

E. W. HARRIS

Royal Port Nicholson Yacht
Club
(Incorporated)



RULES BY-LAWS
SAILING RULES



Wellington, New Zealand, 1924

BLUE ENSIGN WARRANT.

(The original warrant was dated 1894.)

By the Commissioners for executing the Office of Lord High Admiral of the United Kingdom of Great Britain and Ireland etc.—

WHEREAS we deem it expedient that the members of the Port Nicholson Yacht Club, being natural born or naturalized British subjects, should be permitted to wear on board their respective vessels the Blue Ensign of His Majesty's Fleet, on the following conditions:—

We do, therefore, by virtue of the power and authority vested in us, under the provisions of the Seventy-third section of the Merchant Shipping Act, 1894, hereby Warrant and authorise the Blue Ensign of His Majesty's Fleet to be worn on board the respective vessels belonging to the Port Nicholson Yacht Club, and to members of such Yacht Club, being natural born or naturalized British Subjects, accordingly, subject to the following conditions:—

1. Every vessel belonging to the Port Nicholson Yacht Club, in order to be eligible to wear the Ensign authorised by this Warrant, shall have been registered as a British vessel in accordance with the Merchant Shipping Act, 1894.

2. The Ensign shall not, without our authority in writing, be worn on board any vessel belonging to the Port Nicholson Yacht Club while such vessel is lent, on hire or otherwise, to any person not being a member of the Club, or who, being a member of the Club, is not a natural born or naturalized British Subject.

By command of their Lordships,

V. W. BADDELEY.

Given under our hands and the Seal of the Office of the Admiralty this thirteenth day of January, 1920.

O. de B. BROCK.

A. E. M. CHATFIELD.

FROM HIS EXCELLENCY THE GOVERNOR-GENERAL
TO THE COMMODORE.

Government House, New Zealand,
22nd October, 1921.

DEAR MR. DUNCAN,—

It is with much gratification that I write to inform you that I have received a despatch from the Secretary of State for the Colonies, intimating that His Majesty has been graciously pleased to approve of the Port Nicholson Yacht Club being granted the title "Royal."

The name that the Yacht Club will therefore be entitled to use is that of "The Royal Port Nicholson Yacht Club."

Yours very truly,

JELlicoe.

Royal Port Nicholson Yacht Club

(Incorporated)

GENERAL RULES

TITLE.

1. The title of the Club is "The Royal Port Nicholson Yacht Club (Incorporated)."

OBJECTS.

2. The objects of the Club shall be the encouragement of yacht and boat-building and racing, under power or sail, and the promotion of social intercourse between members and kindred clubs.

OFFICERS

3. The officers of the Club shall consist of three flag officers, viz., Commodore, Vice-Commodore, Rear-Commodore, who shall be yacht owners at time of election; Honorary Secretary, Honorary Racing Secretary, and Honorary Treasurer.

COMMITTEE.

4. The affairs of the Club shall be conducted by a Committee, which shall be elected at the Annual General Meeting, and shall consist of fourteen members, as follows:—Officers of the Club, Handicapper, Judge (who is also Starter and Timekeeper), and six other members, of whom three shall be yacht owners. The Committee shall have full power and sole control over all funds, property and investments of the Club except the Reserve Fund, and may make, alter, and rescind by-laws. Any member of the Committee failing to attend three consecutive meetings

shall cease to be a member thereof unless he shall have first obtained leave of absence for a definite period.

The Committee shall elect a member to fill any vacancy occurring during the year. The Committee shall meet whenever they deem it necessary, and a meeting may be called by the Commodore, Honorary Secretary, or three members of the Committee upon giving notice to the Honorary Secretary. The Committee shall hold not less than one meeting per month.

At meetings of the Committee five shall form a quorum.

SAILING COMMITTEE.

5. The Sailing Committee shall consist of the flag officers, judge, and three other members elected at the Annual Meeting. Three shall form a quorum, and a meeting of this Committee shall be called upon the requisition of the senior flag officer available, the judge, or three members of the same. The hon. secretary shall notify members of this Committee of all meetings.

NOMINATION OF OFFICERS AND COMMITTEE, ETC.

6. Nomination of candidates for all offices shall be in writing and in the hands of the Hon. Secretary at least eight (8) days before the Annual General Meeting. The Secretary shall post nominations on the Club Notice Board at least seven (7) days before such meeting. In case no nomination is received for any office, the Annual General Meeting shall elect a member to fill same.

OTHER OFFICES.

7. At the Annual General Meeting shall be elected a Patron, President, Vice-Presidents, Auditor, and two Measurers.

CHAIR.

8. At all meetings the senior officer present shall preside. In the event of no officer being present, the meeting shall elect a chairman.

DUTIES OF HON. SECRETARY, HON. RACING SECRETARY, AND HON. TREASURER.

9. The duties of the Honorary Secretary, Honorary Racing Secretary, and Honorary Treasurer shall be clearly set out and permanently exhibited in the Committee-room of the Club.

ANNUAL GENERAL MEETING.

10. The Annual General Meeting shall be held in September each year, at such time and place as the Committee shall appoint.

ORDINARY GENERAL MEETINGS.

11. A General Meeting may be called by the Committee, and not less than three General Meetings other than the Annual General Meeting shall be held each year.

