



Volume 1, Issue 19

August 7, 2018



Here's How to Access the Prior Rules of the Week



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Rules of Week to be featured
 1 - **Basic Principles, Rules 2-3**
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Rule 10 On Opposite Tacks
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Rule 11 On Same Tack, Overlapped
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Rule 12 On Same Tack, Not Overlapped
 29 - **Rule 13 While Tacking**

June
Visits to Clubs and Sailing Schools
 4 - **Nagawicka Rules Presentation I**
 5 - **Rules 14 Avoiding Contact, and Rule 15 - Acquiring Right of Way**
 7 - **Pewaukee Rules Presentation**
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 12 **Rule 16 Changing Course**
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Rule 18.1-2 When Rule 18 Applies and Giving Mark Room

July
 3 - **Rule 18.3 Tacking in the Zone; Rule 18.4**

And HERE IT IS:

The ILYA #FAIRSAILING Initiative

[Video presentations - Rule by Rule](#)

Accessing the quiz:

- Go to the #FairSailing page at SailZing.com.
- [Register for an account at SailZing](#) or log in with your existing account.
- [Click on the link for the #FairSailing Rules Quiz.](#)
- Take the quiz. After submitting your answers you will see the results, with the correct answers explained.

This week's edition is the conclusion of our Rule of the Week. This precedes our Annual ILYA Championship Regatta which starts on Sunday. The committee thanks all the contributors for the enormous amount of work this has taken to assure completion of this daunting task. Clubs and individuals now have three methods of accessing the material. Perhaps this is a winter project as friends get together in a more relaxed schedule to review rules. The impact has been so visible on the water at our regattas and on our homelakes. The commendations the committee has received have been too numerous to document. Experienced and novice sailors alike have expressed gratitude for the endeavor. There is a new civility on the race course.

Look for a review of the project after the Annual Championship is concluded. The ILYA wishes you #FairSailing.

Gybing

10 -
17 - Rules 21 Exoneration; Rule 22 Starting Errors, Backing a Sail; Rule 23 Capsized, Anchored aground, Rescuing; Rule 24 Interfering with another boat
24 - Rules 30 Starting Penalties; Rule 31 Touching A Mark; Rule 32 Shortening or Abandoning after the Start; Rule 33 Changing the Next Leg of a Race
 July 31 - Overview of quiz results

August

7 - **Rule 44 Penalties, Rule 61 Protests and Appendix T Arbitration**

Committee presenters:**John Porter****Bruce Martinson**

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**RULE OF THE WEEK ---Rules 44, 61 and Appendix T****Penalties, Protests, and Arbitration**

Despite our best efforts, we will eventually encounter an incident in which someone breaks a rule. When this happens, the boat(s) that broke a rule should take a penalty on the water. If not, the boats(s) that think they were fouled should protest. After the race, the issue will be resolved through the arbitration and/or protest processes. These topics are covered in Rules 44, 61, and Appendix T.

Rule 44 - Penalties at the Time of the Incident**44.1 Taking a Penalty**

"A boat may take a Two-Turns Penalty when she may have broken one or more rules of Part 2 in an incident while racing. She may take a One-Turn Penalty when she may have broken rule 31. Alternatively, sailing instructions may specify the use of the Scoring Penalty or some other penalty, in which case the specified penalty shall replace the One-Turn and the Two-Turns Penalty. However,

- (a) when a boat may have broken a rule of Part 2 and rule 31 in the same incident she need not take the penalty for breaking rule 31;
- (b) if the boat caused injury or serious damage or, despite taking a penalty, gained a significant advantage in the race or series by her breach her penalty shall be to retire."

44.2 One-Turn and Two-Turns Penalties

"After getting well clear of other boats as soon after the incident as possible, a boat takes a One-Turn or Two-Turns Penalty by promptly making the required number of turns in the same direction, each turn including one tack and one gybe. When a boat takes the penalty at or near the finishing line, she shall sail completely to the course side of the line before finishing."

Definitions

Finish - A boat finishes when any part of her hull, or crew or equipment in normal position, crosses the finishing line from the course side. However, she has not finished if after crossing the finishing line she

- (a) takes a penalty under rule 44.2,
- (b) corrects an error under rule 28.2 made at the line, or
- (c) continues to sail the course.

Rule 44 Questions

1. While sailing upwind on port tack, you do not see an approaching starboard tack boat until the last minute. The starboard tack boat alters course to avoid you. There is no contact. The starboard tack boat does not hail "protest."
 What are your actions in accordance with the rules? [Answer](#)
2. When rounding the windward mark, your boat contacts the mark. No other boats are nearby. You sail the



course shown and continue on.

