



34th America's Cup Regatta Notice 2013/189

From: Iain Murray, Regatta Director
To: Competitors for the 34th America's Cup
Date: June 28, 2013

Re: USCG Event Permit

Background

After the fatal accident on 9 May 2013, and after the safety review initiated by the America's Cup Trustee (GGYC) with the support of all Competitors, on 22 May 2013 I issued an extensive list of 37 Safety Recommendations. All Competitors agreed with those 37 Safety Recommendations when issued.

After further review, consultation and mediation, the Safety Recommendations have been further detailed by Supplementary Safety Recommendations, including the language necessary to give them effect as rules for the 34th America's Cup Regatta ("Regatta").

The Competitors have not unanimously agreed the necessary rule changes to the AC72 Class Rules to implement all Safety Recommendations. After extensive consultation and mediation there is little prospect the rule changes will receive the required level of support from all Competitors to put them into effect by the usual procedures.

Event Permit Issued

The US Coast Guard has now issued an event permit dated June, 28 2013 for the Regatta as scheduled ("the Permit"). A copy of the Permit is attached to this Regatta Notice. The terms and conditions of the Permit must be complied with if the Regatta is to proceed.

Rule Changes

The Permit requires implementation of the Safety Plan submitted to the US Coast Guard as part of the application for the Permit. The Safety Plan includes the Safety Recommendations and the Supplemental Safety Recommendations. To comply with the conditions of the Permit to allow the Regatta to proceed in a safe manner in compliance with local laws, I have applied the provisions of Protocol Article 16,



and the provisions of Protocol Article 13.2. Accordingly, the AC72 Class Rule is hereby amended with immediate effect for this Regatta with the changes marked in the document attached to this Regatta Notice marked "Attachment A".

I have advised the Measurement Committee of these amendments made under the provisions of Articles 16 and 13.2. The Measurement Committee has affirmed to me that it will be undertaking its duties, including the issuance of measurement certificates based on the amended AC72 Class Rule as set out in this Regatta Notice.

I acknowledge a Competitor anticipating of this Notice, has made application to the Jury and that the application is pending.

Comment

This Regatta Notice has not been made lightly, nor without due consideration of the impact on, and the possible consequences for, each Competitor and the organizer. I have exercised my professional judgment to the best of my ability, and have weighed carefully the unfortunate circumstances thrust upon us including (as a paramount consideration) the need to increase the safety of our crews, the officials and other Bay users, as well as the investment made by Competitors and all other stakeholders in this event. Safety is not a multiple-choice selection from which Competitors pick and choose. I have issued this Regatta Notice as being in the best collective interests of the America's Cup as a long-standing institution in and at the pinnacle of our sport.

Iain Murray

Regatta Director

Attachments:

USCG Event Permit

AC72 Class Rules (Regatta Director safety recommendations redlined)