SPECIAL GENERAL MEETING.

12. A Special General Meeting shall be called at any time by the Committee or by the Commodore, upon a requisition signed by at least ten members; such requisition to state the object thereof. Only such business as has been notified to members shall be decided.

NOTICE OF GENERAL MEETING AND QUORUM.

13. Fourteen days' notice shall be given of all General Meetings, by notice on the Club's Notice Board. At any General Meeting fifteen (15) shall form a quorum. All questions shall be decided by show of hands unless a ballot is demanded by at least three (3) members.

MEMBERS' ELECTION.

14. A candidate for membership must be proposed in writing on the Club's forms by one and seconded by another member. The nomination shall be posted on the Club Notice Board for seven days before election at a General or Committee Meeting. Should any member require a ballot such shall be held, and one black ball in

four shall exclude a candidate. When elected, the Secretary shall notify candidate, whose subscription then becomes due. If not paid within one month, such candidate shall not be enrolled, nor shall he enjoy any privileges of the Club. Members elected after February 1st shall pay half the amount of the annual subscription.

DEFAULTERS.

15. No person who has been struck off the Members' Roll for non-payment of any dues shall be re-elected until such have been paid or until an explanation has been made to the satisfaction of the Committee.

RESIGNATION.

16. Any member wishing to resign shall give notice in writing to the Secretary to that effect and pay all arrears due up to the date of such notice.

JUNIOR MEMBERS.

17. Persons under the age of 18 years may belong to the Club as junior members, and may sail in races and enjoy all the privileges of the Club, but shall not be elected to any office nor be entitled to vote at any meetings. In the case of nominations for junior members the date of birth shall be furnished with the nomination. The subscription for junior members shall be one-half of the annual subscription. Ladies may be elected members of the Club at a nominal subscription.

ABSENT MEMBERS.

18. Any member leaving Wellington for one year or more may, by notifying the Secretary, have his name placed on the absentee list, free of subscription, until his return.

COUNTRY MEMBERS.

19. The subscription of members living over 20 miles from Wellington shall be one-half the annual subscription, and any such members shall be entitled to all the privi-

leges of an ordinary member, provided his residence in Wellington does not exceed six months. Should this period be exceeded, he shall then pay the ordinary member's subscription.

EXPULSION.

20. If the conduct of any member, in the opinion of the Committee, be injurious to the character and interests of the Club, a General Meeting may be called to consider his expulsion. A majority of three (3) to two (2) of such meeting shall carry same.

HONORARY MEMBERS.

21. A visitor to Wellington who resides more than 20 miles from the city, upon proposal by a member and seconded by a member of the Committee, may be elected an Honorary Member for not longer than three months, and may enjoy the privileges of the Club, but may not vote at meetings. The Committee may revoke any honorary membership without notice or assigning cause.

LIFE MEMBER.

22. Any member may become a life member, free of further subscription, on payment of ten times the annual subscription for the time being, provided that this amount be not less than ten guineas, and he shall enjoy all the privileges of the Club. A life member shall be subject to expulsion according to Rule 19, and the Committee shall return to him what remains of his life member subscription after deducting an amount covering the annual subscription for the years he has been a member.

HONORARY LIFE MEMBER.

23. Any gentleman for sufficient reason may, if nominated by the Committee for that purpose, be elected at any General Meeting an honorary life member of the Club. Such election shall be by a majority by ballot.

24. The Chairman of the Wellington Harbour Board shall be an honorary member during his term of office.

SUBSCRIPTION.

25. The annual subscription for each year shall be fixed at the Annual General Meeting.

DUE.

26. The financial year of the Club commences on 1st September, and all members' subscriptions are due on that date, and shall be paid to the Honorary Treasurer. Any member failing to pay the same by 1st November following shall have his attention drawn to this rule, and shall be notified that if his subscription be not paid by 1st December his name may, at the discretion of the Committee, be removed from the list of members. The Committee may, if they deem it advisable, reinstate such members upon payment of such subscription.

ARREARS.

27. No member whose subscription is in arrears and whose notice has been brought to the fact twice shall be entitled to the privileges of the Club, nor shall he be entitled to vote at any meeting or compete for any prizes or steer any yacht in a Club race until the subscription is paid.

LEVIES.

28. Should the Committee at any time find they have not sufficient funds at their disposal to carry on the affairs of the Club, they shall call a General Meeting by circular to all members, and place the financial position and their suggestions for meeting same before such meeting, and the majority of those present and voting at such meeting shall have the power to make a levy or call on the members equal to the estimated amount of such deficiency, and notice of such levy or call shall immediately be posted to every member. Any member failing to pay such levy or call after the expiration of two calendar months from the date thereof shall, at the discretion of the Committee, have his name removed from the list of members, provided, however, that the Committee shall be at liberty to

reinstate such member upon payment of such levy or call and upon sufficient explanation being given by such member.

PROPERTY TRUSTEES.

