



**GOLDEN GATE YACHT CLUB**  
1 Yacht Road – On the Marina  
San Francisco, California USA 94123

## **34<sup>th</sup> America's Cup Review Committee**

1. *Appointment:* In response to the tragic loss of Andrew Simpson on May 9, 2013 on San Francisco Bay, injuries to other crew, and other incidents, the Golden Gate Yacht Club as Defender/Trustee for the 34<sup>th</sup> America's Cup ("Trustee") appoints the following persons ("Review Committee") to review the training and racing of AC72 yachts in the 34<sup>th</sup> America's Cup, and make recommendations to the Trustee, the organizers and the Competitors:

Iain Murray (AUS, Chair)  
Sally Lindsay Honey (USA, Deputy Chair)  
John Craig (USA)  
Chuck Hawley (USA)  
Vincent Lauriot-Prévost (FRA)  
Jim Farmer QC (NZL)

Review Committee liaisons will include:

US Coast Guard (Lt. Jon Lane)  
San Francisco Police Department (Capt. Thomas Cleary)

The U.S. Coast Guard supports this approach and will assist as appropriate, and the Competitors have unanimously agreed to the appointment of this Review Committee.

2. *Scope:* The Review Committee will review the safety of training and racing of AC72 yachts on San Francisco Bay. The scope of the review, and subsequent recommendations, is not limited.
3. *Engagement:* The Review Committee will be engaged on terms that include a written undertaking of on-going confidentiality and independence. The Review Committee will consult with each Competitor and organizers.
4. *Appointment of Others:* The Review Committee may consult or engage America's Cup Race Management ("ACRM") as a neutral and independent entity, any officials appointed for the 34<sup>th</sup> America's Cup, and any other

person(s) or organisations they believe will assist them in conducting the review and making its report.

5. *Delivery:* The Review Committee's report will be made as soon as practicable bearing in mind that racing is scheduled to commence on July 5, 2013, and that some competitors are now sailing AC72 yachts on San Francisco Bay to prepare for racing.
6. *Acknowledgment:* It is understood and agreed by the Trustee, all Competitors, the America's Cup Event Authority ("ACEA") and ACRM that:
  - (a) the appointment of the Review Committee does not alter or add to any responsibilities assumed and allocated by the provisions of the Protocol Governing the 34<sup>th</sup> America's Cup ("the Protocol") or any other rules or document referred to in such Protocol;
  - (b) some recommendations of the Review Committee will require the co-operation and support of Competitors;
  - (c) no report or recommendations will ever eliminate risk of injury or death in competitive sailing, and that competitive sailing will always be subject to a level of risk that must be, and always has been, assumed by the participants; and
  - (d) Competitors remain at all times subject to article 18.1 of the Protocol, and take part in the 34<sup>th</sup> America's Cup at their own risk and responsibility, and subject to Fundamental Rule 4 of the Racing Rules of Sailing, and that the responsibility for a yacht's decision to participate in a race or to continue racing is hers alone.
7. *Implementation:* The Trustee expects all Competitors, organizers and officials to fully and expeditiously co-operate with the work of the Review Committee, and to make any amendments to any rules governing the 34<sup>th</sup> America's Cup in order to fully implement the recommendations of the Review Committee.

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Norbert A. Bajurin  
Commodore

San Francisco  
May 14, 2013