the ISAF Appendix E Working Party in 2010/2011. Following the 2011 International One Metre World Championships in West Kirby, UK, the International Jury recommended that radio sailing develop a specific case or call book.

These interpretations have been developed and refined with input from sailors and race officials. It became clear that sometimes there have been differences between the intention of the original rule makers, common practice amongst sailors and an interpretation of the actual wording of the rules consistent with the WS Case Books, Call Books and Q&As approved by WS Racing Rules Committee. This may mean that some cases presented here might be interpreted in a way that does not always correspond to how the rules are being applied locally for sailors or race officials.

Many people have been involved in preparing this book. Roy Granich, in his then role as IRSA Racing Committee Chairman, spent a great deal of time discussing and arguing with the authors. Richard Thompson, a member of the WS Racing Rules Committee, provided valuable insight into how these interpretations could integrate into the greater body of writings on the rules. Graham Bantock, Roger Stollery, Olivier Cohen, Zoran Grubusa and many others made insightful contributions.

As radio sailing develops, incidents not covered in this book will occur, giving rise to questions on how the rules should apply. It is hoped that sailors and race officials will comment, or submit new cases for consideration. It is the intention of the authors that a procedure be established to consider new cases for inclusion. In the meantime, the authors welcome any suggestions or comments for improvement

The 'Interpretations of the Racing Rules for Radio Sailing' have been approved by IRSA. To quote RYA Case 2002/13, these interpretations 'are illustrative and persuasive, but not binding on any protest committee or jury. However, if a decision were made contrary to an interpretation in this book on the same or very similar facts, and if the decision were appealed, it is likely that the appeal would be upheld.'

In time, it is proposed that these interpretations be submitted to WS, so that they become authoritative.

The Racing Rules of Sailing have been reviewed and a new Rule Book 2017 - 2020 has been published. After extensive consultation with radio sailors and other experienced judges the authors have updated this Case Book to take account of the changes.

The following cases have been substantially modified: B2, B3, R2, and R4.

A new case, B11, has been added in light of the choice by some classes and countries to modify rule 31 to allow boats to touch marks of the course.

Gordon Davies
Peter M. Johnson

March 2017

Terminology

In this Case Book, certain terms will always be interpreted in a consistent manner.

When the term *room*, as defined in the Racing Rules of Sailing, is used, manoeuvring promptly includes the time needed by the competitor controlling the boat to analyse the situation and react accordingly. In radio sailing, this time may be longer than the time needed to carry out the manoeuvre itself.

A boat is *keeping clear* if a right-of-way boat can sail her course with no need to take avoiding action. In accordance with WS Case 50, a right-of-way boat needs to take avoiding action when she has a genuine and reasonable apprehension of a collision. If, in such circumstances, she does not take avoiding action and there is contact, the right-of-way boat will break rule 14. In radio sailing, allowance should be made for the appreciation of distances, speeds and angles of boats sailing some distance away from the competitors.

WS Case 21 states that 'extraordinary' and 'abnormal' manoeuvres are unseamanlike. Some actions that are abnormal in larger boats may be considered normal, and therefore seamanlike, in radio sailing. However, any manoeuvre that puts a boat at risk of damage is unseamanlike. It is also unseamanlike to hit a mark, a pontoon, a bank or a patrol boat.

By convention, boats are treated as female and competitors, observers and race officials as male. However, the radio sailing community recognises that a person's gender plays no part in determining his or her abilities in any of these roles.

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The Cases have been grouped as follows:

B - Boat-on-boat;

O - Observers;

P - Protests, hails and penalties;

R - Other requirements when racing.

Unless otherwise indicated, the wind is coming from the top of any diagram.

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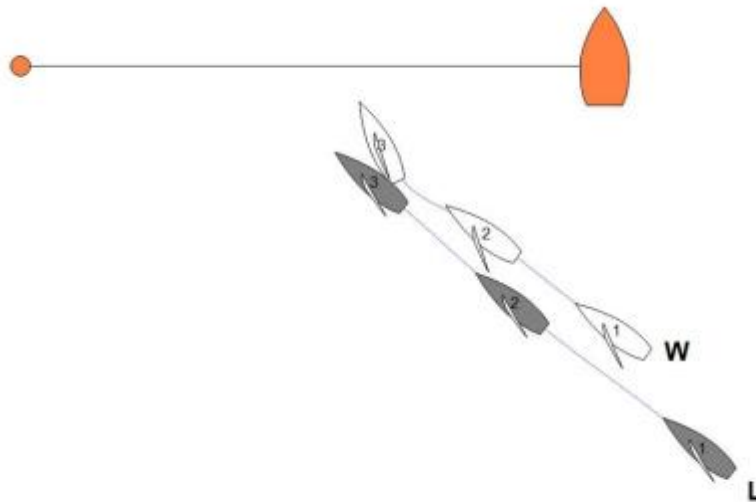
B1

Rule 11, On the Same Tack, Overlapped Rule 15, Acquiring Right of Way

When a boat becomes overlapped to leeward from clear astern, the windward boat must act promptly to keep clear. If the windward boat reacts promptly but cannot keep clear, she has not been given sufficient room. If she takes unnecessary action that causes contact, she fails to keep clear as required.

Assumed Facts

Shortly before the start, W is sailing slowly on starboard tack. L, also on starboard, establishes an overlap to leeward from clear astern. Immediately afterwards, as W sheets in and luffs, her stern makes contact with the gunwale of L.



Question 1

Which rule, if any, has been broken?

Answer 1

At position 1, L is the give-way boat as clear astern (rule 12). When L becomes overlapped to leeward, she then acquires right of way (rule 11). As a result, L becomes bound initially by rule 15 which embodies the principle that, when the right of way shifts from one boat to another, the boat with the newly acquired right of way must give the other boat room to respond and keep clear. L's obligation under rule 15 is only temporary. W must respond promptly after the overlap has been established.

Rule 11 requires W to keep clear and, if this requires her to luff, she must do so promptly. If she does so and some part of her hull or equipment touches any part of L's hull or equipment, L has

broken rule 15 by not giving W room to keep clear. If W delays her response, or luffs higher than necessary to keep clear and as a result causes contact with B, W breaks rule 11.

Question 2

W has no steerage way. Unable to luff, she maintains her course and promptly sheets in to accelerate. As she does so, she makes leeway and touches L. Does rule 15 apply in the same way?

Answer 2

Yes. If maintaining her course and accelerating is an appropriate response from W but, because of the characteristics of hull and keel, the boat initially makes leeway, then L is obliged under rule 15 initially to give W the room needed to keep clear.

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B2

Rule 11, On the Same Tack, Overlapped

Rule 13, While Tacking

Rule 15, Acquiring Right of Way

Rule 18.3, Tacking in the Zone

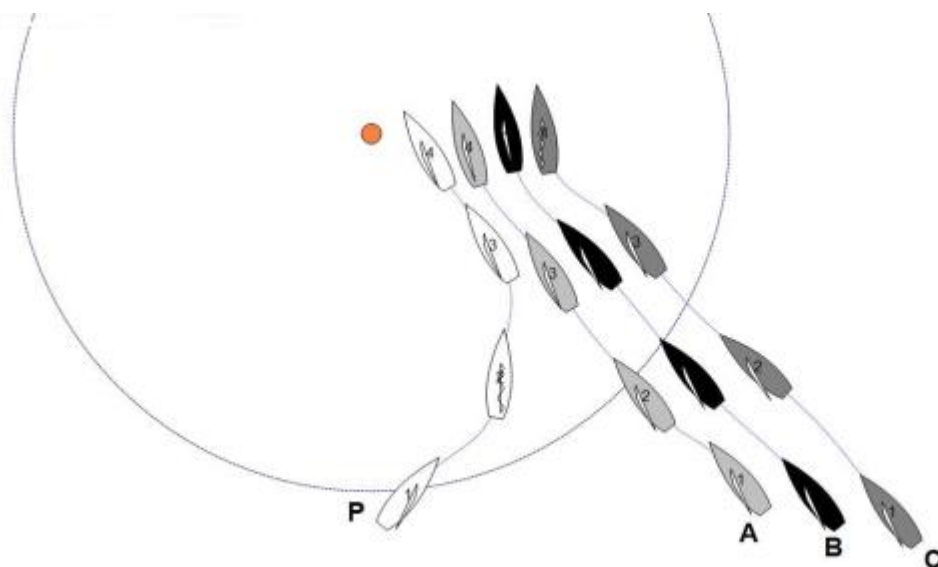
Rule E4.3, Taking a Penalty

When a boat in the zone passes head to wind, her obligations under rule 18.3 apply between her and all other boats on the same tack that are fetching the mark.

