
The
CASE BOOK
for 2017 – 2020

Supplement 2019

World Sailing

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Summary of Changes and Additions

The Case Book Supplement for 2019 consists of three new cases, Cases 144, 145 and 146. Each of them is based on action taken at the World Sailing Annual Conference in 2018. The three new cases have been added to *The Case Book* on the website.

CASE 144

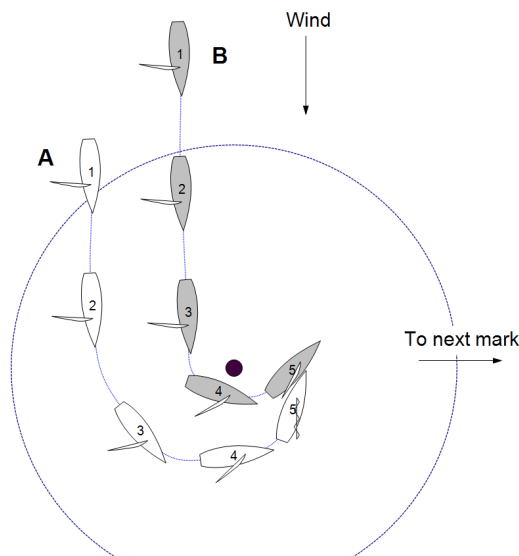
Definitions, Mark-Room

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

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

Rule 21, Exoneration

An obligation to give mark-room continues until the entitled boat has passed the mark, leaving it on the required side. The definition Mark-Room defines the space a boat is required to give, and the other boat is exonerated under rule 21 only if she is sailing within that space.



Facts

Boats A and B are sailing downwind approaching a mark they are required to leave to port. The course to the next mark is a beam reach. A reaches the zone clear ahead of B and rounds the mark wide. At position 3 B becomes overlapped with A. At position 4 A is more than one length to leeward of the mark when B, alongside the mark, luffs around the mark inside A.

After position 4 A luffs quickly; B responds promptly but at position 5 is unable to keep clear. Both boats protest.

Question 1

Is B required to continue to give A mark-room after position 3, and does she fulfil this requirement?

Answer 1

Yes.

B is required to give A mark-room under rule 18.2(b). This includes room for A to leave the mark on the required side, which she has not completed at position 4.

Between positions 4 and 5 B gives A room to complete her passing of the mark, and also gives her room to sail her proper course in compliance with rule 18.2(c)(2).

Question 2

Which boat is penalized and which boat is exonerated at position 5?

Answer 2

A is penalized and B is exonerated.

After position 3, A's proper course is no longer to sail close to the mark. Therefore the mark-room to which she is entitled no longer includes room to sail to the mark and, when she luffs between positions 4 and 5 without giving B room to keep clear, she breaks rule 16.1 and is not exonerated under rule 21(a).

Before A luffs, B is keeping clear. When A luffs, B is entitled by rule 16.1 to room from A to keep clear. B is therefore exonerated under rule 21(a) for breaking rule 11 at position 5.

The answer would be the same if B had been able to keep clear of A at position 5, but only by making contact with the mark. A would have broken rule 16.1 and B would have been exonerated under rule 21(b) for her breach of rule 31.

CASE 145

Definitions, Finish

Rule 28.2, Sailing the Course

A boat's string, referred to in rule 28.2, when drawn taut, is to lie in navigable water only.

Question 1

Must the string referred to in rule 28.2, when drawn taut, lie in navigable water only?

Answer 1

Yes, rule 28.2 refers to 'a string representing a boat's track'. A boat's track cannot pass over dry land, nor can it pass through non-navigable waters or through prohibited areas. It follows that, when drawn taut, the string must lie entirely in navigable waters; it passes to one side of non-navigable shallows, prohibited areas or other obstructions, and follows the path of a river.

Similar considerations apply to both the requirements in the definition Finish to cross the finishing line from the course side, and to pass through a gate from the direction of the previous mark. The course is described by a taut string that complies with the requirements of rule 28.2 and therefore the course is constrained to lie in navigable water as described above.