29. At the Annual General Meeting two members shall be elected to the position of Trustees. All the property of the Club, real and personal, shall be vested in the Trustees, who shall hold same in trust for the Club. The Committee may, by direction of a General Meeting, if and when necessary, adopt, ratify and confirm on behalf of the Club any mortgage or security given or any purchase or conveyance made or taken or contract entered into by the Trustees or otherwise by and on behalf of the Club. The Trustees undertake to do such things as are directed by the Committee. Any direction of the Committee must be passed by a majority of same at a meeting duly held, and must be conveyed to the Trustees in writing. The written direction must be signed by the Chairman of the Committee Meeting, and attested by the Honorary Secretary.

All purchases, leases, investments, sales, mortgages, borrowings, contracts, and other transactions authorised by such direction as aforesaid shall be made and conducted in the names of the Trustees, and all deeds and instruments affecting the same shall be in the name of and effected by the Trustees.

There shall be a Reserve Fund, and at each Annual General Meeting an amount may be allocated for the same. Such Reserve shall not be used for any purpose except by the authority of two-thirds of the members of the Club present and voting at any Annual General Meeting or at a Special General Meeting called for the purpose.

YACHT REGISTER.

30. Each member shall state in writing to the Honorary Secretary the name, rig, measurements, private flag of every yacht belonging to such member for which he shall desire the privileges of the Club, and the name, power of engine and such other particulars as the Committee from season to season decide upon, and the particulars shall be

entered in the Club Register; and no yacht shall be eligible to compete in Club races except as the Committee provide for outsiders unless such registration has been made.

WARRANT FOR BLUE ENSIGN.

31. Owners of yachts on the Register which are also duly registered under the Merchant Shipping Act may apply, through the Club, for the Admiralty Warrant and the privilege of flying the Blue Ensign, and on receiving the same they shall be amenable to the rules and regulations connected with the holding of the warrant.

ALTERATIONS TO YACHTS.

32. Any alteration to any yacht affecting either rig, engine power, or engine and propeller shall be immediately notified to the Honorary Racing Secretary, who shall note these alterations and advise the handicapper.

YACHTS ON HIRE.

33. No boat being a working boat or let out on hire shall be entered on the Club Register, nor any yacht owned by more than one person, unless all the owners are members of the Club. Yachts bona fide hired or chartered for a period of at least six (6) months to be an exception to this rule.

CLASSIFICATION OF YACHTS.

34. The Club yachts shall be classified for racing purposes as the Sailing Committee may determine.

SAILING INSTRUCTIONS.

35. All yachts in all Club races shall be steered by owners or amateurs, who shall be Club members. The Club, however, to have the power of arranging matches for boats other than those on the Club Register and steered by other than Club members on the occasion of the Annual Regatta and upon not more than one other occasion during each season.

RACING RULES.

36. The Racing Rules of the Club are those of the International Yacht Racing Association, Parts I., II., and III., with the following exceptions:—(a) Rule 14 is omitted; (b) for the purpose of Rule 16, a yacht shall be deemed to be supplied with a programme when such programme has been posted on the Club Notice Board; (c) Rule 18 is omitted; (d) Rule 19 is omitted with the exception of the last sentence; (e) Rule 28, International Code Flags will be used in lieu of numbers.

UNIFORM.

37. The Club Uniform consists of a double-breasted blue jacket, blue waistcoat, each with Club buttons; blue or white trousers, black neckerchief, and blue cap with Club badge, with which may be worn a white top.

The Commodore wears three stripes of gold braid, three-eighths inch wide on sleeve.

Vice-Commodore, two stripes; and Rear-Commodore, one.

ENSIGN.

38. The Club Flag is the Blue Ensign of His Majesty's Fleet, in accordance with the warrant issued to the Club. Yachts not holding the warrant shall fly the Red Ensign with the Club Burgee.

BURGEE.

39. The Club Burgee is white cross with blue anchor at intersection. Upper inner canton black with crown, lower inner canton red, outer cantons blue.

OFFICERS' FLAG.

40. The Commodore's Flag to be a swallow-tail of a similar device to the burgee. The Vice-Commodore's, similar to the Commodore's, with one white ball in lower canton (inner), and the Rear-Commodore's similar to the Commodore's, with two white balls vertically in lower inner canton.

FLYING FLAGS.

41. No member shall fly the Club flags from any yacht not on the Club Register; this rule may be held not to apply in the case of the flag officers.

VISITORS.

42. Members have the privilege of introducing visitors. A member introducing a visitor shall enter his name in the Visitors' Book, and shall be answerable for the conduct of his guest while on Club premises. The same visitor may not be introduced more than once in a month except on guest nights.

CLUB PROPERTY.

43. No member shall remove any property of the Club from the Club House except under By-laws made by the Committee.

44. Members shall pay the full cost of replacing any Club property destroyed, damaged, or lost by them.

OBJECTIONABLE BEHAVIOUR.

45. No gambling, betting, or objectionable language or conduct of any kind shall be allowed, nor shall any intoxicating liquor be brought into the Club House except by the order and upon the authority of the General Committee. The Committee shall have the power of fining any member offending against this rule, and no member so fined shall be entitled to enjoy the privileges of membership until such fines have been paid. No games to be allowed in the Clubhouse on Sundays.

NOTICES.

46. No notice shall be posted in the Club House unless signed and dated by the Honorary Secretary or two of the Committee.

MEMBERS' PROPERTY.

47. The Club will not be responsible for the property of any member left in the rooms.

DOGS.