When a boat has gained a significant advantage by her breach of a rule despite taking a penalty, she should take an additional One-Turn Penalty, and continue to take such penalties until the significant advantage no longer exists.

Assumed Facts

At a windward mark to be left to port, P enters the zone on port, luffs, passes head to wind and bears away onto a close-hauled course to leeward of A. B and C are both overlapped to windward of A. A, B and C are all fetching the mark before entering the zone.



A avoids P by luffing. B luffs to windward of both P and A. C luffs to windward of B and, in doing so, sails above a close-hauled course.

Question 1

Which rule, if any, has been broken?

Answer 1

When P reached a close-hauled course, she was overlapped to leeward of A, B and C, and acquired right of way. P was required under rule 15, initially, to give A, B and C room to keep clear and she did so.

However, in addition, as soon as P passed head to wind in the zone and was now on the same tack as the other three boats, rule 18.3 applied. C was obliged to luff above close-hauled to avoid contact with B, who was obliged to luff to avoid A, who luffed to avoid P. Thus, P caused C to sail above close-hauled when taking avoiding action. P broke rule 18.3 and should take a penalty.

Question 2

Having taken a One-Turn Penalty, P is still some distance ahead of B and C. Should P take an additional One-Turn Penalty?

Answer 2

P is ahead of B and C as a consequence of breaking rule 18. P has gained a significant advantage in the heat by her breach, despite taking a penalty. P should take an additional One-Turn Penalty under rule E4.3(b).

The first part of rule E4.3(b) states 'if the boat gained a significant advantage by her breach despite taking a penalty'. This condition must be applied after each One-Turn Penalty taken. If, after taking an additional One-Turn Penalty, the boat has still gained a significant advantage as a result of her breach, another One-Turn Penalty is required before she is exonerated. Therefore, it is possible that a boat will need to complete multiple turns in order to exonerate herself from a breach of a rule of Part 2 or rule 31 if she had gained a significant advantage by her breach.

However, some breaches through which a boat gained a significant advantage cannot be exonerated by penalty turns. Under rule E4.3(c), when a boat causes serious damage or, by breaking a rule of Part 2, she causes another boat to become disabled (as defined in rule E1.1) and retire, her penalty shall be to retire.

Rule E4.3 applies to all radio sailing racing, not only to umpired races.

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B3

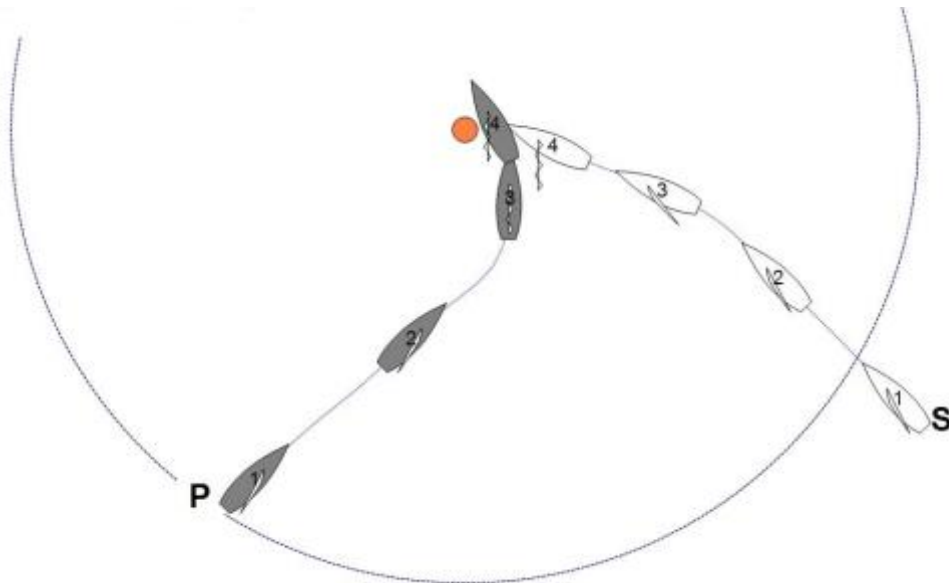
Rule 13, While Tacking
Rule 14, Avoiding Contact
Rule 16.1, Changing Course
Rule 21, Exoneration

When a right-of-way boat changes course and thereby creates a situation that will cause a breach of a rule by the other boat, she breaks rule 16.1 if she maintains that course. However, she may change course again to comply with rule 16.1, in which case neither boat breaks a rule.

Assumed Facts

Approaching a windward mark to be left to port, S is fetching the mark close-hauled on starboard from outside the zone, more than a boat-length above the lay line. P, on port, is on a course to keep clear of S.

S enters the zone, bears away towards the mark onto a collision course with P. P luffs immediately and passes through head to wind but, before she has reached a starboard close-hauled course, there is contact between S's bow and P's starboard side. There is no damage.



Question 1

Which rule, if any, has been broken?

Answer 1

S was the right of way boat and, before S changed course, P was keeping clear. When S changed course, she became required to give room to P to keep clear including, in this situation, room to comply with her obligations under rules 13 and 31. P manoeuvred promptly to keep clear, but was unable to avoid contact with S.

S broke rule 16.1 and should take a penalty.

In failing to keep clear, P broke rule 13; however, that was as a necessary consequence of S's breach

of rule 16.1. P was sailing within the *room* to which she was entitled under rule 16.1 and is therefore be exonerated under rule 21(a).

As P was not given room to keep clear, it was not reasonably possible for P to avoid contact. P did not break rule 14. S could have avoided contact and, therefore, broke rule 14. However, as there was no damage, S is exonerated from her breach of rule 14 as she was the right-of-way boat.

Question 2

P avoids contact with S but, in doing so, touches the mark. Which rule, if any, has been broken?

Answer 2

When S changes course towards the mark, she becomes required under rule 16.1 to give P room to keep clear including room to comply with her obligations under the rules of part 2 and rule 31. If P is compelled to touch the mark in order to avoid contact with S, then S has not given P room to comply with rule 31. S breaks rule 16.1. P breaks rule 31 but is exonerated under rule 21(b) because she was sailing within the *room* to which she was entitled under rule 16.1.

Question 3

When less than a boat length from P, S luffs and there is no contact. Which rule if any has been broken?

Answer 3

S, a right of way boat changing course, is required under rule 16.1 to give room to P to keep clear. By changing course again, S gives P room to keep clear. No rule has been broken.

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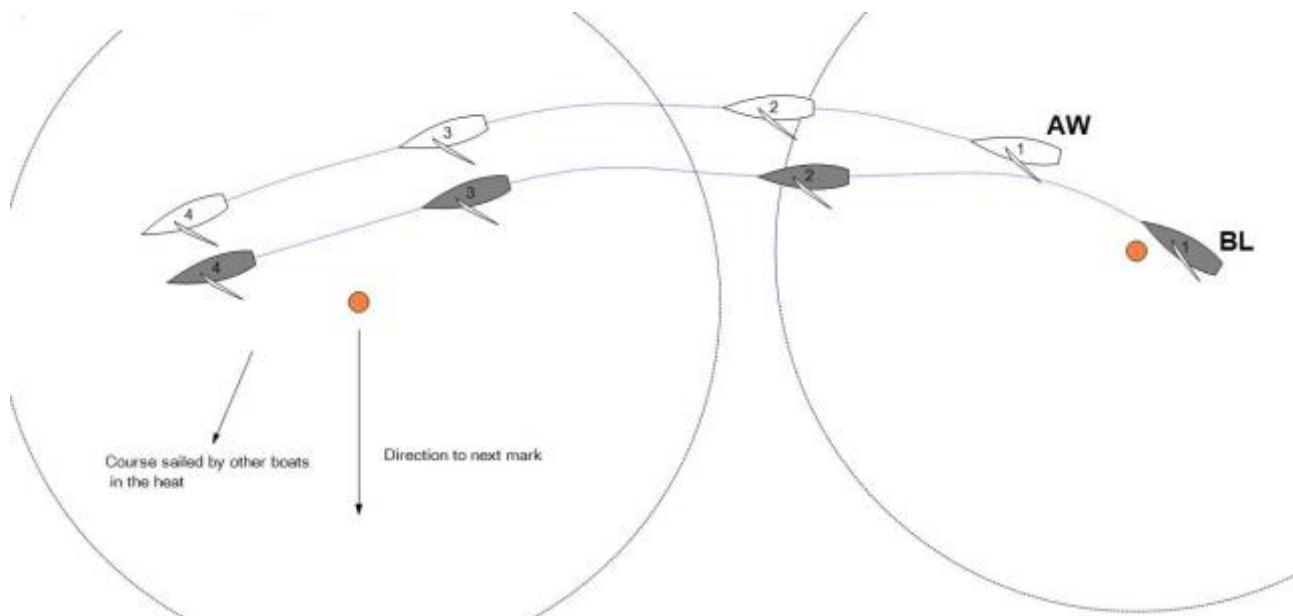
Rule 17, On the Same Tack; Proper Course

Once a boat becomes overlapped within two of her hull lengths to leeward of a boat on the same tack, her obligation not to sail above her proper course while both boats remain on the same tack and overlapped continues even if the boats round a mark onto the next leg of the course.

