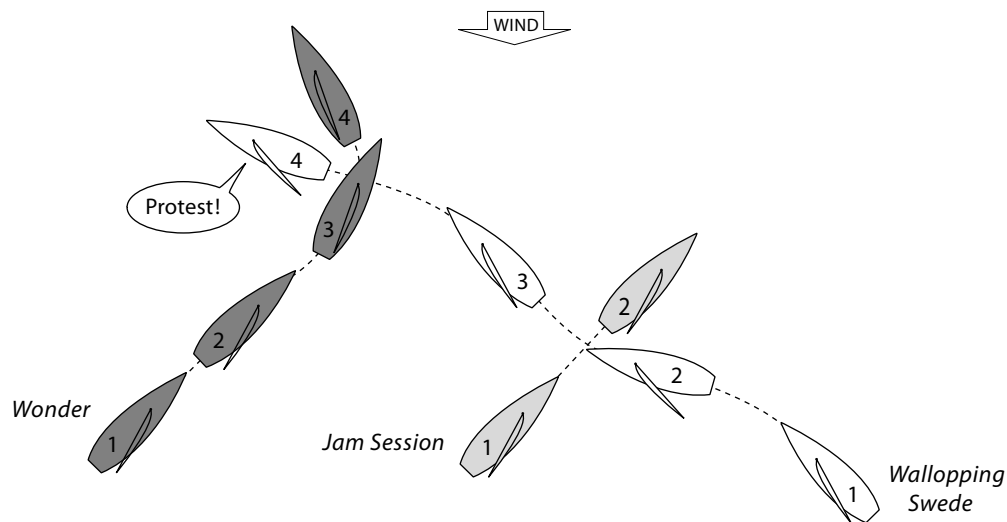


APPEAL 120*Walloping Swede vs. Wonder***Rule 10, On Opposite Tacks****Rule 16, Changing Course****Rule 21, Exoneration**

When a right-of-way boat changes course, her obligation to give a keep-clear boat room to keep clear under rule 16.1 begins and she must then do what is necessary to give the keep-clear boat room to keep clear. If, while the right-of-way boat is maneuvering to give room, the keep-clear boat is briefly breaking a rule of Section A, she is exonerated under rule 21(a).

**Facts and Protest Committee Decision**

Walloping Swede, Jam Session and Wonder, three J/105s were racing upwind on a close-hauled course (position 1), Walloping Swede on starboard tack and Jam Session and Wonder on port tack. At position 2, Walloping Swede bore away to avoid contact with Jam Session. Jam Session took a penalty.

When Walloping Swede headed back up after avoiding Jam Session, she was on a collision course with Wonder (position 3). Wonder promptly put her helm over to try to keep clear of Walloping Swede but before Wonder passed head to wind, Walloping Swede bore away to avoid contact with her and hailed “Protest!”

The protest committee disqualified Wonder for breaking rule 10. Wonder appealed.

Decision of the Association Appeals Committee

The Yacht Racing Association of San Francisco Bay Appeals Committee decided that at position 2, Wonder was keeping clear of Walloping Swede because on the course she was sailing, Walloping Swede could continue to sail that course with no need to take action to avoid Wonder (see the definition Keep Clear). At position 3, when the boats became on a collision course, Wonder promptly put her helm over and made every effort to keep clear of Walloping Swede. Despite Wonder’s efforts, Walloping Swede needed to change course to avoid contact with Wonder (positions 3–4)

When *Walloping Swede* luffed back up to a close-hauled course after passing astern of *Jam Session*, her change of course required her to give *Wonder* room to keep clear under rule 16.1. By bearing away and avoiding *Wonder*, *Walloping Swede* complied with her obligation to give room. And although *Walloping Swede* needed to take action to avoid *Wonder*, *Wonder* was sailing within the room to keep clear to which she was entitled under rule 16.1. Therefore, though for a brief time *Wonder* was failing to keep clear under rule 10, she is exonerated for her breach of rule 10, under rule 21(a).

The YRASFB Appeals Committee reinstated *Wonder* to her finishing position, and requested confirmation or correction of its decision from the Appeals Committee, under rule 70.2.

Decision of the Appeals Committee

The decision of the YRASFB Appeals Committee is confirmed for the reasons it gave. See Appeals 117 and 119, and Case 146.

May 2019