

Racing Rules of Sailing

New Case

A submission from US Sailing

Purpose or Objective

To provide an interpretation of when a boat must hail and display a flag as required by rule 61.1(a), Informing the Protestee when the incident is not a brief one.

Proposal

Case XXX

Rule 61.1(a), Protest Requirements: Informing the Protestee

An interpretation of the term “incident” in rule 61.1(a), and when a boat must hail “Protest” and fly a flag (if required) when the incident is not brief.

Facts

The class rules limit the number of sails boats may carry onboard while racing. Boat X races with more sails onboard than the class rules permit.

Question 1

Is there an “incident” associated with this breach? If yes, what was the “incident?”

Answer 1

Yes. An “incident” is an occurrence; something that happened. It may be brief or it may occur over an extended period of time. In this case the “incident” was X racing with more sails onboard than the class rules permitted.

Question 2

If Boat Y intends to protest X, what does Y need to do, and when, in order to comply with rule 61.1(a)?

Answer 2

Some incidents are brief, such as many incidents involving a breach of a rule of Part 2 or rule 31. In those cases, if a boat that was involved in or saw the incident intends to protest, the second sentence in rule 61.1(a) requires her to hail “Protest” and display a flag (if required) at the “first reasonable opportunity,” which means the first reasonable opportunity after the incident.

However, some incidents go on for longer periods of time. The incident in this case began at the preparatory signal and continued until X was no longer racing. If after the preparatory signal Y saw more sails on board X than the class rules permitted, then Y’s protest will concern an incident in the racing area, and the second sentence of rule 61.1(a) requires Y to hail “Protest” and display a flag (if required) at the first reasonable opportunity, which means the first reasonable opportunity after Y first sees that X is carrying more sails on board than the class rules permitted.

If Y first becomes aware that X had been racing with more sails onboard than the class rules permitted after Y had left the racing area, then the first sentence in rule 61.1(a) requires Y to inform X of her intention to protest at the first reasonable opportunity, which means the first reasonable opportunity after Y is first aware of the incident after she leaves the racing area.

USA 2020/125

Current Position

None. The case is new.

Reason

1. In order to determine if a protest is valid, protest committees must determine if the boat hailed and displayed a flag (if required) as required by rule 61.1(a), Informing the Protestee.
 2. No current Case interprets this rule when the incident goes on for an extended period of time.
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