

APPEAL 128

Privateer vs. Mystery

Rule 42.1, Propulsion: Basic Rule

Rule 42.2, Propulsion: Prohibited Actions

Movement by the crew that does not propel the boat does not break rule 42.1. Movement of the crew that results in an action listed in rule 42.2 breaks rule 42.2, regardless of whether the action actually propels the boat or not.

Facts and Decision of the Protest Committee

A crewmember on *Mystery*, a keelboat, made repeated forceful athwartship body movements unrelated to wind, wave or tactical considerations. These movements did not propel the boat, nor did they result in the repeated fanning of any sails or the repeated rolling of the boat. *Privateer* protested. The protest committee disqualified *Mystery* for breaking rule 42.1. *Mystery* appealed.

Decision of the Appeals Committee

Rule 42.1 states: “A boat shall compete by using only the wind and water to increase, maintain or decrease her speed. Her crew may adjust the trim of sails and hull, and perform other acts of seamanship, but shall not otherwise move their bodies to propel the boat.”

If the movements of the crew do not actually propel the boat, the boat has not broken rule 42.1. However, if the movements of the crew result in an action listed in rule 42.2, the boat has broken rule 42.2, regardless of whether the action actually propels the boat or not.

Mystery’s appeal is upheld. She did not break rule 42.1 or 42.2. The protest committee’s decision is reversed, and *Mystery* is reinstated in her finishing place.

Note: Interpretations of rule 42 are available on the World Sailing website at: [www.sailing.org/tools/documents/Rule42InterpretationsMay21-\[27359\].pdf](http://www.sailing.org/tools/documents/Rule42InterpretationsMay21-[27359].pdf)

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