

so finishing, the committee exercised its discretion under rule 64.2 to 'make as fair an arrangement as possible for all boats affected.' It adjusted the race scores according to the order in which all the boats crossed the finishing line, without regard to the direction in which they crossed it.

X appealed against the new finishing order, claiming that the wording of the definition Finish was unequivocal and stating that such an arrangement would negate the definition and defeat its purpose, which, she believed, was to prevent 'hook round' finishes.

Decision

X's appeal is dismissed. Because the sailing instruction that conflicted with the definition Finish was invalid, issuing it was an improper action of the race committee that qualified the three boats for consideration for redress under rule 62.1(a). None of the boats gained or lost as a result of the race committee error, so the redress awarded was appropriate. It was also as fair an arrangement as possible for all boats affected, as required by rule 64.2.

GBR 1979/1

CASE 46

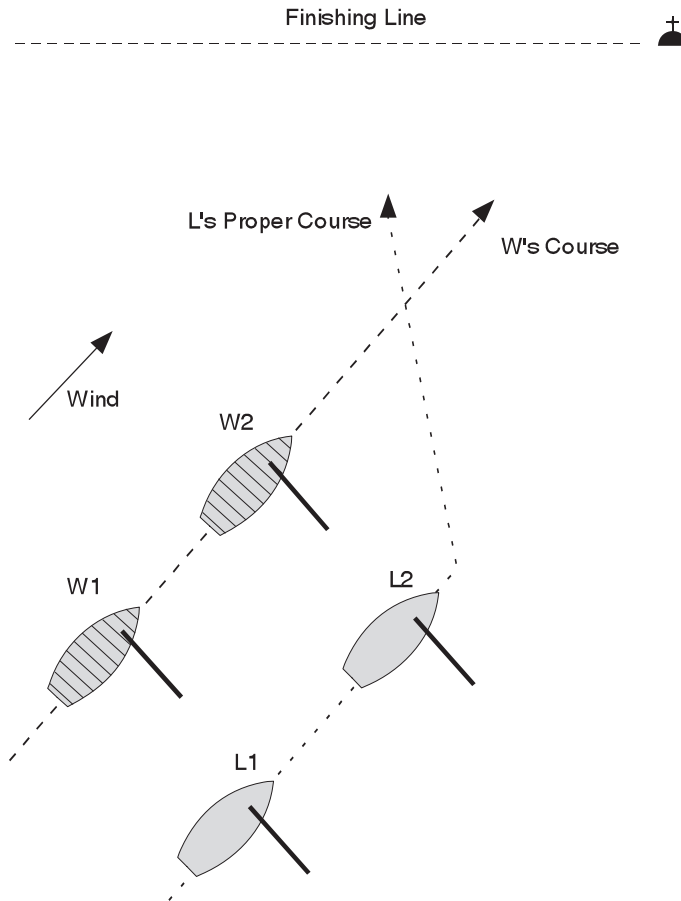
Definitions, Proper Course

Rule 11, On the Same Tack, Overlapped

Rule 16.1, Changing Course

Rule 17, On the Same Tack; Proper Course

A leeward boat is entitled to luff to her proper course, even when she has established a leeward overlap from clear astern and within two of her hull lengths of the windward boat.



Facts

For some time, W had been sailing almost dead downwind on a straight course towards the starboard end of the finishing line when L, a boat that had been clear astern, became overlapped within two of her hull lengths to leeward of W. In the absence of W, L would have sailed a higher course directly towards the line. In order to do so, she hailed W to come up. There was no response. L hailed again and luffed to a position very close to W, but W still did not respond. L stopped luffing and bore away just before contact would have occurred. L protested under rule 11.

The protest committee held that there was insufficient evidence to show that W would have finished sooner by sailing a higher course. It said that even though there might be conflict between the courses of a windward and a leeward boat, a boat overtaking another from clear astern did not have the right to force a windward boat to sail above her proper course. The protest was dismissed and L appealed, claiming the right to luff to her proper course under rule 17.

Decision

Rule 11 says that when two boats on the same tack are overlapped the windward boat shall keep clear. A leeward boat's actions, however, are limited by rules 16.1 and 17. There was room for W to keep clear when L luffed, and so L did not break rule 16.1. The protest committee, although it did not say so explicitly, recognized that L's proper course was directly towards the finishing line. A direct course to the line was not only closer but would also have put L on a faster point of sailing. While L was not entitled to sail above her proper course, she was entitled to luff to her proper course, even though she had established the overlap from clear astern while within two of her hull lengths of W. Accordingly, L did not break rule 17.

W's proper course is not relevant to the application of the rules to this incident. She was required to keep clear of L. When L luffed, she gave W room to keep clear as required by rule 16.1. At the moment L needed to stop luffing and bear away to avoid contact, W broke rule 11. Therefore, L's appeal is upheld and W is disqualified for breaking rule 11.

USA 1979/224

CASE 47

Rule 2, Fair Sailing

A boat that deliberately hails 'Starboard' when she knows she is on port tack has not acted fairly, and has broken rule 2.

Facts

An experienced helmsman of a port-tack boat hails 'Starboard' to a beginner who, although on starboard tack, not being sure of himself and probably being scared of having his boat holed, tacks to port to avoid a collision. No protest is lodged.

One school of thought argues that it is fair game, because if a helmsman does not know the rules, that is his own hard luck. The other school rejects this argument, on the grounds that it is quite contrary to the spirit of the rules to deceive a competitor in that way.

It is known that such a trick is often played, particularly when novices are involved.