

Racing Rules of Sailing

Rules 61.1(a), 61.1(b) and 61.3

A submission from the Chairman of the Racing Rules Committee

Purpose or Objective

To clarify rule 61.1(a) for a protest that alleges a breach of rule 28, and to make housekeeping changes.

Proposal

61 PROTEST REQUIREMENTS

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** ~~concerns~~ an incident in the racing area that she **was** ~~is~~ involved in or **saw** ~~sees~~, 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 before that boat finishes or at the first reasonable opportunity after she finishes;**
 - ~~(4)~~ if the incident results in damage or injury that is obvious to the boats involved and one of them intends to protest, 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.
- (b) A race committee or protest committee intending to protest a boat shall inform her as soon as reasonably possible. However, if the *protest* **will concern** ~~arises from~~ an incident the committee **observed** ~~observes~~ in the racing area, it shall inform the boat after the race within the time limit of rule 61.3.
- (c) [No change.]

61.3 Protest Time Limit

A *protest* by a boat, or by the race committee or protest committee about an incident the committee **observed** ~~observes~~ in the racing area, shall be delivered to the race office within the time limit stated in the sailing instructions. If none is stated, the time limit is

two hours after the last boat in the race *finishes*. Other race committee or protest committee *protests* shall be delivered to the race office no later than two hours after the committee receives the relevant information. The protest committee shall extend the time if there is good reason to do so.

Current Position

As above.

Reasons

When a boat makes an error under rule 28 in sailing the course, she may correct that error at any time before she finishes, and she does not break that rule until she finishes (see Case 112). The proposed new rule 61.1(a)(3) clarifies when a boat intending to protest another boat that has made such an error must inform the other boat.

The proposed changes in rules 61.1(a), 61.1(b) and 61.3 are housekeeping changes to align those rules with the time sequence of events when a boat or committee intends to protest. In such cases, the boat has been involved in or observed an incident or the committee has observed an incident in the racing area. Later, the boat or committee will deliver a written protest upon returning to shore. Therefore, use of the past tense is appropriate in the five instances where a change from present tense to past tense is proposed. Also, the future tense is appropriate in the second line of rule 61.1(a) and in the second line of rule 61.1(b) because the defined term '*protest*' refers to the written protest which does not exist at the time a boat is required to hail 'Protest' and display a red flag and which may not exist at the time a committee informs a boat after a race.

This submission was prepared by the Rule 28 Working Party.