48. No member shall bring a dog into the rooms.

CHAMPIONSHIP FLAG.

49. A Championship Flag shall be given the yacht showing the best performance in the matter of time round the course in the races for her class during the season. The method of computing to be arranged annually.

POINTS.

50. A trophy shall be presented each season for each class for the yacht scoring the most points in races for her class.

ALTERATION OF RULES.

51. No addition to, alteration, amendment, or revision of these rules shall be made except at a General Meeting, and by a majority in proportion of four to three of members present and voting at such General Meeting. In the notice of such General Meeting the proposed addition, alteration, or revision of the rule shall be set forth.

COMMON SEAL.

52. The Club shall have a Common Seal, which shall be held for the Club by the Honorary Secretary, and shall not be affixed to any document except by two members of the General Committee, in the presence of the Honorary Secretary, pursuant to a resolution of the General Committee. The members of the General Committee who shall affix the Common Seal to any document as aforesaid and the Honorary Secretary shall sign such document on behalf of the Club.

WINDING-UP.

53. By a vote of a two-thirds majority of the members present at a Special General Meeting called for the purpose, the Club shall be wound up, and the assets and the various properties of the Club shall be disposed of as the members present at such meeting shall decide.

SAILING RULES

1.—GENERAL AUTHORITY OF SAILING COMMITTEE.

All races, and yachts sailing therein, shall be under the direction of the Flag Officers, Sailing Committee, or officers of the day of the Club or Regatta Committee, under whose auspices the races are being sailed (hereinafter referred to, together or separately, as the "Sailing Committee"). All matters shall be subject to their approval and control, and all doubts, questions and disputes which may arise shall be subject to their decision. Their decisions shall be based upon these rules so far as they will apply, but as no rules can be devised capable of meeting every incident and accident of sailing, the Sailing Committee should keep in view the ordinary customs of the sea and discourage all attempts to win a race by other means than fair sailing and superior speed and skill.

2.—OWNERSHIP OF YACHTS.

Every yacht entered for a race must be the bona fide property of a club or body recognised by a National Authority or of the person or persons in whose name or names she is entered, who must be a member or members of a yacht or sailing club recognised by a National Authority.

3.—EVERY YACHT TO HAVE A CERTIFICATE.

A valid Certificate of Rating under the International Rule for yacht measurement and rating (hereinafter called the "International Formula") shall be held by every yacht starting in an international class race, except as provided by the National Authority.

4.—TIME ALLOWANCE.

(1) The time allowance for yachts above 20 metres shall be as provided in the International Rule.

(2) There shall be no time allowance between new yachts of the same class in the International Classes of 20 metres and under.

(3) The time allowance between amalgamated International Classes (which must start at the same time) shall be in accordance with the International Scale of Time Allowance.

(4) The time allowance between all the old yachts of each Old Class and the corresponding new International Class shall be the same, and according to a scale approved by the National Authority.

(5) In all races in which there is time allowance, the time to be allowed on arrival shall be in proportion to the length of the course as notified on the programme of instructions.

5.—ENTRIES.

Entries shall be made as required by the Sailing Committee in the notice or advertisement of the race. Entries must be made in the following form. Notice of intention to enter may be given by telegram, and it shall be deemed sufficient if the same has been dispatched before noon on the day on which the entries close; but such entries by telegram must be confirmed in the proper form in course of post.

Form of Entry.

(To be signed by the Owner or his Representative.)

To the Secretary _____ Yacht Club.

Please enter the Yacht _____, owner _____, for the _____ Race, _____ on the _____. Her distinguishing flag is _____; her rig is _____; and her rating is _____.

And I agree to be bound by the International Racing Rules and those of the National Authority under which this race is sailed.

Signed this _____ day of _____

Owners' Name, Address and Club _____

Signature _____

Entrance Fee enclosed.

6.—REFUSAL OF ENTRY.

Subject to the regulations of the National Authority, the Sailing Committee may refuse any entry.

7.—OWNER TO ENTER ONE YACHT ONLY.

Two or more yachts owned, wholly or in part, by the same person or body shall not be entered in the same race without the previous consent of the Sailing Committee. A yacht may not be entered for two races to be sailed at the same time under the same Sailing Committee in order to exercise an option between them.

8.—POSTPONEMENT OF RACES.

The Sailing Committee shall have power to postpone or cancel any race should unfavourable weather render such a course desirable. Letter N of the INTERNATIONAL CODE, hoisted over the class or race signal, shall be the signal that such race is postponed.

No new entry shall be received under any circumstances whatever for a postponed race.

9.—NUMBER OF PRIZES.

Each National Authority may prescribe the minimum number of prizes in relation to the number of entries in each race.

10.—SAILING OVER.

A yacht duly entered for a race shall be entitled to sail over the course (subject, however, to Rule 8); but the value of the prize may be reduced, as notified in the advertisement of the race.

11.—RE-SAILED RACES.

A yacht which has, in the opinion of the Sailing Committee, committed a breach of the rules in the original race shall not be allowed to compete in a re-sailed race. A yacht which, though duly entered, did not start in the original race may, at the discretion of the Sailing Committee, be allowed to compete in a re-sailed race.

12.—SHORTENING COURSE.

