

Terms and Conditions for TOMs Sailors

Any CBYA member that wants to sail on a TOM 28 yacht owned by Real Club Náutico de Calpe (RCNC), must first agree to the following Terms and Conditions:

1. To treat the TOMs with care. RCNC require compensation for any damage caused to the TOMs through misuse. Misuse could include any of the following instances:
 - a. Sailing when not properly in control of the vesselⁱ
 - b. When not observing the rules set out in the International Regulations for the Prevention of Collisions at Sea (IRPCS).
 - c. When not observing the rules of racingⁱⁱ
2. To comply with RCNC guidelines, both written and verbal, about the correct manoeuvres when leaving or entering the port, and particularly the docking area.

You agree **Not** to:

- a. Sail out or attempt to sail out of the docking area unless given express permission by a member of the RCNC Sea School.
 - b. Sail out or attempt to sail out when the wind (in the docking area) is above 15 knots as determined by members of the RCNC Sea School
 - c. Sail out or in or attempt to sail out or in when the wind direction makes it extremely difficult to leave or enter the marina. In such circumstances, you must seek assistance from either the Calpe Marina (los marineros VHF channel 09), or the RCNC Sea School (VHF channel 73) and if there is no reply on either channel, then wait (e.g. heave-to) until a response is heard.
3. The CBYA will lodge a deposit with RCNC, which will be used to cover the costs of any minor damage caused to the TOMs by the CBYA. Members of the CBYA sailing on the TOMs will pay an amount of 5€ when they book to sail, and this non-refundable waiver will be used to build up a fund to cover the costs of any damages.

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ⁱ You are not in command of the vessel when flying too much canvas, or in sea conditions that are too rough for your group skills level, or when the wind strength is too great for your group skills, or you are sailing with an incorrect sail pattern e.g. sailing into the marina down-wind with the mainsail flying or upwind using only the jib. Breakages onboard in any of the above examples are your responsibility and classed as misuse.

ii When racing, crews will not:

- Deliberately luff up other boats on the start line.
- Risk a collision by deliberately luffing up another boat that is passing on the windward side.
- Call for water at a mark when you are not entitled to or refuse to give water to a boat that is calling for water (regardless of whether they are right or wrong). If this is the case, raise the protest flag and sort it out later.
- Attempt to pass close ahead of a stand-on vessel when you are the give-way vessel.

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