**Racing Rules of Sailing**

**New Case**

A submission from Deutscher Segler-Verband

**Purpose or Objective**

To clarify the term in RRS 41 (a) "person in danger" and to clarify when a boat “gains a significant advantage”.

**Proposal**

**Case XXX**

**Rule 41, Outside Help**

A crew member that is not in contact with the boat is “in danger”. If the crew member is recovered from the water and returned on board the boat does not gain a significant advantage if the return on board is at the approximate location of the recovery or if the boat is capsized at the location of the capsized boat.

**Facts**

In a One-Person-Dinghy/-Skiff event a boat capsizes during the run and the crew member loses contact to the boat. It is not clear whether the crew member can reach the capsized boat. The jury is close by with a rib, recovers the sailor from the water and returns the sailor to the boat that has drifted to leeward.

**Question 1**

Is the crew member “in danger” according to rule 41(a)?

**Answer 1**

A crew member in the water without having contact to the boat shall always be seen as being “in danger”.

**Question 2**

Did the boat “gain a significant advantage” by the help received by the jury?

**Answer 2**

No. Returning a crew member to a capsized boat - even if the boat is drifting in the direction of the course to be sailed - does not create a significant advantage.

**Question 3**

Would the answer to Question 2 change if the boat is a Two-Person-Dinghy/-Skiff and one crew member is still in contact with the capsized boat?
Answer 3

No. When a Two-Person-Dinghy is capsized it is normally impossible to righten up the boat alone. As the situation for the boat does not change compared to Question 2 the boat does not gain a significant advantage.

Question 4

Assuming the boat is a Two-Person-Dinghy/-Skiff and the boat did not capsize after losing one crew member. Would the boat gain a significant advantage if she sails on and waits for the crew member to be brought back on board?

Answer 4

Yes. Only if the boat establishes a stationary position or tries to return to the approximate location of the recovery the boat would not gain a significant advantage.

Question 5

Would the answer to Question 4 be different if the boat is a multihull or keelboat or has a crew of more than two?

Answer 5

No.

Current Position

None

Reasons

1. Safety! More and more sailors refuse to be recovered from the water after losing contact to their boat as they fear that they must retire for gaining a significant advantage in the race. This often creates dangerous situations especially with low water temperatures, strong current, high wind speeds or close to marks with many other boats around.

2. The WS Standard Match Racing Notice of Race changes rule 41 by adding the following: “Add to RRS 41: (e) help to recover from the water and return on board a crew member, provided the return on board is at the approximate location of the recovery.”