

## Racing Rules of Sailing

### Rule 61.1(a)

A submission from the Royal Yachting Association

#### Purpose or Objective

To clarify sub-paragraph (4) that injury or serious damage must be obvious at the time of the incident.

#### Proposal

##### **61.1 Informing the Protestee**

- (a) A boat intending to protest shall inform the other boat at the first reasonable opportunity. When her *protest* will concern an incident in the racing area that she was involved in or saw, she shall hail 'Protest' and conspicuously display a red flag at the first reasonable opportunity for each. She shall display the flag until she is no longer *racing*. However,
- (1) if the other boat is beyond hailing distance, the protesting boat need not hail but she shall inform the other boat at the first reasonable opportunity;
  - (2) if the hull length of the protesting boat is less than 6 metres, she need not display a red flag;
  - (3) if the incident was an error by the other boat in sailing the course, she need not hail or display a red flag but she shall inform the other boat either before or at the first reasonable opportunity after the other boat *finishes*;
  - (4) ~~if as a result of the incident a member of either crew is in danger, or there is injury or serious damage that~~ **if at the time of the incident it is obvious to the boat intending to protest that a member of either crew is in danger, or that injury or serious damage resulted,** the requirements of this rule do not apply to her, but she shall attempt to inform the other boat within the time limit of rule 61.3.

#### Current Position

As above.

#### Reason

The current rule is silent about the time when the injury or serious damage must be obvious to the boat intending to protest. In two recent appeal cases, both collisions between rigs on keelboats, at the time of the incident it was not clear to the relevant boats that serious damage had occurred. If, at the time of the incident, the boat intending to protest is unaware of any injury or serious damage, she must be expected to comply with the first paragraph of rule 61.1(a).

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