

We are going to cover marks rounding's over the next month. We have been building up a base of information over the past month, you may wish to revise the following:

Week 3 presented Case 132 – interpretation 'on a beat to windward'.

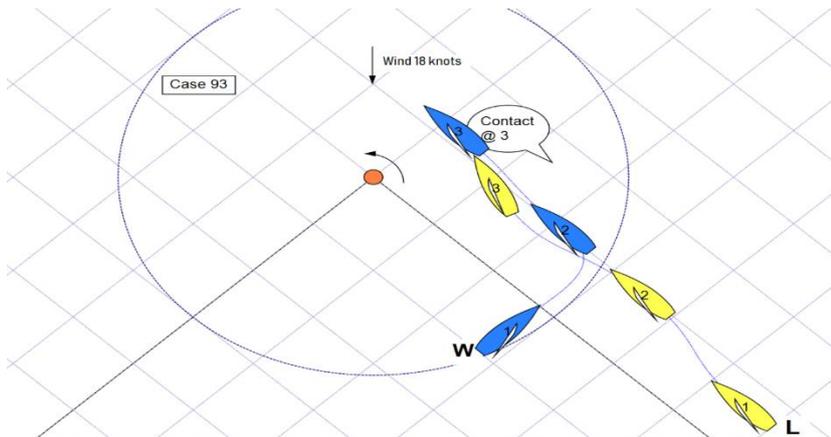
Week 5 presented Case 107 – All boats shall avoid contact and the importance of being "aware" of the position of other boats that are around you.

Week 6 presented Q&A B011 2016.001 – 2 different size boats – who's zone is it?

Week 7 presents Case 93 – RRS18.3 Mark-room: Tacking in the zone.

There are numerous scenarios regarding RRS18.3, so we will cover some of these during future issues.

You need to have the rule book open to get the full impact of the change to each boat in regard to who is "RoW" & who is "Keep Clear".



**CASE 93**

**Definitions, Room**

**Rule 15, Acquiring Right of Way**

**Rule 16.1, Changing Course**

**Rule 18.3, Mark-Room: Tacking in the Zone**

**Rule 21(a), Exoneration**

**Rule 64.1(a), Decisions: Penalties and Exoneration**

CJH NOTE: INCLUDES 14 & 14(b) & 17

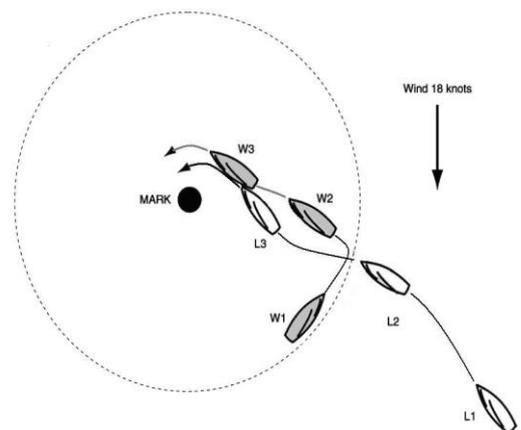
*If a boat luffs immediately after she becomes overlapped to leeward of another boat and there is no seamanlike action that would enable the other boat to keep clear, the boat that luffed breaks rules 15 and 16.1. The other boat breaks rule 11, but is exonerated.*

**Facts**

1. At position 1, W and L were on opposite tacks approaching a windward mark that they were required to leave to port.
2. After W passed head to wind within the zone and was on her new close-hauled course, L was directly astern of her.
3. W's course was far enough above the layline to allow L to pass between W and the mark.
4. In position 2, L had borne off from a point close astern of W and was about to overlap W to leeward.
5. When the overlap began L immediately luffed and struck W's port side. The boats then continued around the mark without further incident.
6. L protested W but L was disqualified for breaking rule 16.1. She appealed.

**Decision**

1. Between positions 1 and 2, while in the zone, W passed head to wind. At that time, W was fetching the mark, so rule 18.3 began to apply. In her appeal L argued that W broke rule 18.3. That rule required W to give L mark-room when L became overlapped inside her.
2. The facts indicate that W's course was far enough above the layline to allow L room to sail to the mark and round it. Therefore, W gave mark-room to L and did not break rule 18.3.
3. At position 2 W had right of way over L under rule 12.



4. A short time later, between positions 2 and 3, the boats became overlapped at which time L acquired right of way under rule 11, and initially rule 15 required L to give W room to keep clear. At all times after the boats became overlapped, rule 16.1 applied. L's luff, which was made immediately after the overlap began, deprived W of room to keep clear. No seamanlike action was available to her to do so. L thus broke rules 15 and 16.1.
5. L is not exonerated under rule 21(a) because, at the time she broke rules 15 and 16.1, she was not sailing within the mark-room to which she was entitled and which W gave her. That fact made rule 21(a) inapplicable.
6. When L luffed, W unavoidably broke rule 11, but she is exonerated under rule 64.1(a) because she was compelled to do so by L's breaches of rules 15 and 16.1. W could also be exonerated under rule 21(a) because at the time she broke rule 11 she was sailing within the room to which she was entitled under rules 15 and 16.1.
7. L became overlapped from clear astern within two of her hull lengths of W, and so rule 17 prohibited L from sailing above her proper course. The protest committee did not find facts as to whether or not L sailed above her proper course after the overlap began. If she did, she broke rule 17. However, nothing is to be gained by seeking the facts needed to resolve this question because L would remain disqualified under rules 15 and 16.1.
8. The protest committee did not discuss rule 14. W did not break rule 14, as it was not reasonably possible for her to avoid contact. L, however, did break rule 14; the fact that she caused the contact showed that it was possible for her to avoid it. She would have been subject to penalty for this breach if there had been damage or injury to either boat. No facts were found about damage or injury, but this issue need not be addressed since L would remain disqualified under rules 15 and 16.1. For the above reasons L's appeal is denied. USA 1998/76