Assumed Facts

BL, having rounded the windward mark clear astern of AW, establishes an overlap to leeward of AW at more than 4 hull lengths from the offset mark. AW gives BL mark-room at the offset mark.

On reaching the offset mark, BL does not bear away towards the leeward mark but instead continues on a reach, above the course sailed by other boats in the heat. AW cannot bear away towards the leeward mark.



Question

Is BL required to bear away towards the leeward mark?

Answer

Yes.

BL, from clear astern, became overlapped within two of her hull lengths to leeward of AW on the same tack. Rule 17 applies and BL may not sail above her proper course. BL's proper course is to bear away around the mark onto a course that she would sail to reach the leeward mark as soon as possible in the absence of AW.

BL was overlapped on the inside before either boat reached the zone at the offset mark. BL was en-

titled to mark room under rule 18.2(b). However, this does not modify her obligations under rule 17, which continues to apply during and after rounding this mark, whilst both BL and AW remain on the same tack and BL is overlapped within two hull lengths of AW. Unless BL has a compelling reason for continuing on a reach (for instance, to avoid a group of slower boats or to sail around a calm patch or weed), she sails above her proper course and breaks rule 17.

BL should take a penalty.

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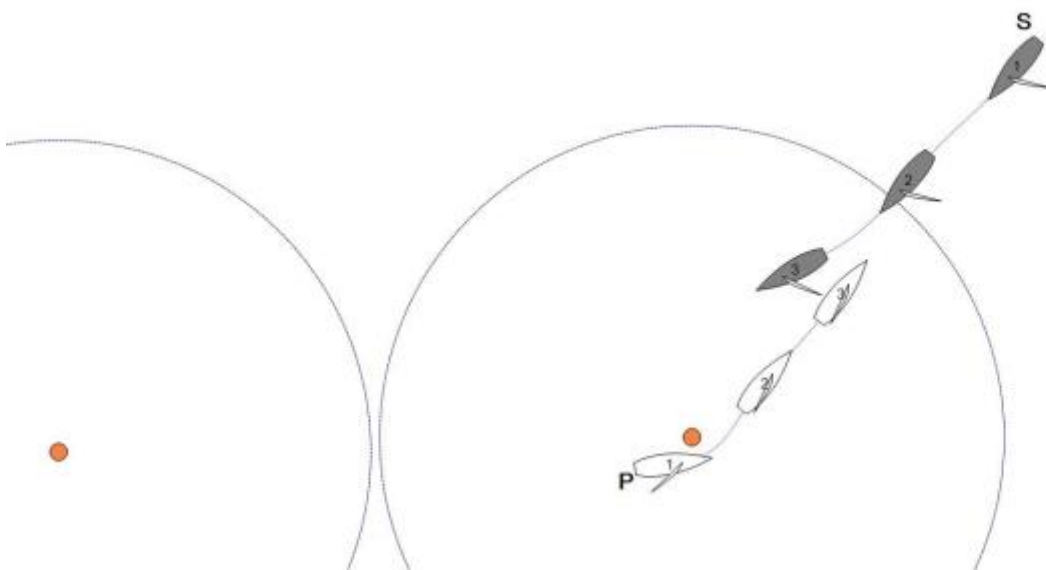
Rule 10, On Opposite Tacks

Rule 18.1, When Rule 18 Applies

When a boat is approaching a mark and another is leaving it, rule 18 does not apply between them and the rules of Section A of Part 2 apply.

Assumed Facts

S is running on starboard towards a leeward gate mark to be left to port. P rounds the mark and luffs to a close-hauled port tack course on a collision course with S. S luffs to avoid contact.



Question

Which rule, if any, has been broken?

Answer

Because S is approaching the mark and P is leaving it, no part of rule 18 applies.

P, on port tack, is required to keep clear of S on starboard. S was unable to sail her course and needed to take action to avoid P. P broke rule 10 and should take a penalty.

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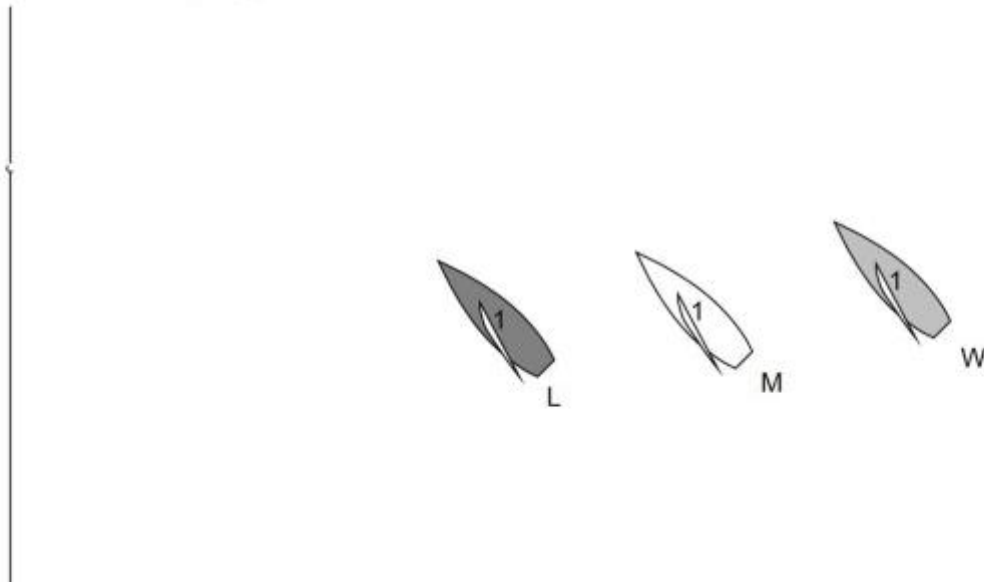
B6

Rule 20, Room to Tack at an Obstruction

An explanation of the application of rule 20 when three boats sailing close-hauled on the same tack are approaching an obstruction and the leeward-most boat hails for room to tack, but cannot tack unless both boats to windward of her tack.

Assumed Facts

L, M and W are sailing close-hauled on starboard tack. They are approaching an obstruction that they cannot safely avoid without making a substantial course change. The obstruction is not a mark. When the boats are in the positions shown in the diagram, L hails “Room to tack” loudly enough to be heard by both M and W. When L hails, it is clear that both M and W must both tack in order to give room to L.



Question 1

Does rule 20.2(c) require W to respond to L's hail?

Answer 1

Yes. When a boat that is not adjacent to the hailing boat has heard the hail, and will have to respond before the hailing boat is able to tack, she is a ‘hailed boat’ in the context of rule 20.2 and she shall respond accordingly.

Question 2

Is M required to hail W for room to tack immediately after L’s hail?

Answer 2

Yes, if W is not already responding to L's hail. Because replying "You tack" is not an option for M in this case, M is required by rule 20.2(c) to respond to L's hail by tacking as soon as possible. Therefore, if M cannot tack because of the presence of W, she must immediately hail W for room to tack, and rule 20.3 permits her to do so even if, in the absence of L, M would not yet need to hail for room to tack. If she fails to hail for room and, as a result, is unable to tack as soon as possible, she breaks rule 20.2(c).

WS Case 113

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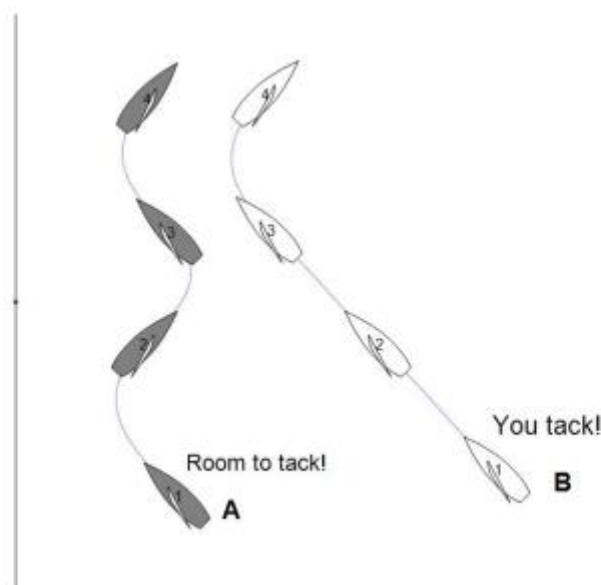
B7

Rule 20.2, Room to Tack at an Obstruction: Responding

When a close-hauled boat approaching an obstruction calls for room to tack and the hailed boat replies “You tack”, if the hailing boat tacks and is then able to keep clear in a seamanlike way, which may mean having to tack back again, the other boat has given the room required.

