Question 1

Both boats are approaching the race committee vessel end of the finishing line. Blue has an outstanding penalty. Blue reaches the zone clear ahead of Yellow. Blue tacks onto port tack, gets to a close-hauled course and tacks back onto starboard tack. At position 7, just before Blue reaches a downwind course, there is contact between the boats and both boats protest. What should the call be?

Answer 1

Signal that Blue has completed her penalty. Penalize Blue and Yellow at the same time. These two penalties offset each other. Then signal a second penalty to Yellow.

When the contact happened, Blue was still taking her penalty. Not keeping clear of another boat while taking a penalty does not make the penalty invalid, but it breaks rule 22.2, so because there was a protest, Blue gets one penalty for that breach.
Throughout the incident Blue never leaves the zone, so she is entitled to mark-room all the time. Although Blue is not sailing a proper course while she is taking her penalty, mark-room is still the space she needs to sail her proper course, which is the course she would sail to finish as soon as possible in the absence of Yellow. Yellow fails to give her that space and breaks rule 18.2(a)(2).

Because Yellow gained an advantage by breaking a rule after allowing for a penalty, she also gets an umpire initiated penalty under rule C8.3(a).

**Question 2**

The situation is the same as in Question 1, except that Blue does not complete her tack onto port tack before tacking back onto starboard tack. What should the call be?

**Answer 2**

Penalize Yellow for not giving mark-room. Remove Blue’s penalty flag as the penalties are now offset. Then signal a second penalty to Yellow.

A downwind penalty is from close-hauled on one tack, through head to wind and to a downwind course on the other tack (see MR Call N6). Therefore, when Blue returns onto starboard tack she is not taking a penalty because she does not start from a close-hauled course. As soon as Blue again passes head to wind, the umpires should also signal that Blue is not taking a penalty and that the penalty remains.
From the time Blue starts luffing back towards starboard tack, she is sailing her proper course to round or pass the mark. Yellow breaks rule 18:2(a)(2) by not giving her mark-room, and Blue is exonerated for her breach of rule 11 under rule 21(a).

Because Yellow gained an advantage by breaking a rule after allowing for a penalty, she also gets an umpire initiated penalty.

**Note:** In both situations, Blue starts taking a penalty when she passes head to wind from starboard tack onto port tack, however she never completes her penalty onto a downwind course on port tack; and the moment she starts luffing back towards starboard tack the umpires should signal that she is no longer taking a penalty and that the penalty remains. See rules C5.6 and C7.4(b).