



AC37 Jury

Case 01

Initiator	Luna Rossa Prada Pirelli (ITA)
Respondent	Request for Redress
Date	10 September 2024
Race #	Louis Vuitton Cup RR2, Race 29

SUMMARY OF REQUEST:

During Race 29, the supplied FCS software of our AC75 sustained an irreversible error that caused the inability for the crew to operate the yacht.

We believe that our score was made significantly worse through no fault of our own due to the action of a third party, i.e the supplier of the faulty software. This incident materially affected the outcome of the race by not allowing us to use the FCS and therefore not start the race. It also created a serious safety concern by preventing safe control of the boat forcing the crew to sail through the spectator fleet at high speed.

JURY DECISION:

The Jury interprets from the RRSAC that there is no process nor right for ITA to seek redress.

Redress is instigated by the Measurement Committee reporting serious damage or injury to the Jury and then the requirement under the rules is that the Jury 'shall' consider redress (refer RRSAC 60.3(c)). The Jury Chairman has contacted the Chief Measurer this morning. It was explained that the Measurement Committee was involved in the process in the evening to gain access to the data files. The Measurement Committee has not made any report to the Jury about this issue.

The Jury has used RRSAC 64.1(c) to consider the ITA request to determine if the request can be treated in another manner under the RRSAC. A 'protest' is defined in RRSAC as 'An allegation made under rule 61.2 by a boat, the Regatta Director or the Jury that a boat has broken a rule.' The request received from ITA has no allegation that any boat has broken a rule, therefore the Jury is unable to proceed with this case as a protest. RRSAC 63.1 requires that the Jury hears all protests, however, in this instance the request for redress sent by ITA is not a protest (as defined).

In this case, there is no rule that allows the Jury to hold a hearing on this matter. The Jury will not be proceeding any further.

37th America's Cup International Jury

Richard Slater (Chairperson), Miguel Allen, Arnaud Mante, Craig Mitchell, and Sofia Truchanowicz