Assumed Facts

A is approaching the shore close-hauled on starboard tack, clear ahead and to leeward of B. A hails for room to tack, and B replies “You tack.” A tacks and B holds her course. A is then on a collision course with B and tacks again. Both of A’s tacks are made in a seamanlike manner. After A’s second tack, she is overlapped to leeward of B. Shortly afterwards, B tacks and A does likewise.



Question

What rule, if any, has been broken?

Answer

No rule was broken. A’s actions show that she had room to tack and avoid B. A could have kept clear by tacking, stopping or bearing away. B therefore met her obligations under rule 20.2(b) and (c).

It is important to distinguish a requirement to keep clear from a requirement to give room. When a boat with right-of-way is required to give another boat room for a manoeuvre, the right-of-way does not transfer to the boat entitled to room. After A tacked onto port tack, B was not required to keep clear of A; instead, it was A that was required by rule 10 to keep clear of B. B was only required by rule 20.2(c) to give A room to tack and avoid B, and B did so.

Adapted from WS Case 101.

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B8

Rule 2, Fair Sailing
Rule 10, On Opposite Tacks
Rule 11, On the Same Tack, Overlapped
Rule 14, Avoiding Contact
Rule 15, Acquiring Right of Way
Rule 19, Room to Pass an Obstruction
Rule 62.1, Redress
Rule E4.3(c), Taking a Penalty
Rule E6.9, Decisions on Redress

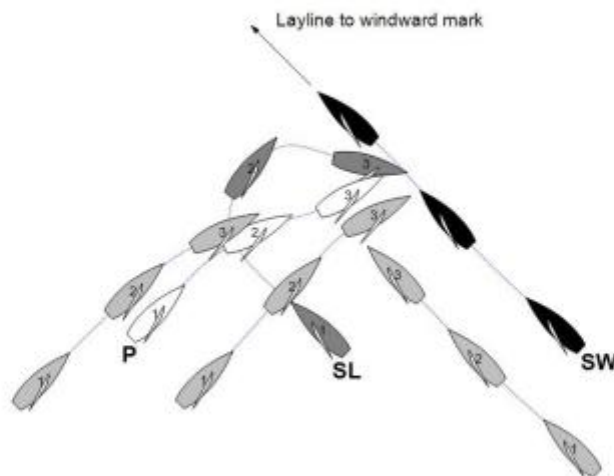
A boat that deliberately gives up right-of-way and immediately sails into a position in which she can only avoid contact with one boat by breaking a rule and making contact with another boat resulting in damage is sailing without concern for the consequences of her actions. She does not comply with the basic principle of sportsmanship and the rules.

Assumed Facts

On a beat to windward in 15 knots of wind, SL is on starboard tack, below the lay line to the windward mark to be rounded to port. SW is on the lay line two boat lengths to windward and astern of SL.

P is approaching on port tack on a collision course with SW. There are other boats on port tack, both to leeward and astern of P, as well as others crossing on starboard tack.

SL crosses ahead of P and immediately tacks onto port to windward of P and onto a collision course with SW as P starts to bear away to pass close astern of SW. SL then bears away sharply across the bows of P. P cannot bear away further because of the other boats to leeward and astern as well as on starboard tack.



There is contact between the bow of P and the starboard gunwale of SL, with damage to P, but she finishes the heat. However, repairs are necessary to the bow of P before she can sail again.

P protests. SL takes a One-Turn Penalty and continues to race.

Question 1

Which rules apply?

Answer 1

Before she tacked, SL was the right-of-way boat with respect to both SW and P. When she tacked, she was immediately required to take action to avoid SW (rule 10). SW became an obstruction to SL at the moment SL passed head to wind. P is required to give SL room to pass this obstruction unless, from the time SL became overlapped to windward, P was unable to give that room (rule 19.2(b)) – which was the case because of the other boats to leeward and astern of her as well as on starboard tack.

As both P and SW acquired right-of-way with respect to SL as a result of the actions of SL, neither P nor SW are required initially to give SL room to keep clear (rule 15).

SL, overlapped to windward of P, did not keep clear and broke rule 11. SL could have avoided contact by not tacking on to a collision course with SW. SL broke rule 14.

SL gave up right-of-way and sailed in to a position in which she could only avoid contact with one boat by breaking a rule and making contact with another boat. By sailing without concern for the consequences of her actions, SL did not comply with the basic principle of sportsmanship and the rules as well as the recognised principles of sportsmanship and fair play. The protest committee should consider taking further action under rule 2.

Question 2

Is the One-Turn Penalty taken by SL an applicable penalty?

Answer 2

If the protest committee finds that the damage to P was serious, then SL's penalty is to retire (rule E4.3(c)).

If the protest committee finds that SL did break rule 2, then the One-Turn Penalty is not the applicable penalty. SL should be scored DNE for this heat.

Question 3

Is P entitled to redress?

Answer 3

P finished the heat and her score in that heat had not been made significantly worse by the action of a boat breaking a rule of Part 2. The conditions for redress in this heat are not met (rule 62.1).

However, if P is unable to compete in her next heat because of the necessity to repair damage before racing, then her score in that next heat would be made significantly worse. If the protest committee finds either that the damage to P was as a result of a breach of a rule of part 2 or that SL broke rule 2, then P would be entitled to request redress (rule 62.1(b) or (d), respectively).

Redress would include reasonable time to repair the damage, but not more than 30 minutes (rule E6.9).

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Definitions, *Mark-Room*

Rule 13, *While Tacking*

Rule 18.1, *When Rule 18 Applies*

Rule 18.2, *Giving Mark Room*

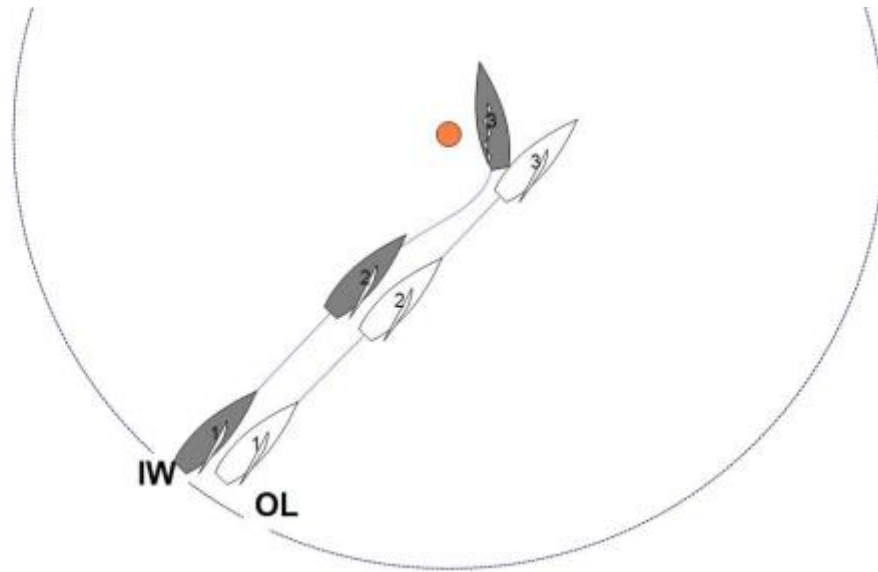
Rule 21, *Exoneration*

When a boat is entitled to mark-room, room for her to sail her course at the mark does not include room to tack unless she is overlapped to windward and on the inside of the other boat and sailing within the mark-room to which she is entitled. This applies whether or not the boats were overlapped at the zone.

If contact occurs when a windward inside boat tacks at the mark, that contact may be evidence that the outside boat failed to give the inside boat the room that she needed to tack.

Assumed Facts 1

IW and OL, overlapped on port tack, enter the zone of a windward mark that is to be rounded to port. Both boats are close-hauled and IW, windward boat, is keeping clear. As IW luffs to tack, her stern swings outwards and, after she passes head-to-wind, there is contact between the two boats. There is no damage. OL protests.



Question 1

Which rule, if any, has been broken?

