



AMERICA'S CUP

REGATTA DIRECTOR NOTICE #21

Issued 26 August 2015

Re: Use of a Tide Stick or Similar Object to Observe Current (Protocol Article 40.1)

I have been asked the following question:

In an area that is relevant to a Racing Area, is a Competitor allowed to put a tide stick (or similar object) in the water at a channel mark and observe the tide strength and measure the direction of the tide stick's travel with a hand held compass?

My belief is that a tide stick does not produce the "instrument data" that is prohibited in the first part of 40.1. The same way observing some driftwood flowing past a channel mark does not produce instrument data. Some electronic device that is put in the water that accurately measures and records data on the flow of water relative would be something that is collecting instrument data.

I believe a simple tide stick falls under the "personal observation". It is not very scientific and provides a guide for a particular time the observation is made. It is also in line with the intent of the rule that is to prohibit teams spending large amount of money for met services.

The only body that can give definitive interpretations of Protocol Article 40.1 is the Arbitration Panel (refer Protocol Article 11.1(a)). This seems an expensive process to obtain an answer for this question. Therefore, as per Protocol Article 40.1(e), I approve the collection of tide data on a scheduled race day as available to all Competitors on a reasonable commercial basis. This approval is subject to the following limitations:

- Competitors may only use in the water objects that contain no electronic instrumentation. Such objects must be retrieved.
- Competitors shall comply with instructions from me when in the Racing Area. Such instructions may include the prohibition on the use of tide sticks or similar objects.
- This approval can be rescinded or amended if I believe the intent of Protocol Article 40.1 is not being met on a reasonable commercial basis.

Iain Murray
Regatta Director