

## **Racing Rules of Sailing**

### **New Case**

A submission from the Chairman of the Racing Rules Committee

#### **Purpose**

To clarify how the rules apply to situations that frequently occur on a beat to windward between a port-tack boat and a starboard-tack boat.

#### **Proposal**

## **CASE XXX**

#### **Definitions, Keep Clear**

#### **Rule 2, Fair Sailing**

#### **Rule 10, On Opposite Tacks**

*Interpretations of the rules that apply when a close-hauled starboard-tack boat bears away as a close-hauled port-tack boat crosses ahead, including situations in which hails are exchanged between the boats.*

#### **Assumed Facts for Question 1**

Boat P is close-hauled on port tack on a collision course with S close-hauled on starboard. P holds her course, S bears away and passes astern of P. S does not protest, P does not take a penalty. A third boat, Y, sees S bear away. Y then hails 'Protest' and delivers a written protest alleging that P broke rule 10. S is sailed by a competent but not expert crew.

#### **Question 1**

How do the rules apply to this situation?

#### **Answer 1**

P is required by rule 10 to keep clear of S. According to the definition *Keep Clear*, P complies with rule 10 if S can sail her course with no need to take avoiding action. As P sails towards S on port tack, she will eventually reach a point at which S, when sailed by a competent but not expert crew, must begin to take seamanlike action to avoid contact. At that moment, P breaks rule 10. Conversely, until that moment P is keeping clear and breaks no rule by holding her course.

S is entitled to change course in either direction provided that, in doing so, she complies with rule 16 and gives P room to keep clear.

P is also entitled to change course in either direction provided that, in doing so, she continues to keep clear of S.

In the circumstances stated, if S changes course to sail astern of P before P reaches the point at which she is not keeping clear of S, P does not break rule 10. However, if S changes course at or after that point, P breaks rule 10.

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### **Assumed Facts for Question 2**

The same as the facts for Question 1, except that S is sailed by an inexperienced crew.

### **Question 2**

Does the fact that S's crew is inexperienced change the way the rules apply to the situation?

### **Answer 2**

No. P is not required to know the skills of the crew of S and is entitled to assume that the crew of S is competent but not expert. P is not required to keep further away from S because S's crew is inexperienced.

### **Assumed Facts for Question 3**

The same as the facts for Question 1, except that as P approaches S, P hails 'Cross or tack?' and S clearly hails in response, 'Cross'. During the hearing S is called as a witness and testifies that she hailed 'Cross' and bore away because, for tactical reasons, she did not want P to tack close to leeward of her.

### **Question 3**

How do the rules apply to this situation?

### **Answer 3**

The crew of a starboard-tack boat in S's position will often prefer to bear away behind P in order to avoid having P tack close to leeward. By hailing 'Cross' in response to P's hail, S communicates to P that she has chosen to sail a course that will permit P to cross her bow safely. When S bears away after hailing 'Cross', S does so because she has chosen to do so and not because she needs to do so. Therefore, when S changes course to sail astern of P, P does not break rule 10.

### **Assumed Facts for Question 4**

The same as the facts for Question 1, except that as P approaches S, P hails 'Cross or tack?' and S clearly hails in response, 'Cross'. However, it is S, and not Y, that hails 'Protest' and delivers a written protest alleging that P broke rule 10.

### **Question 4**

How do the rules apply to this situation?

### **Answer 4**

S's hail of 'Cross' communicates to P that S has chosen, for reasons of her own, to sail a course that will permit P to cross S's bow safely. When S then hails 'Protest' after bearing away, S commits an act that is not in compliance with recognized principles of sportsmanship and fair play, so S breaks rule 2. The protest committee could also consider action under rule 69.

Neither the hail 'Tack or cross?' by P nor the hail 'Cross' by S change P's obligation under rule 10 to keep clear of S. If the protest committee finds that S held her course until P reached the point at which S needed to act to avoid P, then P broke rule 10. If the committee finds that S bore away before P reached that point, the P did not break rule 10.

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**Assumed Facts for Question 5**

The same as the facts for Question 1, except that as P approaches S, P hails 'Cross or tack?' and S does not hail 'Cross' in response, nor does S make any hail or gesture to suggest to P that she has chosen to sail a course that will permit P to cross her bow safely.

**Question 5**

How do the rules apply to this situation?

**Answer 5**

P's hail places no obligation on S. The answer is the same as Answer 1.

Current Position

None. The proposed case is new.

Reason

The hail of 'Tack or cross?' by a port-tack boat to a starboard-tack boat is often made on a beat to windward, and there are a variety of ways in which the starboard-tack boat may respond. The case illustrates how the rules apply in several different port-starboard crossing situations.

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