The Sailing Committee may shorten the course during a race, and the Class or Race Signal hoisted under the letter S of the International Code, or in case of fog or darkness, two guns fired, shall be the signal that the race is to finish with the round about to be completed, or in such other manner as the Sailing Committee by the Sailing Instructions may appoint; and the time allowance shall be reduced in proportion.

13.—REMOVAL OF MARK.

Should any mark be removed from its proper position either by accident or design, the Sailing Committee shall, if possible, replace it. If the Committee are unable to replace the mark in time for the yachts to round it, the race shall be re-sailed, or not, at their discretion.

15.—IF A YACHT BE DISQUALIFIED.

If any yacht be disqualified, the next in order shall be awarded the prize.

16.—SAILING INSTRUCTIONS AND PROGRAMME.

Every yacht entered for a race shall, as soon as possible after the entry, be supplied with a programme, and written or printed Sailing Instructions, which shall contain the following particulars:—

1. Time of start;
2. Starting line;
3. Starting signals;
4. Recall number;
5. Course to be sailed, naming all marks to be rounded;
6. Finishing line;
7. Length of course;
8. Special instructions for shortening the course (if any);
9. The names and ratings of the yachts entered;
10. Address at which the declaration or a written protest is to be lodged.

Verbal instructions are not to be taken into consideration.

It is desirable that the programme shall state the time and place for awarding the prizes.

A yacht shall be deemed to be supplied with a programme when such programme has been posted on the Club Notice Board.

SAILING.

17.—NUMBER ON SAILS, LETTER, AND DISTINGUISHING FLAG.

Every yacht must carry a distinguishing flag, in the manner prescribed by the National Authority under which she is racing.

The Y.R.A. requires every yacht to carry at her main topmast head a rectangular distinguishing flag of suitable size, which must not be hauled down unless she gives up the race. If the topmast be lowered on deck or carried away, the flag must be re-hoisted in a conspicuous place as soon as possible.

19.—BALLAST AND EQUIPMENT.

No ballast shall be shipped, unshipped, or shifted after 9 p.m. of the day previous to that on which the race is sailed.

20.—LIFEBUOYS.

Every yacht shall carry at least one lifebuoy on deck or in the cockpit ready for use.

21.—LIGHTS.

All yachts sailing in a race at night shall observe the International Maritime Rules or the National Rules as to the carrying of lights.

22.—MANUAL POWER ONLY TO BE USED.

Manual power only may be used for hoisting and working sails or for working a centre-board or plate.

23.—MEMBER ON BOARD.

Every yacht sailing in a race shall have on board a member of a recognised club, to be in charge of the yacht as owner or owner's representative.

24.—PERSONS JOINING OR LEAVING DURING A RACE.

A National Authority shall have power to make regulations prohibiting persons from joining or leaving a yacht during a race.

25.—OWNER STEERING.

If any owner steers any other yacht than his own in a race wherein his own yacht competes, without the previous consent of the Sailing Committee, both yachts shall be disqualified.

26.—STARTING SIGNALS.

The National Authority may prescribe any preparatory signal to be allotted to the several classes or races.

Five minutes before the start a gun shall be fired and a signal made as prescribed by the National Authority. At the expiration of five minutes exactly a starting gun shall be fired and a signal made as prescribed.

(In the event of a gun missing fire, the time shall be taken from the other signal.)

27.—COMMENCEMENT OF THE RACE.

A yacht shall be amenable to the rules from the signal given five minutes before her start.

28.—RECALLS.

If any yacht, or any part of her hull, spars, or other equipment be on or across the starting line when the signal to start is made, her recall flag shall be displayed as soon as possible, and a suitable sound signal also given to call the attention of the competitors to the fact that a recall flag is being displayed. The yacht recalled must return and re-cross the line to the satisfaction of the Committee, and the flag must be kept displayed until she has done so.

29.—YACHTS RETURNING.

A yacht so recalled and returning or one working into position from the wrong side of the line after the signal to start has been made, must keep out of the way of all competing yachts.

Y.R.A. Note—Rule 29.

The other yachts racing must not assume that a yacht is returning or working into position from the wrong side of the line until it can be seen that her manœuvres are obviously inconsistent with an intention to continue sailing the course.

30.—RIGHT-OF-WAY.

Overlapping and Clear—

Two yachts sailing the same or nearly the same course are said to be overlapping when an alteration of the course of either may involve immediate risk of collision.

Overtaking—

Of two yachts, sailing the same or nearly the same course, one which is clear astern of another when approaching her so as to involve risk of collision, is said to be an overtaking yacht, and she continues such after the yachts overlap, until she has again drawn clear.

- (a) A yacht overtaking another shall keep out of the way of the overtaken yacht.
- (b) Provided that the overtaking yacht makes her overlap on the side opposite to that on which the overtaken yacht then carries her main boom, the latter may luff as she pleases to prevent the former passing her to windward, until she is in such a position that her bowsprit end, or stem if she has no bowsprit, would strike the overtaking yacht abaft the main shrouds.
- (c) A yacht must never bear away out of her proper course to hinder an overtaking yacht passing her to leeward, the lee side to be considered

that on which the leading yacht of the two carries her main boom. The overtaking yacht, if to leeward, must not luff until she has drawn clear.

Meeting, Crossing, and Converging.