Answer 1

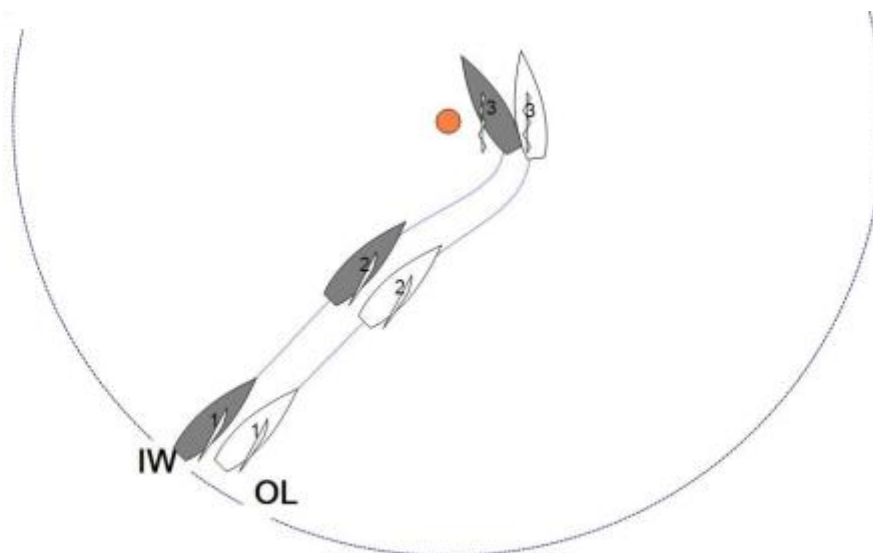
From the time one of the boats enters the zone, rule 18 applies and OL is required by rule 18.2(b) to give IW mark-room. Because IW is overlapped to windward and on the inside of OL, and she would be fetching the mark after the tack, mark-room includes room to tack.

Although rule 18 ceases to apply after IW passes head-to-wind, because the boats are now on opposite tacks on a beat, the subsequent contact shows that before IW passed head-to-wind, OL had failed to give her mark-room. OL broke rule 18.2(b) and should take a penalty.

IW, after passing head-to-wind, failed to keep clear of OL. IW broke rule 13, a rule of Section A of Part 2, but is exonerated under rule 21.

Assumed Facts 2

The situation is the same except that the contact happens after both boats have passed head-to-wind, and before either boat reaches a close-hauled course.



Answer 2

When one boat passes head-to-wind, IW and OL are on opposite tacks on a beat. Rule 18 ceases to apply. As soon as both boats have passed head-to-wind, they are both on starboard and rule 18.2(a) requires OL to give IW mark-room, which includes room to round the mark as necessary to sail the course.

OL does not give IW mark-room and so breaks rule 18.2(a). OL should take a penalty.

If IW passes head to wind before OL, she becomes keep-clear boat under rule 13 until she completes her tack by getting down to a close-hauled course. When both boats have passed head to wind, because IW is on OL's port side while both are tacking, IW is still the keep-clear boat under rule 13. IW therefore breaks rule 13. However, as rule 13 is a rule of Section A of Part 2, IW is exonerated under rule 21.

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B10

Definitions, *Mark-Room*

Rule 11, *On the Same Tack, Overlapped*

Rule 13, *While Tacking*

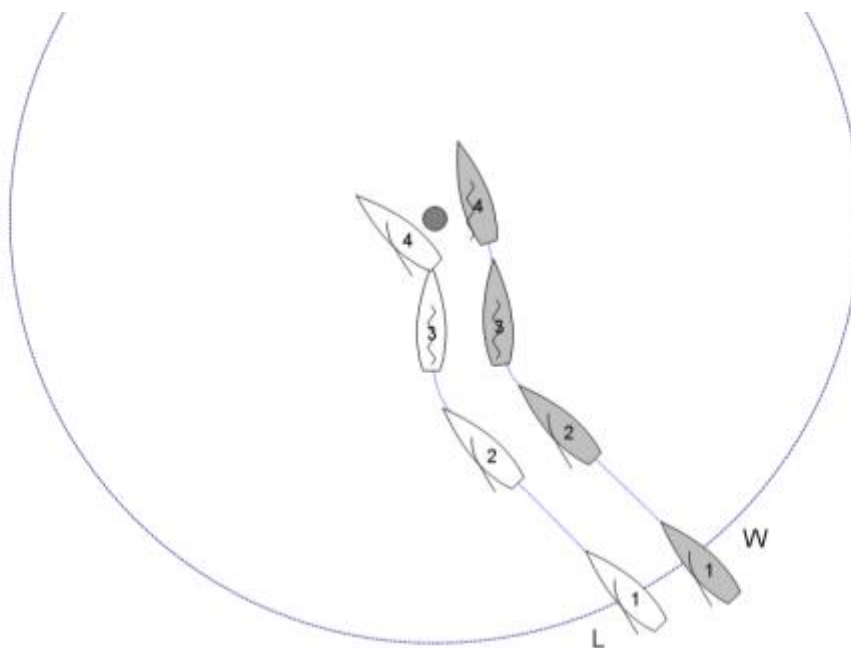
Rule 18.2, *Giving Mark Room*

Rule 24.2, *Interfering with Another Boat*

When boats are required to leave a mark on the same side, the windward outside boat must keep clear under rule 11 even if the inside boat cannot lay the mark. The windward boat must continue to keep clear, even if she is sailing her proper course and the leeward boat is breaking rule 24.2.

Assumed Facts

Two boats, L and W, approach the windward mark on starboard tack below the lay-line to the mark. The mark is to be rounded to port. L is unable to fetch the mark and has to sail the wrong side of the mark. W fetches the mark by luffing, rounds the mark and bears away onto the next leg.



Question

How do the rules now apply between the two boats and what are their rights and obligations from position 4?

Answer

Radio sailing is governed by the rules in Appendix E. Neither the relevant Part 2 rules nor other rights or obligations are changed in Appendix E for these boats in this incident.

As the windward boat, W continues to have an obligation to keep clear under rule 11 throughout the incident.

The boats are overlapped when they enter the 4-lengths zone. From that moment, W is required by rule 18.2(b) to give mark-room to L. Mark-room in this situation includes room for L to sail to the mark, but not room for L to tack to round the mark as she is neither an inside windward boat nor a boat that will be fetching the mark after the tack.

When L luffs towards the mark from position 2, she is not able to fetch the mark. W, windward boat must still continue to keep clear (rule 11) and, as outside boat, give L mark-room (rule 18.2(b)). If L passes head to wind, rule 18 no longer applies and L will be required to keep clear as tacking boat under rule 13.

After W rounds the mark, the boats are on different legs and both are required by rule 24.2 not to interfere with the other, except when sailing their proper course. However, while the boats remain on the same tack, W must continue to keep clear of L under rule 11. This applies even if she is sailing her proper course and L is breaking rule 24.2.

Adapted from WS Q&A 2014.014

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B11

Rule 18.2, Giving Mark-Room

Rule 31, Touching a Mark

Definitions: *Mark-Room, Room*

If rule 31 is changed to allow boats to touch marks, the mark-room to which a boat is entitled includes room to round the mark without touching the mark as it is unseamanlike to touch a mark.

Assumed Facts

The sailing instructions have changed rule 31 so that boats may touch marks, except the starting and finishing marks.

At a leeward gate mark to be left to port, OL is overlapped on the outside of IW at the zone. As the boats round the mark, OL gives IW room such that IW must either touch the mark or make contact with OL. IW avoids OL but touches the mark. IW protests.

Question 1

Which rule, if any, has been broken?

Answer 1

At the zone, IW is a keep clear boat (rule 11) entitled to mark-room under rule 18.2(b). Mark-room entitles IW to be given the space needed in the existing conditions to round the mark while manoeuvring promptly in a seamanlike way. It is not seamanlike to touch a mark.

OL did not give IW room to round the mark in a seamanlike way. OL broke rule 18.2(b).

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O1

Rule 31, Touching a Mark

Rule E5.1, Observers

IRSA Addendum Q4.1(b), Hails by Umpires

When an observer has hailed the sail number of a boat that has made contact with a mark, and that boat does not protest another boat, an umpire can rely on the observer's hail and penalise the boat under rule 31.

Assumed Facts

In a heat sailed under IRSA Addendum Q, an observer hails "Contact mark, X(sail number)" and soon afterwards repeats the hail. No umpire observed the incident.

X neither takes a penalty nor protests another boat. An umpire is certain, from his personal observation, confirmed by the observer, that no penalty has been taken.

Question

Can the umpire penalise X under Q4.1(b) for breaking rule 31?

Answer

Yes. Under rule E3.5(b), the observer is obliged to hail the sail number of boat that makes contact with a mark. The observer's hail establishes that rule 31 has been broken. As no penalty has been taken for an infringement of rule 31, rule Q4.1(b) permits the umpire to penalise X. Should X have been compelled to make contact with the mark because of a boat breaking a rule of Section A of Part 2, rule 15 or rule 16, an umpire may exonerate the hailed boat under rule 21(b).

