

## ISAF Racing Rules Question and Answer Service



### **Q&A 2010-010**

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#### Situation:

The Sailing Instructions included:

##### *Recalls*

*The Race Committee may display at the first mark, or on the Race Committee signal boat in case of a General Recall, the sail number or bow number of those boats identified as OCS and/or ZFP. The failure to post or an incomplete or wrong posting will not be grounds for redress.*

As this sailing instruction does not place an obligation on the boats, sailors cannot be in breach of it.

Boat A believed that she started correctly but close to the line. Her number was posted by the race committee at the windward mark as being OCS. When seeing the posting boat A stopped racing and sailed off the course. Ashore after racing, boat A requested redress.

The protest committee decided that the conditions to consider redress were met and that the race committee made an error in the OCS sighting and recording procedure, and that through no fault of her own boat A was incorrectly called OCS.

#### Question 1:

Given the last sentence of this sailing instruction, 'The failure to post or an incomplete or wrong posting will not be grounds for redress', is it correct for the protest committee not to grant redress?

#### Answer 1:

The protest committee may consider redress for an incorrect OCS call. However, the sailing instruction explicitly stated that a wrong posting would not be grounds for redress. Furthermore, the sailing instruction did not require a boat whose number was displayed at the first mark to retire from the race.

When boat A retired from the race she did not get a finishing position and this was a direct result of her own action. Boat A was at fault in deciding to retire and does not therefore meet the test of 'through no fault of her own'. In addition, since the score for OCS and DNF were the same, her score was not made significantly worse by any improper action of the race committee.

Should the protest committee decide that the conditions for redress were met, the only redress available would be to score boat A DNF.

Question 2:

If the sentence 'The failure to post or an incomplete or wrong posting will not be grounds for redress' was not included in the sailing instructions, may the protest committee grant redress to boat A by deciding she should be recorded as starting properly?

Answer 2:

Yes, but her score would still be DNF since she retired from the race. See Answer 1.

Question 3:

If the answer to question 2 is yes, may the protest committee decide that sailing off the course at Mark 1 in compliance with an SI also results from a race committee error? May the protest committee grant average points from other races to make as fair an arrangement as possible? Or should sailing off the course be considered as not meeting the test of 'no fault of her own', so the protest committee may grant reinstatement for starting, but the result is boat A should be recorded as starting and scored DNF for not completing the course?

Answer 3:

Not relevant since sailing off the course is not an action in compliance with the sailing instruction, as the instruction does not place any obligations on any boats. See also the reasons given in Answer 1. If however a protest committee had unnecessarily considered whether boat A was OCS, and had decided that she was not OCS, then the appropriate redress would be to change OCS to DNF.

Comment:

*The procedure described in the sailing instructions in this case is unusual and confusing for the boats. The practice of displaying a boat's number at the windward mark is normally restricted to a boat that failed to start or has broken rule 30.3, where a clause requiring such boats to retire immediately is included in the sailing instructions. Instruction 14.6 of Appendix LE (Expanded Sailing Instruction Guide available at the ISAF website) provides appropriate wording for this procedure.*