

## Hudson Cove Yacht Club Rules Changes 2009

### Rule 3, Acceptance of the Rules

Rule 3(c) reverts to a previous version that holds that the decisions of protests committees and of the national authority in any appeal are final, and are not to be contested in a court of law or in any other tribunal.

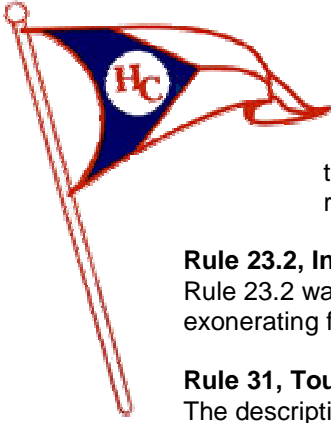
### Rule 17, On the Same Tack; Proper Course

Rule 17.2 is deleted; so an off-wind boat and a close-hauled boat are now on the same footing. Any windward boat can bear away below a proper course towards any overlapped leeward boat as long as the windward boat keeps clear. And a boat clear ahead can bear away below a proper course into the intended course of a boat clear astern steering to pass to leeward, as long as she complies with rule 16.1. Rule 17.1 is therefore now just rule 17.

### Section C – At Marks and Obstructions

The words are substantially different, but their meaning is substantially the same.

- Rule 18 used to cover both marks and obstructions. These are now dealt with by separate rules:
  - Rule 18, Mark Room, which has a substantial tactical element, and
  - Rule 19, Room to Pass an Obstruction, which is primarily for convenience and safety, and therefore simpler
  - The 'Room to Tack at an Obstruction' rule moves from being rule 19 to rule 20, and rules 20, 21 and 22 become 21, 22 and 23
- When Section C applies, Section A still applies (rules 10 to 13), although this is not explicitly stated. In general, the Section C rules give rights to a keep-clear boat and restrict the rights of right-of-way boats
- The concept of there being obligations when boats are 'about to round' before any zone is reached is no longer explicit. However, the obligation to give room to an inside keep-clear overlapped boat at the zone is one that must be complied with immediately on zone entry, so a boat must act before then, if necessary, in order to be able to comply
- The 'zone' at a mark moves from two to three hull lengths, although sailing instructions can change this to two or four hull lengths (subject to conditions)
- There is no zone at an obstruction (as long as the obstruction is not a mark). The ability to give room at an obstruction is a matter of fact – if an outside overlapped boat can do, she must. If she cannot, and never could, she is not expected to do the impossible
- The room that has to be given at marks is newly defined as 'mark-room'. This is:
  - Room for a boat to sail to the mark, and then
  - Room for her to sail her proper course while at the mark, including
  - Room for a windward inside-overlapped boat to tack
- Room for a keep-clear boat to sail to the mark and then to sail a proper course at the mark may now be a slightly more generous entitlement than under the old rule
- The obligation of an inside overlapped right-of-way boat to gybe at a gybe mark does not apply when it is a gate mark – the boat can sail across to round the other mark
- The definition Obstruction now says that a vessel under way, including a boat racing, is never a continuing obstruction: so when a keep-clear clear astern boat is closing on boats ahead, her right to become overlapped between them is NOT dealt with by the 'continuing obstruction' rule, which requires a gap between them she can sail through. She may now be entitled to room if she intervenes, even if the gap is smaller, as long as another boat can give room.
- It is now even clearer that hailing for room to tack breaks a rule when safety does not require a substantial course change to avoid the obstruction: but if such a hail is made,



the hailed boat cannot ignore it – she must either tack, or hail ‘You tack’ and then give room. If unhappy, she can then protest that the other boat was not entitled to hail.

#### **Rule 23.2, Interfering with Another Boat**

Rule 23.2 was changed to say that if a boat remains on her proper course and encounters a boat exonerating for a penalty, the first boat has rights to continue on her proper course.

#### **Rule 31, Touching a Mark**

The description of the one-turn penalty (was rule 31.2) is moved to rule 44 to be with the two-turns penalty, and so rule 31.1 becomes rule 31.

#### **Rule 41, Outside Help**

A boat (including her crew) that receives outside help because she is in danger breaks rule 41.

#### **Rule 42, Propulsion**

A boat can use her engine ‘or any other method’ in circumstances stated in the sailing instructions (to get off when aground, or to cross a shipping lane, for example), but only when the sailing instructions allow this, and provided no significant advantage is gained.

#### **Rule 51, Movable Ballast**

Sails that are not being used are considered “ballast,” and as such they must be properly stowed and cannot be moved for the purpose of changing the boat’s trim or stability.

#### **Rule 60.3, Right to Protest**

A protest committee can once again protest a boat based on information she herself has given (such as a declaration), despite her being an interested party, as defined.

#### **Rule 62, Redress**

When a boat is unhappy about an adverse protest or redress decision, her only option (apart from appealing) is to ask for a reopening, where the decision to reopen is at the discretion of the protest committee. She can no longer request redress (where it was easier to get a hearing).

#### **Rule 63.4, Interested Party**

Good practice is now part of the rule – protest committee members must declare any possible ‘self-interest’ as soon as they are aware of it.

#### **Rule 64.1(b), Decisions: Penalties and Exoneration**

When a boat has taken the penalty applicable to the rule she broke (turn(s), retirement), she cannot then be disqualified in a protest. However, if it finds that she also broke rule 2, Fair Sailing, the penalty she took will not prevent her being given a DNE disqualification (and a turn(s) penalty remains ineffective when injury / serious damage / significant advantage results).

#### **Rule 69, Allegations of Gross Misconduct**

The rule is now clear on how to deal with situations where the competitor cannot or will not attend, or when a hearing cannot be held promptly for other reasons

#### **Definitions**

The term overlap can apply to opposite-tack boats when sailing more than ninety degrees from the wind, but it is significant only at obstructions. Fetching is now a defined term. As already explained, there is a new definition, *Mark-Room*, and a vessel under way, including a boat racing, is never a continuing obstruction. The zone at a mark has its own definition.

**Proper Course:** A course a boat would sail to *finish* as soon as possible in the absence of the other boats referred to in the rule using the term. A boat has no *proper course* before her starting signal.

(Special thanks to the RYA for providing the foundation for this guide.)