When racing is not umpired or no umpire decision is hailed, if the observer's call of contact with a mark is not resolved, he shall report it to the race committee (rule E5.1(c)). The race committee may protest (rule E6.2). In a hearing, the report of the observer that rule 31 has been broken will be taken as reliable unless strong evidence is presented to the contrary. The competitor may retire when presented with the observer's report.

When racing is umpired, the umpire can rely on an observer's hail. Q4.1(b) does not specify that an infringement of rule 31 has to be observed by the umpire. Affirming that the observer's call of contact with a mark is a sufficient base for an umpire to hail a penalty maintains observers in the same role that they have in non-umpired racing. The actions of the umpire are equivalent to an accelerated protest hearing.

If an umpire does not penalise X, the observer should report the unresolved incident to the race committee immediately after the heat (E5.1(c)). The race committee may then protest under rule 60.2.

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O2

Rule 2, Fair Sailing

Rule 31, Touching a Mark

Rule 69, Misconduct

Rule, E5.1 Observers

Observers should only hail contact with a mark or another boat when they are absolutely certain that contact has occurred.

Assumed Facts

An observer appointed by the race committee is watching a boat rounding a mark. He believes that the boat may have touched the mark; however, he did not clearly observe any contact, neither did he see the mark move or rotate.

Question 1

Should the observer hail the contact with the mark?

Answer 1

No. Unless an observer is absolutely certain that there has been contact between a boat and a mark, or between two boats, then he should not announce it.

By hailing contact with a mark, an observer establishes that a boat has broken rule 31, and that a penalty should be taken. Unless the observer is certain beyond reasonable doubt that contact has been made, he should not announce it.

Question 2

The protest committee receives a report that an observer has, on several occasions, hailed contact with a mark when the boat clearly did not touch the mark. In one instance, video evidence filmed from inside the control area shows a boat clearing the mark by over 40 centimetres, yet a clear hail of "Contact mark" can be heard. It is alleged that the erroneous calls are favouring sailors from the same club or country as the observer.

Answer 2

The role of observers is central to the organisation of radio sailing events under the Racing Rules of Sailing. Falsely announcing that another boat has broken a rule, for which the accused boat would be expected to take a penalty, is both a clear breach of sportsmanship and fair play and also misconduct.

If the observer is a competitor or a support person, the protest committee may consider holding a hearing under rule 69. If it is established to the comfortable satisfaction of the protest committee, bearing in mind the seriousness of the alleged misconduct, that the observer has committed misconduct, it shall issue a warning or impose a penalty under rule 69.2(h).

Question 3

Should the protest committee act in the same way if it is reported that an observer has not been calling contact when a boat has clearly done so?

Answer 3

Yes. In addition, the boat that has clearly touched the mark has broken rule 31. She is required to take a penalty, even if the contact was not hailed by an observer. Repeated failure to take a penalty may be considered a breach of rule 2.

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P1

Rule 61.1(a), Protest Requirements: Informing the Protestee

Rule E6.3, Informing the Protestee

E2.1, Hailing Requirements

When rule 61.1(a) applies, as altered by rule E6.3, compliance with the requirement to hail fulfils the requirement to notify the protestee.

The protest hail procedure in radio sailing requires the number of the protesting boat to precede the number of the protested boat, with the word 'protest' or a variant thereof between the numbers.

Question 1

For a protest in a radio sailing class by (say) boat 95 against boat 44, is "95 protest 44" the only protest hail that complies with rule E6.3?

If not, which other hails would comply? For example:

95 protests 44

95 is protesting 44

95 protested 44

44 has been protested by 95

44 is protested by 95

44 is being protested by 95

44, protest by 95

Protest, 44 by 95

Protest by 95, 44

Any of the above with the word "number" preceding the number itself.

Answer 1

It is accepted that any use of "Protest" as a noun or verb will comply with rule 61.1(a), and the same applies to rule E6.3. However, the order stated by rule E6.3 is explicit, and only the first three further examples above comply with that rule.

The inclusion of the word 'number' in a hail does not invalidate the protest.

As required by rule E2.1(b), sail numbers shall be hailed as individual digits ("Nine Five" not "Ninety-five"). Rule E6.3 requires that the hail be repeated.

Question 2

How can the requirement to inform the other boat in rule 61.1(a) be complied with if the protestee remains unaware of a valid protest against him?

Answer 2

When rule 61.1(a) applies, as altered by rule E6.3, compliance with the requirement to hail fulfils the requirement of the first sentence to inform the other boat at the first reasonable opportunity.

Any hail must also conform to rule E2.1. The hail must be made so that the competitors to whom the hail is directed might reasonably be expected to hear it.

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P2

Rule 61.1(a), Protest Requirements: Informing the Protestee **Rule E6.3, Informing the Protestee**

When a sail number is not visible, a competitor wishing to protest may hail a short description of the boat providing that he hails the correct sail number as soon as reasonably possible.

Assumed Facts

Several boats round a mark together at the same time. A boat wishes to protest another boat, but the sail number is obscured to the competitor by other boats.

Question

How may a competitor protest an unidentified boat?

Answer

In radio sailing, a hail of protest is obligatory for a boat intending to protest another boat for an incident in the racing area. Rule E6.3 requires that the protesting boat must inform the other boat at the first reasonable opportunity, and prescribes the form of the hail that must be made when the protest concerns an incident in the racing area.

The competitor controlling a boat will normally be able to identify the other boat in an incident. However, mark roundings in radio sailing can be very crowded and it is not uncommon for competitors initially to be unable to read the sail numbers of one or more specific boats rounding at the same time. In this case, in any hail, other features may be used initially to identify a boat, provided that she is identified by her sail number at the first reasonable opportunity, which would be immediately that sail number becomes visible. Descriptions such as 'the red boat' or 'the boat to windward of Y' would establish the identity of a boat at a time before it is possible to read the sail number. A hail of "Y protests red boat", would identify the protested boat and be deemed a valid protest if followed shortly afterwards by "Y protests red boat number"

Also, whilst competitors may not be able to identify nearby boats, they will know where their own boat is. Therefore, when protesting without being able to read the sail numbers, a competitor may indicate where the incident took place: "Y, at the windward mark, protests the boat outside her"

Even hailing "Y protests unidentified boat" will establish that Y believes that a rule has been broken, although this hail could not be deemed a valid protest unless followed rapidly by a clear identification of the boat. Such a hail would inform any boat in the proximity of Y that Y had reason to believe that a rule had been broken.

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P3

Rule 18.2(b), Giving Mark-Room

Rule 21, Exoneration

Rule 60, Right to Protest

Rule E5.1, Observers

In a radio sailing race with observers, in order to be exonerated under rule 21, a protest must be lodged for any unresolved incident.

Assumed Facts

A and B are overlapped on port tack, with A to windward, when B enters the zone of a leeward mark to be rounded to port. A, on the inside, touches the mark. An observer appointed by the race committee hails A twice. Neither boat protests or takes a penalty. The observer reports the incident to the race committee at the end of the heat, as required under rule E5.1(c). The observer's report makes no mention of B.

When informed by the race committee of the unresolved incident, the competitor controlling A says that his boat was compelled to touch the mark because the leeward boat, B, did not give her mark-room. He states that he did not believe A was required either to take a penalty or to protest the other boat.

Question 1

What should the race committee do?

Answer 1

The competitor has acknowledged that the boat (A) he was controlling broke rule 31 and did not take a penalty. However, A has not taken the opportunity to retire under rule 44.1(b). If the race committee wishes to proceed further, they may lodge a protest under rule 60.2(a) against A. Note that, even if the observer is also a competitor, he is not an interested party (rule E1.1).

However, all competitors are expected to comply with the rules. In this case, A has neither followed nor enforced the rules. If a competitor believes that another boat has broken a rule, then he should protest. Neither the race committee nor the protest committee are necessarily required to protest in his place.

Question 2

If the race committee does protest A, is a protest committee required to consider A's allegation that she was entitled to mark-room and compelled to break rule 31 by B failing to give her mark-room?

Answer 2

The observer's testimony was that A touched the mark, and A has agreed that she did so. These facts establish that A broke rule 31.

The protest committee is under no obligation to examine A's allegation in the absence of a protest by A against B at the time of the incident. The protest committee may decide not to examine the allegation and consider only the breach of rule 31.

However, particularly if there has been damage, the protest committee may decide to examine A's allegation. It should then protest B under rule 60.3(a)(2) and hear both protests together.

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P4

Rule 44, Penalties at the Time of an Incident

Rule E4.3, Taking a Penalty

A boat that gains a significant advantage in the heat or race by breaking a rule of Part 2, or rule 31, despite taking a penalty shall take an additional One-Turn Penalty. If she still maintains a significant advantage she shall continue to take additional penalties until she is exonerated.

