

Racing Rules of Sailing

Rule 40.2

A submission from the Chairman of the Racing Rules Committee

Purpose or Objective

To clarify the meaning of the rule.

Proposal

40.2 When Rule 40.1 Applies

Rule 40.1 applies

- (a) if flag Y was displayed afloat with one sound before or with the warning signal, while *racing* in that race; ~~or~~
- (b) if flag Y was displayed ashore with one sound, at all times while afloat that day;
- (c) when a rule in the notice of race or sailing instructions states that it applies.**

~~However, rule 40.1 applies when so stated in the notice of race or sailing instructions.~~

Current Position

As above.

Reasons

1. The deleted last sentence can be read to mean that 40.2(a) and (b) do not apply when the NoR or SIs state some other conditions or criteria under which 40.1 applies. This would be reasonable because at about 30 different places in the RRS 'However' is used to signal that the words following the 'However' actually negate the rule that was stated just before the 'However'. Prime examples of this are in rule 18.1 and 44.1, although many other examples can easily be found within the RRS.
 2. Note there are already rules that use the 'However....(a), (b), (c)' formatting without an 'or' or an 'and' following the penultimate lettered paragraph. For examples, see rules 41, 44.1 and 61.1(a).
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