- (d) A yacht which has the wind free shall keep out of the way of one which is close-hauled.
- (e) A yacht which is close-hauled on port tack shall keep out of the way of one which is close-hauled on starboard tack.
- (f) When both yachts have the wind free on different sides, the yacht which has the wind on the port side shall keep out of the way of the other.
- (g) When both have the wind free on the same side the yacht to windward shall keep out of the way of the yacht to leeward.
- (h) When two yachts, both close-hauled on the same tack, are converging by reason of the leeward yacht holding a better wind, and neither can claim the rights of a yacht being overtaken, then the yacht to windward shall keep out of the way.
- (i) A yacht may not tack so as to involve risk of collision with another yacht before filling on her new tack; nor so as to involve risk of collision with another yacht which, owing to her position, cannot keep out of the way.

Altering Course.

- (k) When by any of the above clauses one yacht has to keep out of the way of another, the latter (subject to clause (b)) shall not alter course so as to prevent her doing so.

The OVERTAKING Rule overrides the MEETING, CROSSING, and CONVERGING Rule, except clauses (e) and (i), which must always be observed.

Y.R.A. Note—Rule 30.

OVERLAPPING AND CLEAR AND OVERTAKING.

Sailing the Same Course.

No question of overtaking can arise or continue to exist unless the yachts are sailing approximately the same course; and a new set of conditions arises if either yacht changes her tack. (A luff by one of the yachts under clause (b) does not count as a difference of course in this connection.)

Clear Astern.

A yacht is clear astern of another when all her hull and equipment is abaft the other yacht's boom end or counter, judged by the course which the two yachts are sailing. The other is clear ahead.

Risk of Collision.

The phrase "Risk of Collision" is used in the widest sense in the OVERTAKING Clause. And yachts must be considered to be "approaching so as to involve risk of collision" whenever either of two cannot with perfect safety be navigated without any regard to the proximity of the other.

For example, generally speaking, two yachts cannot be navigated without any regard to each other unless either or both can at any moment turn a complete circle with helm hard over either way without fouling the other. When there is any doubt, risk of collision is to be presumed to exist.

Overlap.

Yachts are overlapping when, sailing approximately the same course, they are approaching so as to involve risk of collision (as just defined), and neither of the two is clear astern of the other.

Beginning of Overtaking.

When one yacht is clear astern of another (as above defined) she begins to rank as an overtaking yacht as soon as she comes anywhere within range of risk of collision (as defined), while still remaining clear astern.

Drawing Clear (End of Overtaking).

A yacht which has begun to rank as overtaking yacht remains overtaking yacht until she either—

1. Draws ahead (as above defined); and then she begins to rank as overtaken yacht;
2. Draws clear abreast by widening out beyond range of risk of collision (as defined).
3. Falls astern beyond range of risk of collision (as defined).

The obligation of proving that she has drawn clear (as above) lies on the late overtaking yacht.

Luffing—Clause (b).

In cases of doubt as to the right of the leeward yacht to luff, the windward yacht must respond to the luff, and protest if she thinks fit.

The words "would strike the overtaking yacht abaft the main shrouds" do not relieve the windward yacht of her responsibility of keeping out of the way, but the leeward yacht must thereafter sail a reasonable course for the next mark, unless, in bearing away to do so, or subsequently, she again gets into such position as entitles her to luff under the rule.

Clause (c)

The first section of this clause means that a yacht must never bear away out of her proper course to hinder any yacht which ranks as overtaking yacht from passing her to leeward.

The last section of this clause means that the yacht must not luff so as to foul the windward yacht or cause her to alter her course, and therefore must not luff as she pleases, until she ranks as an overtaken yacht.

Proper Course.

The Council of the Y.R.A. decided on April 1st, 1910, that during the existence of overtaking conditions, the proper course is *prima facie* nothing to leeward of full and by if on a wind, or of the next mark if the wind is free;

that there may be conditions of tide or circumstances other than the desire to hinder the competitor overtaking to leeward which justify a more leeward course; the responsibility for proving the justification for such a leeward course would lie upon the weather yacht.

MEETING, CROSSING, AND CONVERGING.

Clauses (d), (f), (g), and (h).

These clauses are framed particularly to avoid collision, and the yacht which by rule has to keep out of the way must always do so (see clause (k)). After the start, the yacht holding right-of-way may be disqualified on protest if she obstructs the other by steering a course unreasonably wide of her own proper course for the next mark, taking wind and tide into consideration. Before the start, no question of proper course can arise, and the yacht holding right-of-way may alter course in any reasonable manner.

Clause (i)

A yacht which tacks so close to another as not to be able to gather full way before a collision would occur must be disqualified.

Altering Course—Clause (k).

Although the right-of-way yacht is not bound to hold her course, she must not alter it as to mislead or baulk the other, in the act of keeping out of the way.

Neglect of this clause may disqualify on protest, whether a collision result or not.

31.—GIVING ROOM AT MARKS OR OBSTRUCTIONS TO SEA ROOM.

