



## Q&A NO. 1 – 06 JULY 2018

Questions & Answers are not authoritative interpretations and explanations of the rules. Their sole purpose is to clarify the Race committee's policy with regards to its action on the water.

Questions are anonymised and may be rephrased slightly.

### Question:

Traffic Separation Schemes (TSS) are handled differently in various parts of the world and by different Event Organizers.

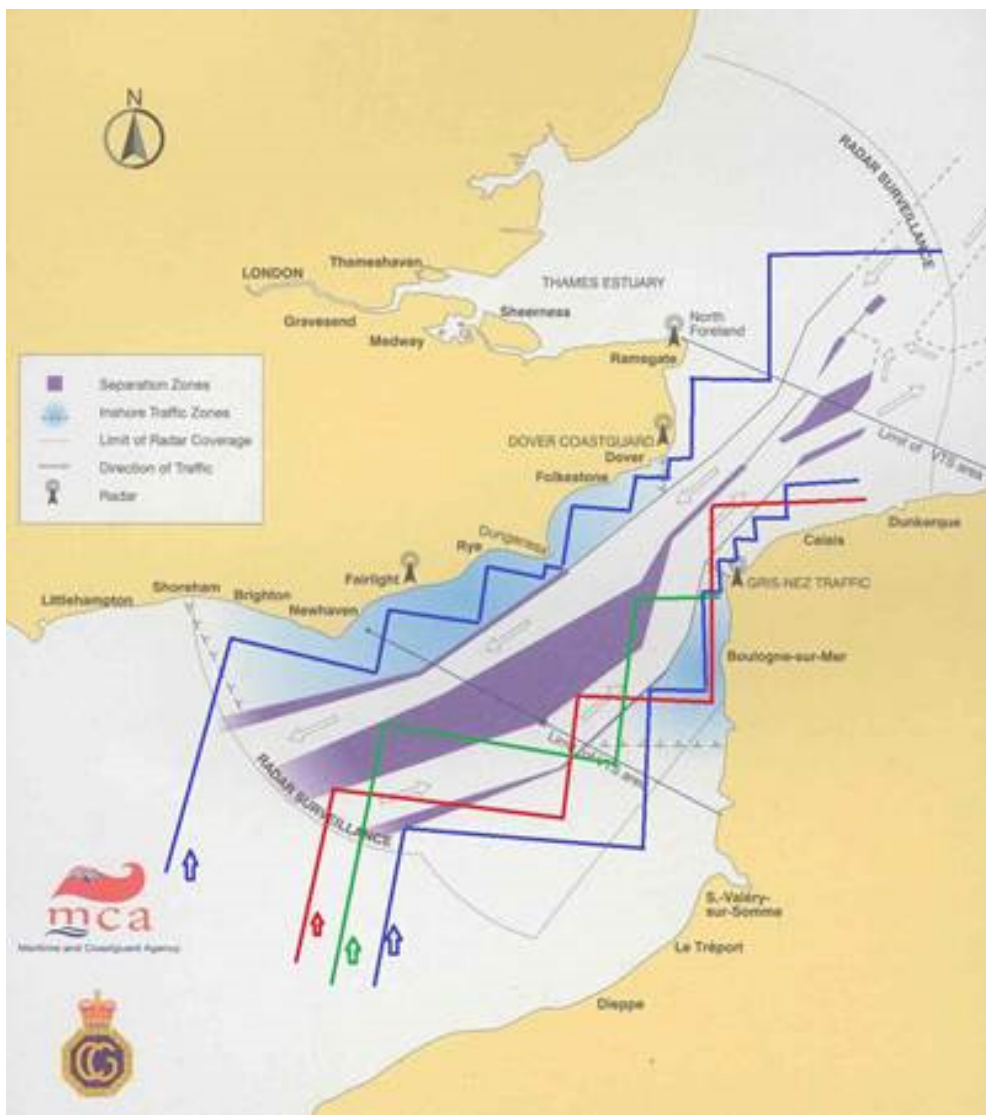
Summary:

- In the USA and in WSSRC events, yachts must not interfere with ships, but if there are no ships around then yachts can sail anywhere. If the Vessel Traffic Service (VTS) or a ship brings an official action against a yacht, there will be a R/C protest and the yacht always loses that protest.
- In most RORC events, the SIs restrict TSSs explicitly, defining them as exclusion areas. Yachts are penalized if they touch them. I note that the SIs for the TransAtlantic race have been amended to not use that approach. That decision makes sense particularly for the Straits of Dover.
- In the upcoming TA, as in recent VORs, we are required to abide by the TSS rules.

How will the AAR Race Committee interpret IRPCAS Rule 10? It can be interpreted and applied in different ways.

International Maritime Organizations (IMOs) state that this inconsistency is intentional, that the IRPCAS work fine the way they are, and the IMO's won't further define them. They are, nevertheless, drafted VERY differently than the RRS that we are used to interpreting very rigorously and formally.

- There is uniform agreement among all events that IRPCAS Rule 10(j) always applies: "10(j) ... a sailing vessel shall not impede the safe passage of a power-driven vessel following a traffic lane."
- There is further nearly uniform agreement that if a ship or maritime authority brings an official action against a yacht, the R/C will protest the yacht.
- o There is, however, no uniform agreement among recent offshore events on whether courses shown in red and green below are permitted for a sailing vessel. The blue courses are ok as they never enter the TSS.



**Answer:**

As correctly indicated, neither the Notice of Race nor Sailing Instructions amend RRS 48 Traffic Separation Schemes – which in essence is a mere pointer to IRLCAS Rule 10. Unlike e.g. the Rolex Fastnet Race, where hundreds of yachts within a short time frame may make it impossible for mariners to ascertain the risk of a collision, the competitors in this race will be well separated by the time they reach the busy English Channel.

However, the Race Committee’s **strong recommendation is to avoid Traffic Separation Schemes** wherever possible. Boats would have to carefully assess their situation and the traffic around it. Bear in mind that your decision can affect the boats place in the regatta, but also expose it to potential fines imposed through the Merchant Shipping Act, which may be as high as 50,000 Pounds Sterling.

The paragraph most directly relating to sailing in Rule 10 is: “(j). A vessel of less than 20 metres in length **or a sailing vessel** shall not impede the safe passage of a power-driven vessel following a traffic lane.”

**The Race Committee will protest a boat:**

- if a boat’s actions resulted in a report or official action from a ship or maritime authority or
- when from a report from any source it believes that:
  - o a boat may have impeded the safe passage of a power-driven vessel following a traffic lane or
  - o a boat may have sailed in a traffic lane against the general direction of traffic

**The Race Committee will not ordinarily:**

be able to ascertain the angles in which the boat is entering/leaving, following or crossing traffic separation schemes – individual position reports cannot necessarily be assumed to be connected by a straight line.

**Summary statement on the coloured tracks in the picture:**

Whether the tracks shown in the image above are in compliance with IRLCAS rule 10 depends on a number of factors, a few of which are described above. The tracks may be compliant, if a boat is, through its conduct and/or communication, neither impeding nor presenting a threat of impeding vessels using the scheme-

The Race Committee cannot provide a categorical answer in the absence of the specific situation and conduct of the boat and the traffic around it.