Assumed Facts

Following a breach of a rule of Part 2, A has taken a One-Turn penalty. Despite taking this penalty, A still has a significant advantage over the boat she infringed. A takes an additional One-Turn Penalty but, even then, is still ahead of the infringed boat.

Question 1

When a boat has gained a significant advantage in a race or heat after taking a One-Turn Penalty in accordance with rule 44.2, will a single additional One-Turn Penalty under rule E4.3(b) exonerate the boat irrespective of the advantage gained?

Answer 1

No. The first part of rule E4.3(b) states 'if the boat gained a significant advantage by her breach despite taking a penalty'.

This condition must be applied after each One-Turn Penalty taken. If, after taking a One-Turn Penalty, the boat has still gained a significant advantage as a result of her breach, another One-Turn Penalty is required before she is exonerated.

Therefore, it is possible that a boat will need to complete multiple turns in order to exonerate herself from a breach of a rule of Part 2 or rule 31 if she had gained a significant advantage by that breach.

When a boat causes serious damage or, by breaking a rule of Part 2, causes another boat to become disabled (as defined in rule E1.1), rule E4.3(c) applies and she must retire.

Question 2

If A has gained a significant advantage over several boats as a result of her breaking a rule, does the requirement to take an additional One-Turn penalty continue until she no longer has an advantage over every one of the boats infringed?

Answer 2

Yes

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P5

Rule 22, Starting Errors; taking penalties; moving astern; Rule 44, Penalties at the Time of an Incident

A boat intending to take a penalty turn must immediately attempt to get clear of other boats. Rule 22.2 does not begin to apply until a boat is clearly turning to take her penalty.

Assumed Facts

A boat rounding the windward mark acknowledges breaking a rule and announces that she will take a penalty. The boat completes her mark rounding, sails to the offset mark and then bears away towards the leeward gate. After sailing for several boat-lengths, the boat then takes a One-Turn Penalty.

Question 1

Has the boat taken a penalty at the time of the incident that conforms to rule 44.2?

Answer 1

No. Rule 44.2 requires that the boat gets well clear of other boats as soon after the incident as possible and then promptly makes the required number of turns in the same direction, each turn including one tack and one gybe. Sailing to, or even beyond, the offset mark after an incident at the windward mark is not as soon as possible after the incident.

Question 2

The boat that announces that she will take a penalty is sailing closely within a group of other boats. Can the boat continue sailing until there is more space between the grouped boats before getting well clear?

Answer 2

The boat must attempt to get clear as soon as possible after the incident, and continue attempting to get clear. Attempting to get clear may mean slowing down or stopping, luffing well above the course to the next mark, or bearing away. Continuing to sail at the same speed and direction as the other boats is not attempting to get clear.

Whilst the boat is getting clear, and until she starts to take her penalty, she is not subject to rule 22.2. Other boats, for instance those overlapped to windward or those clear astern, may be required to keep clear of a boat attempting to get well clear. However, a boat that interferes with another boat while sailing to get clear, when she has an alternative, does not sail to get clear as soon as possible. See IRSA Case P6.

Question 3

When does a boat begin to take a penalty?

Answer 3

A boat begins to take a penalty, and rule 22.2 begins to apply, when the boat is clearly turning in order to take the penalty. It ceases to apply when the boat completes the last required tack or gybe, or when she stops taking her penalty before it is complete.

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P6

Rule 11, On the Same Tack, Overlapped

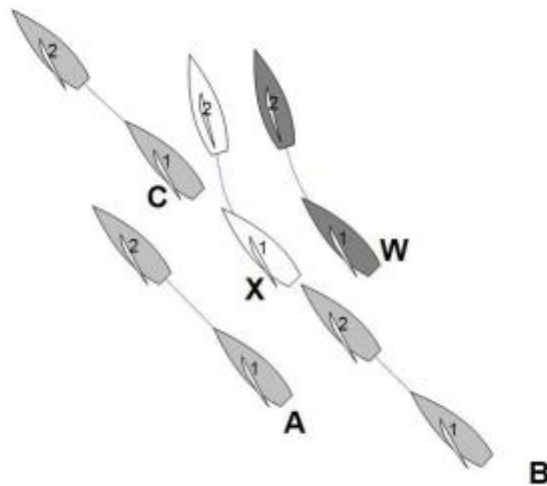
Rule 22.2, Taking Penalties

Rule 44.2, One-Turn and Two-Turn Penalties

Whilst a boat is attempting to get clear to take a penalty, if she has right-of-way over another boat, then the other boat shall keep clear.

Assumed Facts

A group of boats are close-hauled on starboard tack. X has clearly indicated that she intends to take a penalty. X luffs, obliging W, overlapped to windward of X, to change course to avoid contact.



Question 1

Has X broken a rule?

Answer 1

No. W was overlapped to windward of X. Until X was clearly turning to take her penalty, rule 22.2 did not begin to apply and W was required to keep clear of X (rule 11).

X was required by rule 44.2 to get well clear of all other boats as soon as possible. By luffing, X was getting clear of three other boats.

Question 2

What must X do next?

Answer 2

X must get clear of W as soon as possible. She can do this by slowing, stopping or bearing away. Continuing to sail on the same course at the same speed, thereby interfering with W, would not be attempting to get well clear.

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P7

Rule 60, Right to Protest

Rule E1.2, Terminology

Rule E6.2, Protest for a Rule Broken by a Competitor

Some rules may only be broken by a competitor not by the boat. Rule E6.2 allows the race committee or protest committee to protest the boat when it learns that the competitor controlling that boat may have broken a rule.

Question

Under rule E6.2, when the race committee or protest committee learns that a competitor may have broken a rule, it may protest the boat controlled by that competitor. What rules may a competitor break that are not also rule breaches by the boat.

Answer

In rule E1.2, a 'boat' in radio sailing means a sailboat controlled by radio signals and having no crew. This changes the standard terminology used in which a boat means a sailboat and the crew onboard. A 'competitor' means the person that controls a boat using radio signals.

Most rules refer to the boat. For instance, Part 2 of the Racing Rules of Sailing is entitled 'When Boats Meet'. Any breach of a rule of Part 2 will result in a protest against the boat.

However, there are some rules that apply specifically to the competitor. For instance, rules E2.2 Giving Advice, E2.5 Radio Interference, E3.1 Control Area and rule 40 Personal Flotation Devices (where this rule is applied at a radio sailing event) all apply to the competitor and not the boat, as do some other rules. Furthermore, parts of the notice of race and sailing instructions may also apply to a competitor not a boat.

When the race committee or protest committee learn that a competitor has broken such a rule, rule E6.2 allows either committee to protest the boat and the usual procedures for protests can then run their course.

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R1

Rule 42, Propulsion

Rule 42 applies in radio sailing.

Question 1

Does rule 42 apply in radio sailing?

Answer 1

Yes.

However, only some parts of the rule are relevant. Competitor's body movements, other than hand movements on the transmitter controls and launching, will not propel a boat when the crew is not on board.

Pumping (rule 42.2(a)) and sculling (rule 42.2(d)) are prohibited actions. Except when one of the exceptions listed in rule 42.3 applies, both repeated pumping and sculling are prohibited even if these actions fail to propel the boat.

Pumping is repeated fanning of any sail by pulling in and releasing the sail not in response to wind shifts, gusts or waves. Sails may be trimmed in response to wind shifts, gusts or waves. In addition, except on a beat to windward, and when surfing or planing is possible, it is permitted to pull in a sail in order to initiate planing or surfing, but only once for each wave or gust of wind (rule 42.3(c)).

Sculling is repeated movement of the helm that is either forceful or that propels the boat forward or prevents her from moving astern. Provided a boat's course is above close-hauled and she is either stationary or moving slowly, she may scull to turn to a close-hauled course, even if the boat gains speed. She may turn to a close-hauled course on either tack (rule 42.3(d)).

After a boat has sculled in one direction, further connected sculling to offset the first sculling action is prohibited. Sculling to offset steering of the boat caused by backing a sail is prohibited.

However, a boat may reduce speed by repeatedly moving her helm (rule 42.3(e)).

Question 2

What evidence can support an allegation that a boat is sculling?

Answer 2

On most boats controlled by radio signals, the steering mechanism is under the deck, hidden from view. It will be impossible to observe tiller movements.

In clear water, it may be possible to observe rudder movements. Agitated movement of the water

astern of the boat, or agitated movement of the bow of the boat in the water, will also indicate repeated movement of the helm.

Equally, repeated movement of the tiller control by a competitor may be taken as evidence of sculling.

