

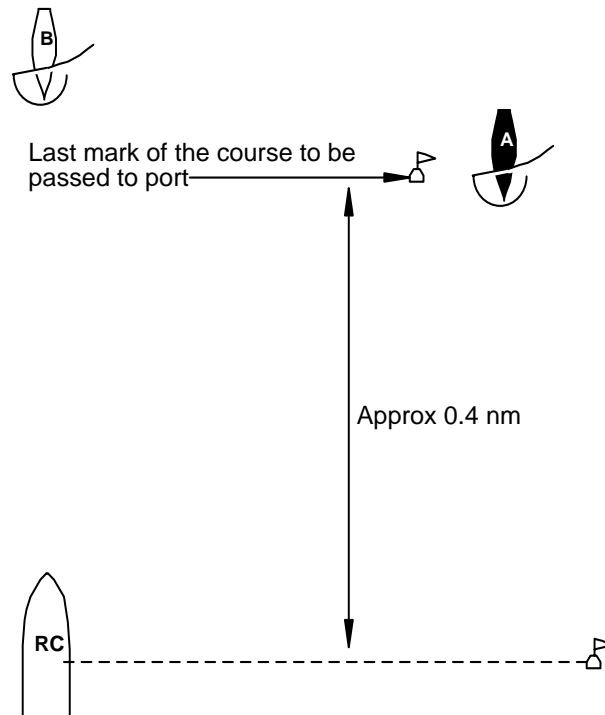
Q&A 05-003

Published: 20 April 2005

Situation

Sailing Instruction 11.1 required boats to pass the last mark of the course before the finishing line to port. The finishing line was approximately 0.4 nautical miles to leeward of that mark.

Two boats were sailing downwind to the finish. B saw A pass the last mark of the course on her starboard side. The tactician aboard B immediately stood by the furled red flag on the backstay but waited for A to finish. The flag was displayed approximately two minutes after B saw A pass the mark on the wrong side. Since A was beyond hailing distance, B afterwards informed A that she was protesting her.



Question

Rule 28.1 allows a boat to correct an error in sailing the course at any time before she finishes. Consequently, A does not technically break rule 28.1 until she crosses the finishing line. When B intends to protest A, can she delay displaying a red flag until after A finishes?

Answer

No. When it became clear to B that A had made an error in sailing the course, B was required by rule 61.1 to display a red flag at the first reasonable opportunity to do so.

Rule 28.1 is a rule that requires a boat to meet a number of specific requirements - to start, to leave each mark on the required side, and to finish. A boat that does not leave a mark on the required side has made an error. A boat that has made an error in sailing the course and has not yet corrected her error is, at that time, not complying with rule 28.1.

Rule 61.1 speaks of an incident, not a breach of a rule, and requires a boat that sees an incident and intends to protest, to inform the other boat at the first reasonable opportunity. Waiting two minutes after seeing the incident to unfurl the flag is not displaying the flag "at the first reasonable opportunity."

Expires: 1 February 2006