

World Sailing Racing Rules Question and Answer Service

D 001

Q&A 2018.010

4 September 2018

Situation

While racing, a boat becomes entangled in the anchor line of a mark of the course. To free the boat, the crew cuts the anchor line of the mark and continues racing, leaving the mark to drift. She did not touch the mark.

Question 1

For the purposes of rule 44.1(b) and rule 60.3(a)(1), is the mark either damaged or seriously damaged?

Answer 1

Damage is only relevant to rules 44.1(b) and 60.3(a)(1) if it is serious damage. The serious damage may be to anybody or anything in the racing area in order for any of those rules to apply.

For the purpose of rule 44.1(b):

The boat caused damage when her crew cut the mark's anchor line. Although this action caused serious damage, neither a rule of Part 2, nor rule 31 were broken, therefore rule 44.1(b) does not apply.

For the purpose of rule 60.3(a)(1):

The protest committee may call a hearing under this rule if it believes that an incident occurred which may have resulted in injury or serious damage. It is not required that the incident is between two boats. The committee may also consider a breach of rule 2 and would then need to clearly establish whether recognized principles of sportsmanship or fair play have been violated. When doing so the committee might find it helpful to consider whether safety made the act of cutting the anchor line a seamanlike action under the prevailing circumstances.

The protest committee may also consider acting under rule 69.

Question 2

Is it relevant that it was the anchor line that was cut?

Answer 2

Yes - see Answer 1.

Question 3

Would the answer be different depending on whether the mark was a permanent mark, or a temporary mark laid by the race committee or others?

Answer 3

No.

Question 4

Is the value of the damaged item relevant?

Answer 4

Damage can affect either the value or the usefulness of the item. When deciding the case, the protest committee should consider the extent and the consequences of the damage.