Racing Rules of Sailing

New Case, Definition Proper Course, Rule 17

A submission from the Chairman of the Racing Rules Committee

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

Proposal
Add a new Case as follows:

CASE XXX

Definitions, Proper Course
Rule 17

A boat’s proper course at any moment depends on the existing conditions. Some of those conditions are the wind strength and direction, the pattern of gusts and lulls in the wind, the waves, the current, and the physical characteristics of the boat’s hull and equipment, including the sails she is using.

Assumed Facts
Two boats, W and L, are sailing downwind on the same tack in conditions where they would normally use spinnakers in place of headsails to finish as soon as possible.

W has a problem hoisting her spinnaker and L, sailing faster, establishes a leeward overlap from clear astern and is subject to rule 17. In order to gain a tactical advantage over W, L decides to continue sailing with her headsail and to delay hoisting her spinnaker.

L then sails the course that results in the greatest VMG (‘velocity made good’ or velocity in a downwind direction) for a boat sailing downwind with a headsail. That course is above the course that would result in the greatest VMG for a boat using a spinnaker.

W protests L alleging that, by not hoisting her spinnaker and sailing a lower, faster course in order to finish as soon as possible, L breaks rule 17. In the hearing L’s representative stated that, to finish as soon as possible in the absence of W, L would have hoisted her spinnaker and sailed a faster and lower course.

Question
When L delayed hoisting her spinnaker and instead sailed the course that resulted in the greatest VMG for a boat sailing downwind with a headsail, did she break rule 17 by sailing above her proper course?

Answer
No. A boat’s proper course at any moment depends on the existing conditions. Some of those conditions are the wind strength and direction, the pattern of gusts and lulls in the wind, the waves,
the current, and the physical characteristics of her hull and equipment. The sails that she has set are part of her equipment and, therefore, one of the conditions on which her proper course depends. While L was sailing with her headsail, her proper course was the course that gave her the greatest VMG with a headsail. L did not sail above that course so she did not break rule 17.

There is no requirement in the racing rules for a boat to hoist her spinnaker at any particular time or for her to finish as soon as possible. There could be a variety of reasons, including tactical considerations, why a boat would not use a spinnaker. Therefore, even though L stated that in the absence of W she would have hoisted her spinnaker and sailed a lower course, L broke no rule by continuing to sail with her headsail instead of her spinnaker. (See Case 78 for a discussion of tactics that interfere with or hinder another boat’s progress.

Current Position

None. The case is new. However, it is based on current Q&A M 003.

Reasons

1. To comply with an item in the minutes of the 2012 Racing Rules Committee meeting by proposing a new case based on current Q&A M 003. At that meeting, the Racing Rules Committee recommended that that Q&A was sufficiently helpful and interesting to competitors and officials that it be proposed as a new case.

2. There was debate during the last two years among members of the Case Book Working Party and the Racing Rules Committee as to how to interpret the definition Proper Course when answering the Question that the proposed case answers. In a survey of the members of the Racing Rules Committee taken early in 2014, a majority of the committee members supported the Answer in the proposed new case.