

ISAF Racing Rules Question and Answer Service



Q&A 2010-011

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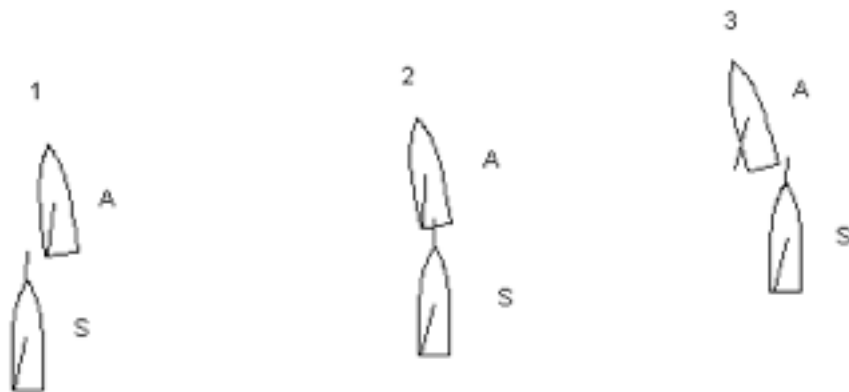
Situation:

Two boats are on converging courses. Boat S has a fixed bowsprit.

In position 1 S is overlapped to leeward of A and has been for some time.

In position 2 the bowsprit overhangs the stern of A.

In position 3 S is to windward of A.



Question 1:

When does the transition of S from being the leeward boat to being the windward occur? Is it when

- 1 S ceases to be completely on the leeward side of A,
- 2 the bowsprit passes the centre line of A, or
- 3 S is completely to windward of A?

Answer 1:

While not a racing rule, the 'last point of certainty' principle may assist protest committees in finding the facts in order to apply the rules. In this case, S would cease to be leeward boat when there is certainty that the relative positions have changed. Given the limited facts in this case, it is position 3 when it is certain S is to windward of A.

Question 2:

At what point would S be held to be in breach of a rule if there was contact between the boats during the overlap?

Answer 2:

S would be breaking rule 14 if there was contact between the boats. However, while S was right-of-way boat, she could only be penalized for breaking rule 14 if there was damage or injury. Once S becomes keep-clear boat she is required to keep clear of A.

The Racing Rules of Sailing have been written on the basis of avoiding contact and keeping boats clear of each other. Provided S did not break rule 15, 16 or 17 while she was right-of-way boat, it is A that is breaking rule 11, be there contact or not. When someone is looking down from above, at the moment just before he would see the bowsprit over any part of the deck of the windward boat or boat ahead, a rule may have been broken because the right-of-way boat at that moment often 'needs to take avoiding action' (see definition Keep Clear). While this concept of 'looking down from above' is not a rule, it may assist protest committees in finding the facts in order to apply the rules.

Question 3:

Would the answers change if originally S had been to windward and ended up to leeward?

Answer 3:

The principles for deciding the situation would be the same, but the rules application would differ.

Question 4:

If there is a point where neither boat is the leeward boat, and neither boat is clear astern, which boat is obliged to keep clear?

Answer 4:

While not a racing rule, the 'last point of certainty' principle may assist protest committees in finding the facts in order to apply the rules. In this case, until there is certainty that right of way has changed, it must be assumed that it has not.

Question 5:

If the overlap has been established from clear astern, and assuming that A had been given room to keep clear, what relative positions of the boats would have to exist in order for S to be the leeward boat?

Answer 5:

S is the leeward boat when she becomes overlapped to leeward – see definition Overlap. While not a racing rule, the 'last point of certainty' principle may assist protest committees in finding the facts in order to apply the rules. In this case, S remains leeward boat until there is certainty that she is no longer overlapped or to leeward.

Note:

When a protest committee finds that a keep-clear boat did not alter course to avoid a collision, and that there was not a genuine and reasonable apprehension of collision on the part of the right-of-way boat, it should dismiss her protest. When the committee finds that the right-of-way boat did change course, and that there was reasonable doubt that the keep-clear boat could have kept clear, the keep-clear boat should be disqualified. (ISAF Case 50 refers).

If reasonably possible, contact shall be avoided by both boats as required by rule 14.