

would have become aware of S's presence sooner and been able to avoid the collision.

Rule 18 did not apply because S and P were not required to leave the mark on the same side (see rule 18.1).

When it became clear that P was not keeping clear, S was required by rule 14 to act to avoid contact with P (see rule 14(a)). Before the positions shown in the diagram it became clear that the boats were on converging courses and that P was not keeping clear. At that time S could have luffed and avoided contact with P. Such a change of course by S would have given P more room to keep clear and would not have broken rule 16.1. The contact caused damage. Therefore, S broke rule 14 and, because the contact caused damage, she must be penalized for having done so (see rules 14(b) and 64.1).

P was correctly disqualified under rules 10 and 14. S is also disqualified, for breaking rule 14.

GBR 1971/4

CASE 27

Rule 2, Fair Sailing

Rule 13, While Tacking

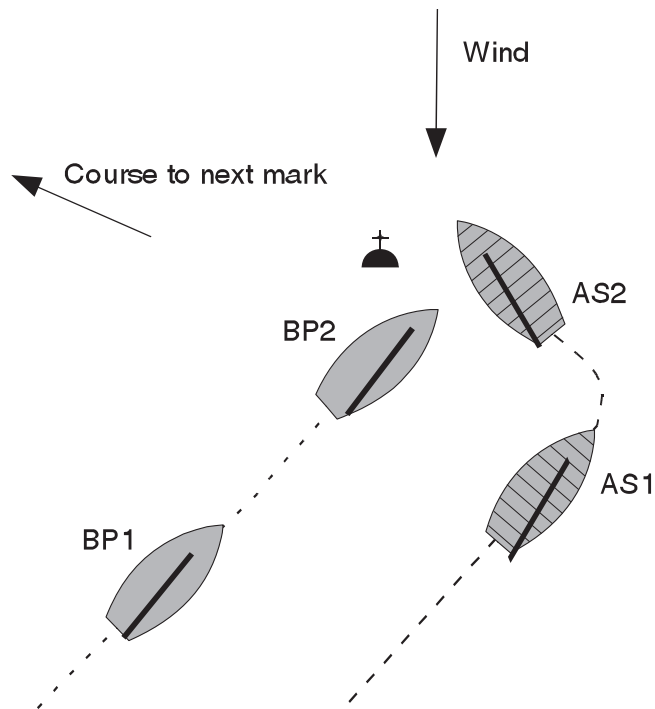
Rule 14, Avoiding Contact

Rule 15, Acquiring Right of Way

A boat is not required to anticipate that another boat will break a rule. When a boat acquires right of way as a result of her own actions, the other boat is entitled to room to keep clear.

Facts

AS was clear ahead of BP when she reached the zone. Between position 1 and 2, AS, a hull length to leeward and a hull length ahead of BP, tacked as soon as she reached the starboard-tack lay line. Almost immediately she was hit and damaged by BP travelling at about ten knots. The protest committee disqualified AS for breaking rule 15. It also disqualified BP under rule 2, pointing out that she knew AS was going to tack but did nothing to avoid a collision. BP appealed, asserting that she was not obligated to anticipate an illegal tack.



Decision

After AS reached the zone, BP was required by rule 12 to keep clear of her and by rule 18.2(b) to give her mark-room. Both these obligations ended when AS passed head to wind (see rules 18.1(a) and 18.2(d)). When AS passed head to wind, BP became the right-of-way boat under rule 13 and held right of way until AS assumed a close-hauled course on starboard tack. At that moment AS, having just acquired right of way under rule 10, was required by rule 15 to give BP room to keep clear.

The collision occurred almost immediately after AS assumed a close-hauled course on starboard tack. Therefore, BP needed to take avoiding action before AS had borne away to a close-hauled course. At that time BP had right of way under rule 13, and so AS broke rule 13. AS also broke rule 15 because, after she acquired right of way under rule 10, she did not give BP room to keep clear. Finally, AS broke rule 14 because she could have avoided the contact by turning back onto port tack after she passed head to wind.

BP took no action to avoid the collision, but what could she have done? Given her speed and the distance involved, she had perhaps one to two seconds to decide what to do and then do it. It is a principle of the right-of-way rules, as stated in rule 15, that a boat that becomes obligated to keep clear by an action of another boat is entitled to sufficient time for response. Also, while it was obvious that AS would eventually tack to round the mark, no rule required BP to anticipate that AS would break a rule.

BP did break rule 10, but she is exonerated under either rule 64.1(a) or rule 21(a). BP did not break rule 14 because it was not reasonably possible for her to have avoided the collision after AS broke rule 13. BP did not violate any principle of sportsmanship or fair play and, therefore, did not break rule 2.

BP's appeal is upheld. She is to be reinstated. AS remains disqualified.

USA 1971/140

CASE 28

Rule 28.1, Sailing the Course

Rule 32.1, Shortening or Abandoning After the Start

Rule 64.1(a), Decisions: Penalties and Exoneration

Rule A5, Scores Determined by the Race Committee

When one boat breaks a rule and, as a result, causes another to touch a mark, the other boat is to be exonerated. The fact that a starting mark has moved, for whatever reason, does not relieve a boat of her obligation to start. A race committee may abandon under rule 32.1(c) only when the change in the mark's position has directly affected the safety or fairness of the competition.

