

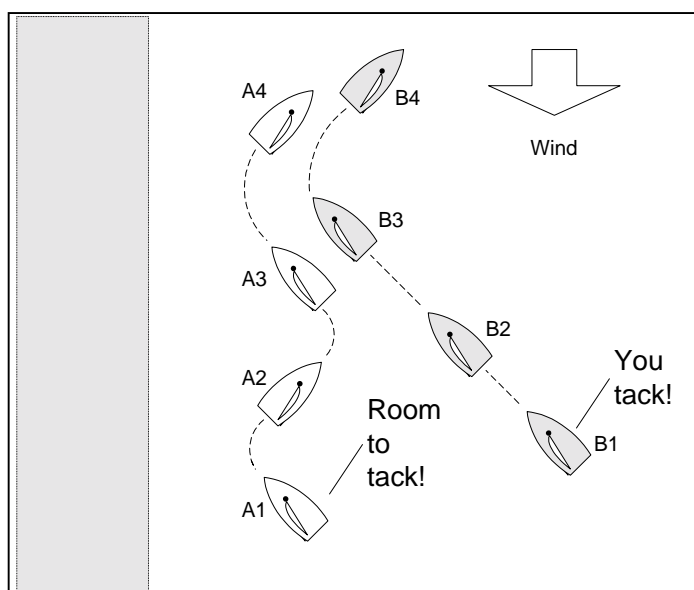
# 2003 SUPPLEMENT TO THE CASE BOOK FOR 2001—2004

*This supplement includes three cases that were approved for publication in November 2002.*

## CASE 101

### Rule 19.1(b) Room to Tack at an Obstruction

*When, in reply to her call for room to tack when close-hauled approaching an obstruction, a boat is hailed 'You tack', and when she does so and is then able to tack again to keep clear in a seamanlike way, the other boat has given the room required.*



### Summary of the Facts

A and B were International Dragons. A was approaching the shore close-hauled on starboard tack, clear ahead and to leeward of B. A hailed for room to tack, and B replied 'You tack.' A tacked and B held her course. A was then on a collision course with B and tacked again. After her second tack A was overlapped to leeward of B. Shortly afterwards B tacked and A did likewise. A protested B for not giving room as required by rule 19.1(b).

The protest committee concluded that B failed to give A 'room to tack and avoid her', and disqualified B, stating that she had 'failed to keep clear of A after her tack.' B appealed.

## **Decision**

Appeal upheld. A's actions show that she had room to tack and avoid W. W. therefore met her obligation under rule 19.1(b). (See also Case 35.)

RYA 2001/11

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## **CASE 102**

### **Rule 62.2          Redress**

*When a boat requests redress over an incident she claims affected her finishing place in a race, and thus in a series, the time limit for making the request is the time limit for the race, rather than a time limit based on the posting of the series results.*

### **Summary of the Facts**

*Scruples* requested redress at the end of an eight-race series over an incident that occurred in Race 5 of the series, which was sailed three weeks earlier. The protest committee found her request to be invalid because it was made after the time limit. She appealed, stating that it was not until the end of the series and the posting of the results that she knew that her finishing place in Race 5 had affected her series finishing place and that the time for her to make her request did not begin until after the series was completed and the results posted.

## **Decision**

Appeal dismissed. *Scruples's* request for redress was not valid. The incident affected her finishing place in the series only through its effect on her finishing place in Race 5 and, therefore, the relevant time limit for requesting redress was the time limit that applied to that race.

RYA 2001/9

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## CASE 103

### Definitions      Room

*The phrase 'seamanlike way' in the definition Room refers to boat-handling that can reasonably be expected from a competent, but not expert, crew of the appropriate number for the boat.*

### Summary of the Facts

Two 30-foot boats on port tack, OL and IW, are approaching a leeward mark to be left to port. They are overlapped as they enter the two-length zone, with IW on the inside. Although boats of this class are normally sailed by a crew of six, IW is sailing with a crew of three, and they are relatively inexperienced.

### Question 1

Should the experience and number of crew members sailing IW be considered in determining how much 'room' she is entitled to under rule 18.2(a)?

### Answer 1

Neither the experience of IW's crew nor their number is relevant in determining 'room'. In rule 18.2(a), which requires OL to give IW 'room' to round or pass the mark, 'room' is a defined term. The definition Room is 'the space a boat needs in the existing conditions while manoeuvring promptly in a seamanlike way'. In determining whether or not OL has given the required space, the interpretation of 'seamanlike way' must be based on the boat-handling that can reasonably be expected from a competent, but not expert, crew of the appropriate number for the boat.

### Question 2

Is the answer the same with respect to rules 15, 16.1 and 19.1?

### Answer 2

Yes.

USSA 1999/77