

CASE 3

Rule 19.2(a), Room to Pass an Obstruction: Giving Room at an Obstruction

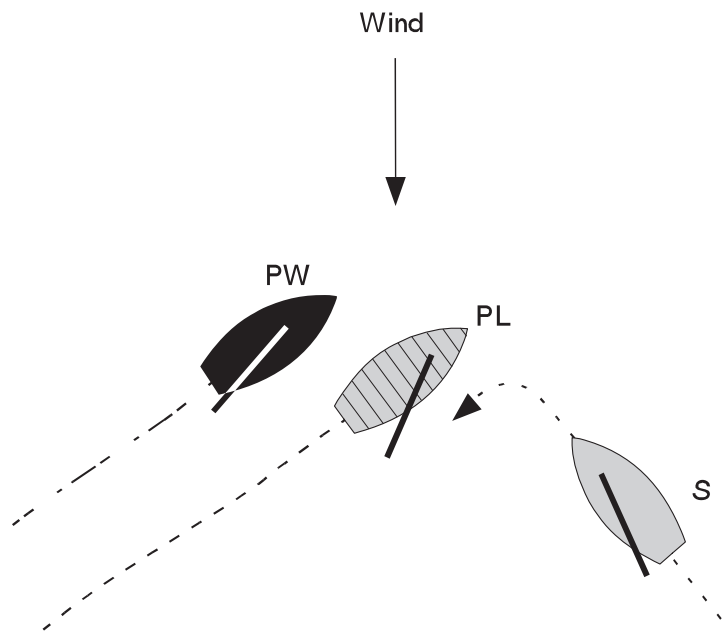
Rule 20, Room to Tack at an Obstruction

Rule 64.1(a), Decisions: Penalties and Exoneration

A leeward port-tack boat, hailing for room to tack when faced with an oncoming starboard-tack boat, an obstruction, is not required to anticipate that the windward boat will fail to comply with her obligation to tack promptly or otherwise provide room.

Facts

S hailed PL as the two dinghies approached each other on collision courses. PL then twice hailed 'Room to tack', but PW did not respond. PL, now unable to keep clear of S, hailed a third time, and PW then began to tack. At that moment, S, which was then within three feet (1 m) of PL, had to bear away sharply to avoid a collision. PW retired and S protested PL under rule 10. The protest committee disqualified PL observing that, not having had a timely response from PW, she should have used her right to luff and forced PW to tack.



PL appealed, claiming that:

- (1) she had no right to force PW onto the opposite tack;
- (2) even with both of them head to wind, S would still have had to change course to avoid a collision; and

(3) she had foreseen the development and had hailed PW in ample time.

Decision

PL's appeal is upheld. PL is to be reinstated. Because S was an obstruction to PL and PW, PL, as the right-of-way boat, was entitled under rule 19.2(a) to choose between bearing away and hailing for room to tack (see rule 20.1). Having decided to tack and having hailed for room to do so three times, PL was entitled by rules 20.2(b) and 20.2(c) to expect that PW would respond and give her room to tack. She was not obliged to anticipate PW's failure to comply with rules 20.2(b) and 20.2(c). PL broke rule 10, but she is exonerated as the innocent victim of another boat's breach of a rule, under the provisions of rule 64.1(a).

GBR 1962/37

CASE 4

Rule 49, Crew Position; Lifelines

Rule 50.3(a), Setting and Sheeting Sails: Use of Outriggers

A competitor may hold a sheet outboard.

Question

Is it permissible for a competitor to hold the sheet of a headsail or spinnaker outboard?

Answer

Rule 50.3(a) prohibits the use of an outrigger and defines it to be a fitting or other device. A competitor is neither a fitting nor a device. It is therefore permissible for a competitor to hold a sheet outboard, provided that rule 49 is complied with.

GBR 1962/41