Have you properly completed a one-turn penalty? [Answer](#)

3. Five seconds before the start, your boat makes contact with a leeward boat. The leeward boat hails "protest." You sail upwind for about 30 seconds to get clear air and then complete your penalty turns. Have you properly complied with Rule 44? [Answer](#)

Rule 61 - Protest Requirements**61.1 Informing the Protestee**

"(a) A boat intending to protest shall inform the other boat at the first reasonable opportunity. When her protest will concern an incident in the racing area that she was involved in or saw, she shall hail 'Protest' and conspicuously display a red flag at the first reasonable opportunity for each. She shall display the flag until she is no longer racing. However,

- (1) if the other boat is beyond hailing distance, the protesting boat need not hail but she shall inform the



**Thanks to
Bruce Martinson,
Al Haeger
and
John Porter
for their leadership and
volunteer efforts to
further
ILYA #FAIRSAILING**

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other boat at the first reasonable opportunity;

(2) if the hull length of the protesting boat is less than 6 meters [about 19 ½ feet], she need not display a red flag;

(3) if the incident was an error by the other boat in sailing the course, she need not hail or display a red flag but she shall inform the other boat either before or at the first reasonable opportunity after the other boat finishes;

(4) if as a result of the incident a member of either crew is in danger, or there is injury or serious damage that is obvious to the boat intending to protest, the requirements of this rule do not apply to her, but she shall attempt to inform the other boat within the time limit of rule 61.3.

(b) If the race committee, technical committee or protest committee intends to protest a boat concerning an incident the committee observed in the racing area, it shall inform her after the race within the time limit of rule 61.3. In other cases the committee shall inform the boat of its intention to protest as soon as reasonably possible.

(c) If the protest committee decides to protest a boat under rule 60.3(a)(2), it shall inform her as soon as reasonably possible, close the current hearing, proceed as required by rules 61.2 and 63, and hear the original and the new protests together."

61.2 Protest Contents

"A protest shall be in writing and identify

(a) the protestor and protestee;

(b) the incident;

(c) where and when the incident occurred;

(d) any rule the protestor believes was broken; and

(e) the name of the protestor's representative.

However, if requirement (b) is met, requirement (a) may be met at any time before the hearing, and requirements (d) and (e) may be met before or during the hearing. Requirement (c) may also be met before or during the hearing, provided the protestee is allowed reasonable time to prepare for the hearing."

Rule 61 Questions

1. Is it mean to protest someone? Is the protest process hard? [Answer](#)

2. Another boat fouls you but there is no damage or injury. You say, "do your circles" and promptly fly your protest flag (if your boat is over 6 meters long). The other boat does not take any penalty, so you file a protest following the race. Is your protest likely to be successful? [Answer](#)

Appendix T - Arbitration

If the Sailing Instructions or Notice of Race state that Appendix T is in effect, arbitration is added to the process. Arbitration allows for post-race scoring penalties instead of disqualification and can also simplify the resolution by avoiding a protest hearing.

T1 POST-RACE PENALTIES

"(a) Provided that rule 44.1(b) does not apply, a boat that may have broken one or more rules of Part 2 or rule 31 in an incident may take a Post-Race Penalty at any time after the race until the beginning of a protest hearing involving the incident.

(b) A Post-Race Penalty is a 30% Scoring Penalty calculated as stated in rule 44.3(c). However, rule 44.1(a) applies.

(c) A boat takes a Post-Race Penalty by delivering to the arbitrator or a member of the protest committee a written statement that she accepts the penalty and that identifies the race number and where and when the incident occurred."

T2 ARBITRATION MEETING

"An arbitration meeting will be held prior to a protest hearing for each incident resulting in a protest by a boat involving one or more rules of Part 2 or rule 31, but only if each party is represented by a person who was on board at the time of the incident. No witnesses will be permitted. However, if the arbitrator decides that rule 44.1(b) may apply or that arbitration is not appropriate, the meeting will not be held, and if a meeting is in progress, it will be closed."

T3 ARBITRATOR'S OPINION

"Based on the evidence given by the representatives, the arbitrator will offer an opinion as to what the protest committee is likely to decide:

(a) the protest is invalid,

(b) no boat will be penalized for breaking a rule, or

(c) one or more boats will be penalized for breaking a rule, identifying the boats and the penalties."

T4 ARBITRATION MEETING OUTCOMES

"After the arbitrator offers an opinion,

(a) a boat may take a Post-Race Penalty, and

(b) a boat may ask to withdraw her protest. The arbitrator may then act on behalf of the protest committee in accordance with rule 63.1 to allow the withdrawal.
 Unless all protests involving the incident are withdrawn, a protest hearing will be held."

Appendix T Key Points

- Appendix T only applies if the sailing instructions or notice of race so state.
- Appendix T does not replace the protest process, but adds two features:
 - You can take a post-race penalty any time before the protest hearing. The post-race penalty is less severe than a disqualification.
 - An arbitration hearing is held before the protest meeting. This helps the sailors decide whether to spend the time and take the risk of going to a protest meeting.

Protest Hearings

If no resolution was reached or there is no arbitration, you will have a protest hearing. A protest committee will be assembled (usually 3 people). All parties will be invited to participate.

- The protest committee will determine if the protest is valid by asking questions:
 - * Was "protest" hailed? When?
 - * Was a flag flown? When?
 - * Was the protest form adequate?

- The protest moves to evidence gathering:
 - * Both parties will explain what happened.
 - * The protest committee will ask questions.
 - * The parties will ask each other questions.
 - * Witnesses will be called.
 - * The parties and witnesses will leave and the protest committee will decide the outcome.
 - * The parties will be invited back and the outcome announced.

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