Racing Rules of Sailing

New Case New Case Definition, Mark-Room, Room, Rules 18.3, 21, 64.1(a)

A submission from the Chairman of the Racing Rules Committee

Purpose or Objective

To propose a new case based on an ISAF Q&A.

Proposal

Insert a new Case as follows:

CASE XXX

Definitions, Mark-Room
Definitions, Room
Rule 18.3, Mark Room: Tacking in the Zone
Rule 21, Exoneration
Rule 64.1(a), Decisions: Penalties and Exoneration

Analysis of the application of rule 18.3 to a situation at a windward mark to be left to port in which two port-tack boats tack in quick succession to leeward of a starboard-tack boat that is fetching the mark. Both of the boats that tacked broke rule 18.3.
Assumed Facts

PL does not hail for room to tack. Shortly after position 2, PW decides she can tack and fetch the mark. Just after PW luffs to tack, PL begins to tack. PW passes head to wind shortly before PL does. As the boats tack, S continues to sail a close-hauled course and there is space for one boat (but not two) to pass between S and the mark. Between positions 4 and 5, PW luffs to round the mark. In response to PW’s luff, both PL and S luff above close-hauled. There is no contact. No boat takes a Two-Turns Penalty. Both S and PL protest PW.

Question

How does rule 18.3 apply to this incident and what should the decision be?

Answer

The two protests were the result of a single incident involving the three boats. Therefore, the two protests should be heard together in a single hearing.

S broke no rule. She was required by rule 11 to keep clear of PL from the moment PL completed her tack, and she did so.

When PW passed head to wind in the zone, she was then on the same tack as S and S was fetching the mark. For this reason, rule 18.3(a) applied to PW with respect to S. PW was required by that rule not to ‘cause [S] to sail above close-hauled to avoid contact’. Also, when PL passed head to wind in the zone, she too was then on the same tack as S. Therefore, rule 18.3(a) also applied to PL with respect to S.

PW luffed above close-hauled between positions 4 and 5. As a consequence of PW’s luff, both PL and S luffed above close-hauled. Therefore, by luffing PW caused S to sail above close-hauled to avoid contact, so PW broke rule 18.3(a).

As a consequence of PW’s breach of rule 18.3(a), PW compelled PL to break rule 18.3(a) by compelling PL to cause S to sail above close-hauled to avoid contact. Under rule 64.1(a) PL is exonerated for breaking rule 18.3(a).

When PW passed head to wind, PW became a starboard-tack boat that was fetching the mark. A short time later PL passed head to wind and was then overlapped outside PW and on the same tack as PW. At that time rule 18.3(b) began to apply to PL with respect to PW. PL was required by that rule to give PW mark-room. The space that PL was required to give to PW included ‘space to comply with her obligations under the rules of Part 2’ (see the definitions Room and Mark-Room). When PW luffed to sail to the mark, she was unable to do so without breaking rule 18.3(a) with respect to S. Therefore, PL did not give PW mark-room, so PL broke rule 18.3(b).

Finally, the question of whether or not PW is exonerated for her breach of rule 18.3(a) must be considered. When PW broke 18.3(a) she was sailing within the mark-room to which she was entitled from PL. However, PW is not exonerated under rule 21 because the rule PW broke (rule 18.3(a)) is not one of the rules listed in rule 21(a). Nor is PW exonerated under rule 64.1(a) because she was not compelled to luff between positions 4 and 5. Instead of luffing, PW could have borne off after position 4, left the mark to starboard, gybed and made a second approach to the mark.

To sum up, PW broke rule 18.3(a) by causing S to sail above close-hauled and she is not exonerated for that breach. PL broke rule 18.3(b) by failing to give PW mark-room and she is not exonerated for that breach. Therefore, both PW and PL are disqualified.
Current Position

None. The case is new. However, it is based on current ISAF Q&A B 001.

Reasons

1. At its 2012 meeting, the Racing Rules Committee recommended that Q&A B 001 was sufficiently helpful and interesting to competitors and officials that it be proposed as a new case. The Case Book Working Party was asked to prepare the new case.

2. In 2013 the Case Book Working Party reported that a case based on the assumed facts in Q&A B 001 would be so complex that it would be not be helpful to readers of the Case Book. The new case proposed here is based on a slightly different set of assumed facts. In the Q&A it is assumed that PW and PL pass head to wind simultaneously. In the proposed new case it is assumed that PW passes head to wind shortly before PL passes head to wind. This small change in the facts has two major advantages: (1) The situation in which PW tacks just before PL is much more likely to occur than the situation in which the two boats pass head to wind simultaneously. A case is more helpful if readers are likely to actually encounter the situation it describes on the water. (2) The application of the rules to the situation is considerably simpler when PW passes head to wind before PL does than it is when PW and PL pass head to wind simultaneously.

3. Q&A B 001 includes a second question and answer that is not included in the proposed case. The second question and answer have been omitted because the facts the reader is asked to assume are unclear and a new diagram would be required.

4. The proposed case will help readers understand how rule 18.3 applies in three-boat situations. No existing case covers such a situation. The proposed case is quite lengthy, but it sends a simple message – in a crowded fleet at a windward mark to be left to port, a boat’s risk of breaking a Part 2 rule is high if she approaches that mark on port tack and tacks in the zone.