

S requested redress on the grounds that the race officer acted incorrectly in recording P as having finished before she had completed the course. The protest committee did not give S redress and referred that decision, under rule 70.2, for confirmation or correction.

Decision

The protest committee's decision is confirmed. Rule 28.1 states that A boat 'may leave on either side a mark that does not begin, bound or end the leg she is sailing.' Since the inner limit mark was beyond the finishing line it did not 'bound' or 'end' the last leg of the course. Only when a limit mark is on, or on the course side of, the finishing line must a boat leave it on the specified side before, or when, finishing.

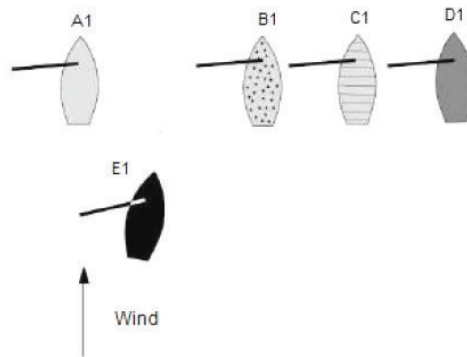
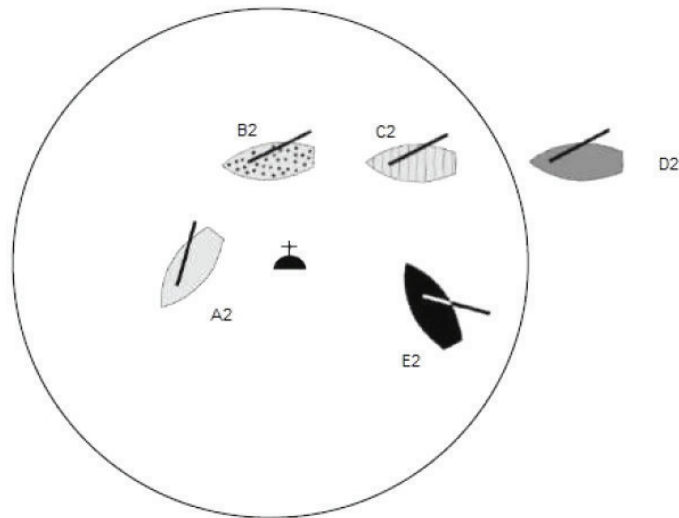
GBR 1983/5

CASE 59

Rule 18.2(a), Mark-Room: Giving Mark-Room

Rule 18.2(b), Mark-Room: Giving Mark-Room

When a boat comes abreast of a mark but is outside the zone, and when her change of course towards the mark results in a boat that is in the zone and that was previously clear astern becoming overlapped inside her, rule 18.2(a) requires her to give mark-room to that boat, whether or not her distance from the mark was caused by giving mark-room to other boats overlapped inside her.



Facts

Five boats were approaching a leeward mark dead before the wind. Four of them were overlapped in line with A nearest the mark. The fifth boat, E, was clear astern of A, B and C when those three boats reached the zone. When D came abreast of the mark and turned to round it, E became overlapped inside D. This occurred after E had already reached the zone and before D reached it. E rounded the mark behind A, B and C but inside D, which was able to give mark-room to E.

Question

Was E entitled to mark-room under rule 18.2(a) from D?

Answer

Yes. Because E was clear astern of A, B and C when they reached the zone, she was required by rule 18.2(b) to give each of them mark-room. Between E and D, however, a different relationship developed. In order to

leave room for the three inside boats with their booms fully extended, D had to approach the mark on a course that brought her abreast of it outside the zone. When E reached the zone, she was clear astern of D and D was still outside the zone. Therefore, rule 18.2(b) did not apply between D and E. When D changed course towards the mark, E obtained an inside overlap and rule 18.2(a) began to apply between D and E. E was entitled to mark-room under that rule, which D was able to give.

USA 1982/250

CASE 60

Withdrawn for Revision

CASE 61

Rule 71.4, National Authority Decisions

When the decision of a protest committee is changed or reversed upon appeal, the final standings and the awards must be adjusted accordingly.

Question

May the notice of race or sailing instructions state that, while the right of appeal is not denied, final regatta standings and awards will not be affected by any appeal decision?

Answer

No. Rule 86.1 prohibits changing any part of rule 70 or rule 71 in the sailing instructions. An appeal involves not only the adjudication of a dispute on the meaning of a rule but also, in the event of a change or reversal of the decision of the protest committee, an adjustment of the results of the race and the final standings of the regatta on which the awards are based. Rule 71.4 states that the decision of the national authority is final, and this decision must be implemented by those bodies subject to rule 84 and governed by the rules: the organizing authority, the race committee, the technical committee and the protest committee.

USA 1983/252