If an overlap exists between two yachts when both of them, without tacking, are about to pass an obstruction to sea room or a mark on the required side, the outside yacht must give room to the yacht in danger of fouling such mark or obstruction, whether she be the windward or leeward yacht, provided the yachts are not clear of each

other on actually reaching such mark or obstruction. An overtaking yacht shall not be justified in attempting to establish an overlap, and thus force a passage between the leading yacht and the mark or obstruction, after the latter has reached it or altered her course for the purpose and in the act of rounding it. A craft under way (including another yacht racing), of which the yacht concerned has to keep out of the way, ranks as an obstruction for the purpose of this or the following rule.

Y.R.A. Note—Rule 31.

Rule 31 only makes exception to Rule 30 so far as to require the outer yacht, although otherwise holding right-of-way under the latter rule, to allow the inner yacht room if her overlap has been made in proper time. In all other respects Rule 30 remains in full force.

As an example, a leading yacht may only tack round a mark or obstruction when she can do so and clear the yacht astern, just as she would be required to do if she made her tack in open sea, without any mark or obstruction being there.

32.—CLOSE-HAULED, APPROACHING AN OBSTRUCTION TO SEA ROOM OR A MARK.

If two yachts are standing close-hauled on the same tack towards the shore or an obstruction to sea room which the leeward yacht cannot clear without tacking; and if she is not able to tack without coming into collision with the yacht to windward, the latter shall, on being hailed by the person in charge of the leeward yacht, at once allow her room to tack. A yacht so claiming room shall be bound to tack immediately her hail is responded to. But if the obstruction is a mark of the course, the leeward yacht has no right to so hail the other about if that other can herself pass the mark without tacking.

Y.R.A. Note—Rule 32.

Although it is only in this rule that a hail is mentioned, other situations may arise in which, under Rule 1, a hail

should be given before making an alteration of course which may not be foreseen by the other yacht.

33.—FOULING OR IMPROPERLY ROUNDING MARKS.

A yacht must go fairly round the course, rounding the series of marks as specified in the instructions; and, in order to round each mark, the yacht's track from the preceding to the following mark must enclose it on the required side. A yacht which, in rounding a mark, fouls it, or causes the mark vessel to shift her position to avoid a foul, shall be disqualified, unless on her protest it is established that she was wrongfully compelled to do so by another yacht, in which case such other yacht shall be disqualified. The yacht which fouled the mark must immediately either abandon the race or hoist a protest flag.

Y.R.A. Note—Rule 33.

As provided in the Appendix "12," when races are sailed in fog or at night, dead reckoning alone should not necessarily be accepted as evidence that a mark has been rounded.

34.—DEFINITION OF MARKS.

Nothing shall be considered a mark in the course unless specially named as such in the Sailing Instructions, and until the preceding mark, if any, has been rounded or passed; otherwise, it shall be an obstruction to sea room.

Every essential or ordinary above-water part of any object named as a mark counts as a mark for the purpose of this and the two preceding rules; but no part below water, nor any object accidentally or temporarily attached to the mark.

Y.R.A. Note—Rule 34.

Any mark used in connection with the starting or finishing line is a mark in the course, and every mark rounded or passed remains a mark in the course until the next has been passed.

35.—FOULING COMPETING YACHTS.

If a yacht, in consequence of her neglect of any of these rules, shall foul another yacht or compel other yachts to foul, she shall be disqualified.

36.—RUNNING ASHORE.

A yacht grounding, or fouling a buoy, vessel, or other obstruction, may use her own anchors, boats, warps, spars, or other gear to haul off, but may not receive any assistance except from the crew of the vessel fouled. Any gear used must be recovered before she continues the race.

37.—ANCHORING DURING A RACE.

A yacht may anchor during a race, but must weigh and recover her anchor again, and not slip. No yacht shall, during a race, make fast to any buoy, stage, pier, or other object, or send an anchor out in a boat except for the purpose of Rule 36.

38.—MEANS OF PROPULSION.

No towing, rowing, poling, pushing or any mode of propulsion except sails shall be allowed, except for the purpose set forth in Rule 36.

39.—SOUNDING.

No other means of sounding than the lead and line shall be allowed.

40.—MAN OVERBOARD AND ACCIDENTS.

Each yacht shall render every possible assistance to any vessel or person in peril, and if, in the judgment of the Sailing Committee, any yacht not responsible for the accident shall have thereby injured her chance of winning any prize, they shall order the race to be re-sailed, if possible, between such yacht or yachts and the winner of such prize, otherwise the race shall be void and the entrance fees returned. A yacht neglecting to render assistance when in a position to do so shall be disqualified.

41.—FINISHING A RACE.

A yacht shall be timed for completing a race as soon as any part of the hull or spars be on the finishing line, but continues amenable to the rules so long as any part of the hull or spars remains on the line. After thus finishing a race she must continue to observe any special regulations prescribed by the Sailing Committee as to keeping clear of the finishing line.

Y.R.A. Note—Rule 41.

A yacht having received the winning gun ceases to be amenable to the Sailing Rules as soon as she can get clear of the line; it is not necessary for a yacht to pass across the line: she may drop astern of it, and having succeeded in doing so, is only amenable to any Special Regulations prescribed by the Sailing Instructions.

41a.—THE CASE OF A DEAD HEAT.

In the case of a dead heat, the prize money to be equally divided. If a cup, or other prize which cannot be divided, the race to be re-sailed by the yachts having made the dead heat, if practicable; if not, the destination of the prize shall be decided by the spin of the coin or by ballot.