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R2

Rule 62.1 as modified by E6.6, Redress; Rule E1.1, Definitions, *Disabled*

A boat that becomes disabled because of the action of a boat that was breaking a rule of Part 2, or of a vessel not racing that was required to keep clear, may be granted redress only the conditions set out in rule 62.1 are met.

Assumed Facts

On a beat to windward, P on port tack does not keep clear of S on starboard tack. There is contact and the rigs of the two boats become entangled. There is no other damage. The boats remain entangled for 30 seconds before they break free. S continues to race and finishes last.

Question 1

Is S entitled to redress?

Answer 1

S may be entitled to redress.

A boat that becomes entangled is *disabled* as she is unable to continue in the heat. In this case, S was only temporarily *disabled*, after which she was once more able to continue in the heat.

Rule E6.6 modifies rule 62.1 to allow for redress when a boat becomes *disabled*. Redress may be granted only if the conditions set out in rule 62.1 are met.

These conditions are:

- a boat's race or series score has been made significantly worse;
- through no fault of her own;
- by one or more of the reasons set out in rule 62.1 as modified by rule E6.6.

In this case, the protest committee, having decided that S became disabled as a result of P breaking rule 10 (a rule of Part 2), would have to decide whether:

- the race or series score of S was made significantly worse as a result of being disabled;
- it was reasonably possible for S to avoid contact when it became clear that P was not keeping clear;
- S actions after becoming tangled prolonged the time that the two boats were disabled.

If S's race or series score was made significantly worse, and neither was it reasonably possible for S to avoid contact nor did S's actions prolong the period during which the boats were disabled, then the protest committee should consider redress.

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R3

Rule 2, Fair Sailing

Rule E2.2, Giving Advice

When boats are sailing in close proximity, informing the other boat of one's intentions or reminding them of their obligations is not giving tactical or strategic advice.

Assumed Facts

Two boats, A and X, are in the leading group of boats during a heat, both in a position to qualify for promotion to the next heat. As the boats approach on opposite tacks, the competitor controlling A talks to the competitor controlling X, reminding him that both boats have an opportunity to be promoted. Both A and X tack and keep well clear of each other until they finish.

Question

Is competitor A giving tactical or strategic advice to competitor X?

Answer

No. A competitor sailing in a heat that informs another boat of her position in the heat, including informing her that both boats are in a position to be promoted to the next heat or, for instance, of any obligation to keep clear or give room, is not tactical or strategic advice. In the same way, a starboard tack boat that indicates to an approaching port tack boat that she may cross is not giving such advice. When boats are sailing in close proximity, it is seamanlike to inform the other boat of one's intentions or to remind them of their obligations.

However, any guidance or recommendations offered with regard to tactics or strategy given by a competitor would break rule E2.2. Advising a boat to tack and cover another boat, or to stand on and take advantage of a favourable wind shift, would be considered to be tactical or strategic advice. Any competitor, whether sailing in the heat or not, that gives such advice would break rule E2.2.

Tactical or strategic advice that procures an advantage, or is intended to procure an advantage, for the competitor giving that advice breaches recognised principles of sportsmanship and fair play.

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R4

Rule E2.3, Boat Out of Radio Control

Until a competitor hails “out of control”, she is not entitled to exoneration for any breach of a rule of Part 2. Having hailed in compliance with rule E2.3, the boat must retire, even if control is regained.

Assumed Facts

A competitor loses radio control of his boat. He hails the boat's sail number followed by “Out of control” and then repeats the same hail. Several seconds later, radio control is re-established.

Question 1

Can the boat now continue to race?

Answer 1

No. Rule E2.3 states that a boat that has declared herself to be out of control must retire.

Being out-of-control does not entitle a boat to exoneration for breaking a rule of Part 2. An out-of-control boat cannot intentionally take a One-Turn penalty. By retiring, an out-of-control boat takes the appropriate penalty for any breach of a rule of Part 2 rule that she may commit until the boat can be recovered.

Question 2

Is a competitor required to hail “Out of control” immediately he loses radio-control of his boat?

Answer 2

The competitor may delay hailing “Out of control” while, for instance, he attempts to regain control. However, until he does hail, the boat does not benefit from the protection offered by declaring herself out of control. If, before hailing, the boat breaks a rule of Part 2, she would be unable to take a One-Turn penalty and should retire. If before making a delayed hail of “Out of control”, the boat causes serious damage to another competing boat, the protest committee should consider whether this breaches recognised principles of sportsmanship and fair play.

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R5

Rule E 3.1, Control Area

Rule E3.9, Disabled Competitors

Rule E5.1(a) and (b), Observers

Rule E5.3, Rules for Observers and Umpires

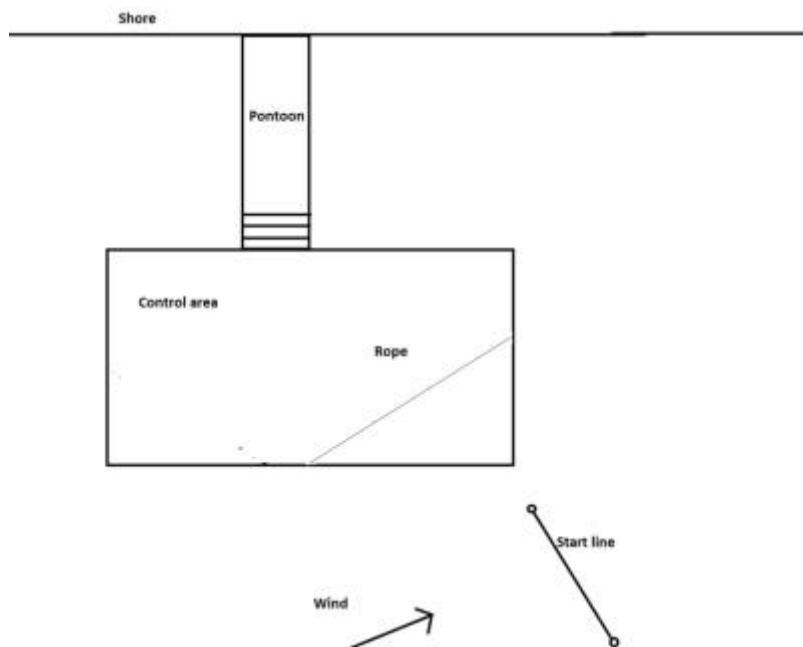
The organisation or fittings of the control area should not confer a visual advantage to any competitor or race official. The race committee may take measures to ensure that all competitors and race officials have an equal view of the race area.

Assumed Facts

The sailing instructions define the control area as ‘a raised rectangular platform’. The platform is surrounded by a guardrail that is approximately 1 metre high.

When the start line is on an extension of the diagonal of the control area, only one competitor at the apex angle between two sides of the rectangle has an unrestricted view of the start line. Other competitors lean over the guardrail, obstructing the view of other competitors lined up behind them.

The race committee rig a rope from one guardrail to the other, perpendicular to the start line. Competitors are instructed to stand behind the rope, with an unrestricted and equal view of the sailing area. The race committee sits in front of the rope, also with an unrestricted view of the sailing area.



Question 1

A disabled sailor is permitted by the race committee to sit in front of the rope, with his head slightly higher than the guardrail. Does this break rule E3.1?

Answer 1

No, the control area is defined as the whole of the rectangular platform. The restriction on competitor's movements within the control area is intended to reduce the visual advantage of one competitor over others. The disabled sailor is within the defined control area and, because he is sitting whilst other competitors are standing, has no visual advantage.

This arrangement meets the race committee's requirements under rule E3.9 to make as fair an arrangement as possible to enable a disabled competitor to compete on equal terms.

Question 2

A member of the race committee is designated as an observer under rule E5.1(a). He is sitting with the other members of the race committee in front of the rope. In addition to his other duties, he also hails the sail numbers of boats that make contact with a mark or another boat. Does this comply with rule E5.3?

Answer 2

Yes. The observer is within the designated control area. As he is seated, he does not have a visual advantage over the competitors.

Question 3

Would the answers to Questions 1 or 2 be different if the race committee organised the control area in a way that gave one or several competitors, or the race committee or the umpires, a visual advantage over other competitors?

Answer 3

Yes.

Rule E5.3 is specific as regards umpires and observers. Any device, including raised platforms or such-like, reserved for observers or umpires and giving them a visual advantage would not comply with rule E5.3.

However, raised platforms freely available to both competitors, observers and umpires that enable a clear view of the racing area unobstructed by those standing in front of them do not give a visual advantage.

As regards competitors:

- a competitor who believes that the race committee's organisation of the control area gives such a visual advantage to another or other competitor(s), or to the race committee, that their boat's score has been made significantly worse, may request redress under rule 62.1(a);
- a competitor who knowingly introduces into the control area and uses an aid or device that gives him a visual advantage over other competitors may break rule 2.

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