

New Case

Purpose or Objective

Proposal

Rule 10, On Opposite Tacks

Rule 16, Changing Course

Rule 43.1(b), Exoneration

S, PA and PB (three J/105s) were racing upwind, with S on starboard tack and PA and PB on port tack (position 1). At position 2, S bore away to avoid contact with PA. PA took a penalty.

When S headed back up after avoiding PA, she was on a collision course with PB (position 3). Due to the proximity of the boats, PB was unable to keep clear of S either by tacking or by maintaining her course. S promptly bore away to avoid contact and hailed "Protest!"

The protest committee disqualified PB for breaking rule 10. PB appealed.

At position 2, S could continue to sail the course she was sailing with no need to take action to avoid PB; therefore PB was keeping clear (see the definition Keep Clear). At position 3, when the boats

became on a collision course, PB was unable to keep clear of S either by tacking or maintaining her course. S needed to change course to avoid contact with PB (positions 3–4).

When S luffed back up to a close-hauled course after passing astern of PA, her change of course required her to give PB room to keep clear under rule 16.1. By promptly bearing away and avoiding PB, S complied with her obligation to give PB room.

Because S needed to change course to avoid PB, PB broke rule 10. However, she is exonerated for that breach by rule 43.1(b) because she was sailing within the room to which she was entitled under rule 16.1. PB's appeal is upheld and she is to be reinstated. See also Case 146.

USA 2019/120

Current Position

None. The case is new.

Reason

1. In this common situation on the windward leg, it is common for sailors and race officials to not consider rule 43.1(b), Exoneration. The result is often one boat or the other is penalized when in fact neither boat should be.
2. This Case illustrates the correct rules interpretations and applications.