Racing Rules of Sailing

New Case

A submission from the Chairman of Race Officials Committee

Purpose or Objective

To provide a case that clarifies when RRS 64.1(a) can be applied.

Proposal

CASE XXX

Rule 10, On Opposite Tacks
Rule 11, On the Same Tack, Overlapped
Rule 14, Avoiding Contact
Rule 18.2, Giving Mark-Room
Rule 18.4, Gybing
Rule 64.1(a), Decisions: Penalties and Exoneration

When a keep-clear boat complies with her obligations, she does not have to anticipate that a right-of-way boat will fail to comply with a rule, and if the right-of-way boat compels her to break a rule she shall be exonerated.

Assumed facts:

Blue on port tack and Yellow on starboard tack are approaching a leeward mark to be left to port. The boats are small keelboats, and the conditions are flat water, 12 knots of wind and no current. The next leg of the course is a beat to windward.
The boats are overlapped and on a collision course. In position 4, Blue hails for Yellow to gybe at the mark, but Yellow continues holding her course and sails much farther from the mark than needed to sail her proper course. When it becomes clear to Blue that Yellow is not going to gybe, Blue rolls into a crash gybe. During this gybe, Blue’s boom touches the forestay of Yellow. Yellow then bears away and gybes to round the mark. After the rounding, Yellow is approximately four hull lengths ahead of Blue. Both boats protest.

**Question:**
How do the rules apply to this incident?

**Answer:**
Before position 1, rule 10 applies and requires Blue to keep clear of Yellow, which she does. In addition, when Yellow enters the zone in position 1, rule 18 starts to apply. As the boats are overlapped at that moment, rule 18.2(b) applies and requires Blue to give mark-room to Yellow. Yellow is an inside right-of-way boat, the mark is to be left to port, and the next leg is a beat to windward so Yellow’s proper course is to gybe at the mark. Therefore, rule 18.4 applies and requires Yellow not to sail farther from the mark until she gybes than needed to sail her proper course. Blue’s obligation under rule 18.2(b) is to give mark-room to Yellow, which she does, as she is sailing a course that allows Yellow to gybe when her proper course is to gybe at the mark. When Yellow does not gybe when her proper course is to gybe to round the mark, she breaks rule 18.4. Yellow also fails to avoid contact and breaks rule 14.

When Blue gybes right before position 5, her boom touches the forestay of Yellow, so she fails to keep clear as required by rule 11 and to avoid contact as required by rule 14. However, it only becomes clear to Blue in position 4 that Yellow is not gybing even though she is required by rule 18.4 to do so. A boat is not required to anticipate that another boat will break a rule, so Blue can reasonably expect that Yellow will comply with the rules and gybe when required by rule 18.4. From the moment it becomes clear to Blue that Yellow will not gybe at the mark, Blue does all she can to keep clear and avoid contact. However, at that point in time, the boats are so close that Blue has no other option than to gybe, and cannot avoid contact even though she gybes as quickly she can. Therefore, Blue is compelled to break rule 11 and 14 by the actions of Yellow, and Blue should be exonerated under rule 64.1(a) for her breach of these rules.

**Current Position**
The case is new.

**Reasons**
1. This case focuses on the meaning of the term ‘compel’ that is used in rule 64.1(a). The interpretation of this term has split judges in decisions on specific incidents similar to the one above. The case clarifies how the term should be interpreted in such circumstances.

2. The case covers an incident that is not covered by any other case.

3. The case clarifies that a boat cannot tactically force another boat, which is keeping clear and giving mark-room as required, to break a rule.