

## Racing Rules of Sailing

### Preamble to Part 2

A submission from the Canadian Yachting Association

#### Proposal:

##### Preamble to Part 2

*The rules of Part 2 apply between boats that are sailing in or near the racing area and intend to **race**, are **racing**, or have been **racing**. However, a boat not **racing** shall not be penalized for breaking one of these rules, except rule 22.1. When a boat sailing under these rules meets a vessel that is not, she shall comply with the International Regulations for Preventing Collisions at Sea (IRPCAS) or government right-of-way rules. ~~However, an alleged breach of those rules shall not be grounds for a protest except by the race committee or protest committee. If the sailing instructions so state, the rules of Part 2 are replaced by the right-of-way rules of the IRPCAS or by government right-of-way rules.~~*

#### Current Position:

See above.

#### Reason:

The wording of the preamble was changed to include the above sentence in the 2005-2008 edition of the Racing Rules.

Under the wording of the preamble to Part 2 and the Definition of “Rules (g)”, the IRPCAS or government right-of-way rules are named rules that govern the conduct between boats that are sailing under the racing rules and those that are not.

If there was an interaction between a boat that was sailing under the racing rules and one that was sailing under IRPCAS or government right-of-way rules and the boat sailing under IRPCAS, or government right-of-way rules were to make a report to either the race or protest committee, the IRPCAS boat would only do so because it wished to have disciplinary action or other penalty imposed on the boat sailing under the RRS. Clearly the IRPCAS boat would come under the definition of an “Interested party” – why else would the boat make a written complaint, if he was not interested in the outcome?

Thus rules 60.2(a) and 60.3(a) would therefore prohibit either the race or protest committees from protesting the racing boat based on such report.

It is believed that it would be best to delete the sentence, as suggested, and handle protests between such boats as previously provided in the rules.

It is also unfortunate that in the present preamble, the situation of a boat sailing under the racing rules that meets a vessel that is not, precedes the last sentence of the preamble when the rules of Part 2 are replaced by the right-of-way rules of the IRPCAS or government right-of-way rules.

In the latter circumstances, boats sailing under the right-of-way rules of IRPCAS or of government right-of-way rules, may surely protest each other in the normal way prescribed in the rules, as illustrated in ISAF Case 38. The positioning of the sentence:

*“However, an alleged breach of those rules shall not be grounds for a **protest** except by the race committee or protest committee”*

has led some to point out that is not what the preamble now says.