Y.R.A. Note—Rule 41a.

In cases of time allowance, when the corrected times are equal, the race shall be accounted a dead heat.

42.—PENALTIES FOR INFRINGING RULES.

Any yacht disobeying or infringing any of these Rules, which shall apply to all yachts, whether sailing in the same or different races, shall be disqualified from receiving such prize as she would otherwise have won. The question of damages arising therefrom shall be governed by the special rules, if any, prescribed by the National Authority.

The Y.R.A. prescribes that the owner of a yacht shall be liable for all damages arising from a breach of these rules, not exceeding in amount and subject to the same limitations as provided by the Merchant Shipping Act of 1894. A breach of these rules shall be considered improper navigation within the meaning and for the purposes of that Act. The fault or privity of the owner shall not be a bar to the limitation of liability conferred by the Statute.

43.—PROTESTS.

(a) A protest on the score of a breach of the rules occurring during a race must be signified by showing a flag conspicuously in the main rigging of the protesting yacht at the first opportunity when passing the Sailing Committee, unless the competitor has no knowledge of the facts justifying the protest until after the conclusion of the race. All protests must be made in writing, and must name the rule or rules alleged to have been broken. The protest must be signed by the owner or his representative, and lodged with the Sailing Committee, with such fee, if any, as may have been prescribed; within two hours of the finish of the protesting yacht, or her arrival at an anchorage should she not cross the finishing line, unless otherwise prescribed in the programme. But the Sailing Committee shall have power to extend the time should they have good and sufficient reason to do so. A protest made in writing shall not be withdrawn.

(b) In event of a protest being made by any competitor against another on the ground that a Classification Certificate is for any reason invalid, the protest shall be lodged with the Sailing Committee, who may, if they think fit, submit the question to the National Authority, who shall, if necessary, forward it to the Classification Society which issued the Certificate of Classification of the yacht.

The decision of the Society shall be final as to whether the Classification Certificate is invalid or not.

44.—DISQUALIFICATION WITHOUT PROTEST.

Should it come to the knowledge of a Sailing Committee or should they have reasonable grounds for supposing that a competitor in a race has in any way infringed these rules, they must act on their own initiative, in accordance with Rule 45, as if a protest had been made.

45.—SAILING COMMITTEE'S DECISION.

Before deciding a protest a Sailing Committee shall give notice to the party protested against, and shall hear such evidence and make such other inquiries as they may consider necessary, or as may be prescribed by the Regulations laid down by the National Authority.

The grounds of a decision shall be specified in the announcement to the parties.

The Y.R.A. prescribes that in the consideration of protest cases by Sailing Committees the principal, or his representative on each side shall have the right to be present during the hearing of the evidence, but this privilege is not extended to other witnesses.

46.—APPEALS.

Subject to any special provisions which may be prescribed by the National Authority, a protest which has been decided by a Sailing Committee shall be referred to the National Authority:—

(a) If the Sailing Committee, at their own instance, should think proper to so refer it;

(b) If either of the parties interested make application for such reference, on a question of interpretation of these rules, within four weeks of the receipt of the Sailing Committee's decision.

In the latter case (b) the reference must be accompanied by such deposit as the National Authority may prescribe, payable by the party appealing, to be forfeited to the funds of such National Authority in the event of the appeal not being sustained.

The decision of the National Authority shall be final.

The Y.R.A. requires a deposit of £5 in the case of yachts exceeding 10 metres (32.8 feet) rating, and £3 in the case of yachts not exceeding 10 metres (32.8 feet) rating.

47.—PARTICULARS TO BE FURNISHED BY SAILING COMMITTEE.

The reference to the National Authority must be accompanied by the following particulars, as far as the same are applicable:—

1. A copy of the protest and all other written statements that may have been put in by the parties.

2. A plan showing—

(a) The course;

(b) The direction and force of the wind;

(c) The set of the tide;

(d) The positions and tracks of the competing yachts involved in the protest.

3. A copy of the advertised conditions of the race and the Sailing Instructions furnished to the yachts.

4. The observations of the Sailing Committee thereon, with their decision.

48.—EXPENSES INCURRED BY PROTEST.

The fees and expenses entailed by a protest on measurement or classification shall be paid by the unsuccessful party; and the Sailing Committee shall have power to order expenses entailed by any other protest to be paid by the unsuccessful party, subject to appeal to the National Authority.

49.—PERSONS INTERESTED NOT TO TAKE PART IN DECISIONS.

No member of the Sailing Committee or National Authority shall take part in the discussion or decision upon any disputed question in which he is an interested party.

50.—PENALTIES FOR GROSS BREACH OF RULES.

Should a gross breach or infringement of any of these rules be proved against the owner of a yacht or against the owner's representative, or amateur helmsman, such owner, his representative, or amateur helmsman, may be disqualified by the National Authority for any time the National Authority may think fit, from steering or sailing in charge of a yacht in any race held under the rules of the National Authority.

Should a gross breach of these rules be proved against any sailing master, he may be disqualified by the National Authority for such time as the National Authority may think fit from sailing in a yacht in any race held under such rules.

Notice of any penalty adjudged under this rule shall be communicated to each National Authority.