The diagram illustrates boat A's taut string when a headland obstructs boats on a leg of the course. The course described in the sailing instructions was: 'After starting, round Mark 1 to port and then finish.' After rounding Mark 1 to port, A sailed as close to the headland as possible given her draft and the depth of the water at the time she was passing it. A's string is shown touching Mark 1 and following A's track around the shallow water at the north end of the headland. Because of the headland the 'course side' of the finishing line was north of the line. Therefore, to be recorded as

having finished, A was required to cross the line from north to south (see the definition Finish). If A's taut string was not constrained to lie in navigable water, it would follow the straight line across the headland from Mark 1 to the finishing line. Then, the 'course side' of the line would be south of the line, and A would be required to cross the line from south to north.

Question 2

In tidal waters, should navigable waters be considered at high tide or low tide?

Answer 2

Neither. Whether water at a particular location is navigable or not depends on the draft of the boat and the depth of water at the time the boat sails past that location.

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CASE 146

Definitions, Room

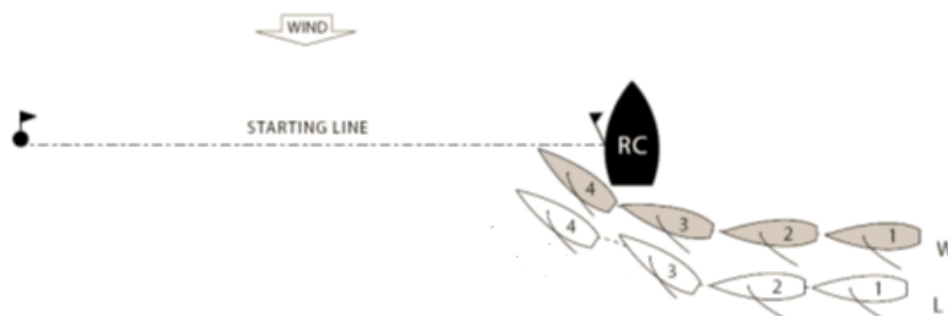
Rule 11, On the Same Tack, Overlapped

Rule 16.1, Changing Course

Part 2, Section C Preamble

Rule 21, Exoneration

When boats are approaching a starting mark to start and a leeward boat luffs, the windward boat is exonerated under rule 21(a) if she breaks rule 11 while sailing within the room to which she is entitled under rule 16.1.



Facts

Two boats, L and W, were approaching the race committee signal boat, overlapped on starboard tack, ten seconds before the starting signal. As W was passing astern of the committee boat, L luffed. W luffed slightly but was unable to respond further to L's luff without hitting the committee boat. L bore away to avoid contact. L protested.

The protest committee disqualified W under rule 11, claiming that she should not have sailed between L and the committee boat and that she was 'barging.' W appealed.

Decision

The race committee signal boat was both a mark and an obstruction for L and W (see the definitions Mark and Obstruction). However, because the committee boat was surrounded by navigable water and L and W were approaching it to start, the rules in Section C of Part 2 (specifically rules 18 and 19) did not apply. Accordingly, L was under no obligation to give W room to pass the committee boat.

At positions 1 and 2, L was able to sail her course with no need to take avoiding action and could change course in both directions without immediate contact. Therefore, W was keeping clear as required by rule 11 (see the definition Keep Clear).

When L luffed at position 3, she was required by rule 16.1 to give W room to keep clear. This obligation applies even when boats are passing the committee boat and are about to start. 'Room' is the space W needed to keep clear of L while also complying with her obligations under the rules of Part 2, which includes rule 14, and rule 31. See Case 114.

When L luffed, W luffed as far as she could without risk of touching the committee boat which would have broken rule 31. By bearing away, L gave W room to keep clear in compliance with rule 16.1.

At position 3, L was unable to 'sail her course with no need to take avoiding action;' therefore, W broke rule 11. However, as W was sailing within the room to which she was entitled under rule 16.1, she is exonerated under rule 21(a).

W's appeal is upheld, the decision of the protest committee is reversed, and W is reinstated in her finishing place.

Note: The term 'barging' is not used in *The Racing Rules of Sailing*. The term is commonly used to refer to the situation where a leeward boat is holding her course and a windward boat sails between the committee boat and the leeward boat and either hits the leeward boat or forces her to bear

off to avoid contact. In such a case the windward boat breaks rule 11 and is not exonerated because the leeward boat held her course or bore off and, therefore, rule 16.1 did not apply.

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