

### **Answer 1**

No. Although the protest committee did not break any rule, its decision in awarding the redress was not the fairest arrangement for all boats affected (see rule 64.2). In this case, awarding a boat her average scores for half of the races that counted towards her series score is not fair to the other boats.

### **Question 2**

What would have been a fair award of redress to A?

### **Answer 2**

The protest committee should ensure that, after excluding her worst score, more than half of a boat's race scores are based on her finishing positions in races that she starts. Different situations may require different redress arrangements. One possibility in this particular case is that the protest committee could have awarded A redress only for the race in which the collision took place.

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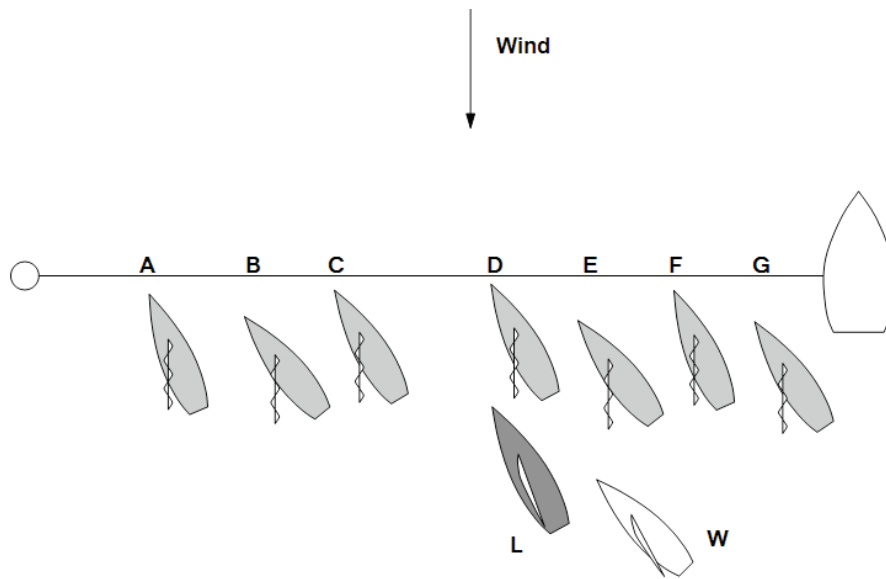
## **CASE 117**

### **Definitions, Obstruction**

#### **Rule 15, Acquiring Right of Way**

#### **Rule 19.2(b), Room to Pass an Obstruction: Giving Room at an Obstruction**

*When three boats are on the same tack and two of them are overlapped and overtaking the third from clear astern, if the leeward boat astern becomes overlapped with the boat ahead, the boat ahead is no longer an obstruction, and rule 19.2(b) does not apply. There are no situations in which a row of boats sailing close to one another is a continuing obstruction.*



### Facts

Approximately 15 seconds before the starting signal. Boats A, B, C, D, E, F and G are holding their positions on starboard tack a short distance below the starting line. Boats L and W are approaching the line of boats from astern. There is insufficient space for both L and W to pass through any of the gaps between adjacent boats ahead of them.

### Question 1

If L becomes overlapped to leeward of D while W is clear astern of D, is L required to give W room to pass to leeward of D?

### Answer 1

No. When L becomes overlapped to leeward of D, she obtains right of way over D, and therefore D is no longer an obstruction to L and W. For that reason, rule 19.2(b) does not apply between L and W. Instead, rule 11 begins to apply between L and D, but L is initially required by rule 15 to give D room to keep clear. W continues to be required by rule 12 to keep clear of D and by rule 11 to keep clear of L.

After L becomes overlapped to leeward of D, L has right of way over both D and W. Therefore, at that time L becomes an obstruction to D and W and, if W becomes overlapped with D, rule 19.2(b) begins to apply between D and W. Rule 19.2(b) requires D to give W room to pass between herself and L unless D has been unable to do so from the time that W's overlap with D began.

## Question 2

If there is not space for both L and W to pass through the gap between C and D, does that mean that L has to allow W into the gap and not pass through the gap herself?

## Answer 2

No.

## Question 3

According to the definition Obstruction, a boat racing is never a continuing obstruction. Nevertheless, are there any situations, such as the one in the diagram, where a row of racing boats sailing close to one another becomes a continuing obstruction?

## Answer 3

No.

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## CASE 118

### Definitions, Mark-Room

### Definitions, Room

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

*In the definition Mark-Room, the phrase 'room to sail to the mark' means space to sail promptly in a seamanlike way to a position close to, and on the required side of, the mark.*

### Facts

*UM8* and *UM10*, overlapped on port tack with *UM8* inside, approached a leeward mark to be left to port and subsequently rounded it as shown in the diagram. The next leg was a beat to windward. The wind was moderate and the seas negligible. *UM8* protested *UM10* under rule 18.2(b) for not giving her room to sail to the mark and round it. The protest committee decided that *UM10* did give *UM8* the room she was entitled to and denied the protest. *UM8* appealed.