

Notice to Competitors
N°30

To: All Competitors in the 36th America's Cup
From: Royal New Zealand Yacht Squadron and Circolo della Vela Sicilia
Subject: Declaration of the Crew's nationality under Article 10 of the Protocol
Date: 11th June 2020

This Notice is issued to inform the Competitors of the agreement reached between RNZYS and the COR ("**COR/D**") regarding a process for the Competitors to declare compliance with Article 10.2 of the Protocol - Crew Nationality.

This Notice will be incorporated in the Prada Cup Challenger Selection Series Conditions ("**CSS** Conditions") to be agreed by 30th June 2020 under Article 18 of the Protocol and will be incorporated in the Match Conditions which will be amended accordingly.

Defined terms used in this Notice have the meanings given to them in the-Protocol.

Declaration of the Crew's nationality under article 10 of the Protocol

1. Competitors shall circulate to all the other Competitors a list of the pool of sailors from whom they intend selecting their crew members to race in the Prada Cup and in the Match, if applicable ("**Crew**"), declaring the nationality of each Crew member (the "**Nationality Declaration**") accompanied by supporting evidence to demonstrate compliance of each with the nationality requirements of Article 10 of the Protocol.
2. The Nationality Declaration shall identify each Crew member's nationality under either Article 10.2. a) or Article 10.2. b) of the Protocol and shall include supporting evidence for each such Crew member.

The Nationality Declaration and the supporting evidence shall be circulated to all other Competitors (via the usual email addresses supplied for Competitor Notices issued by COR/D) within a period of 15 days after the expiration of the relevant two year period referred to in Article 10.2(b) (such deadline shall be treated as midnight on 15 September 2020 NZT)

3. For any additional crew member engaged after the 31st August 2020, a Nationality Declaration shall be circulated in the same manner no later than 10 days after the Crew member is contracted by the Competitor. Such Crew member shall not be eligible under Article 10 to compete in any race in the CSS or the Match until his/her nationality has been finally determined under this procedure.
4. It is understood that such Nationality Declaration and any supporting document filed under 1, 2 and 3 above shall remain strictly confidential among the Competitors and COR/D and specifically they will not be posted on the AC36 Noticeboard.
5. If any Competitor ("**Applicant**") wishes to dispute the Nationality Declaration for any Crew member it shall notify RNZYS Russell Green russell.green@emiratesteamnz.com and the Challenger of Record Alessandra Pandarese alessandra.pandarese@pradacup.com and Cathy Ryan cathy.ryan@pradacup.com under Article 10.5 of the Protocol by email within 10 days from the date on which the Nationality Declaration is circulated as required by clause 3 above ("**Time Limit**"), setting out the grounds on which it disputes the particular Nationality Declaration. If either RNZYS or the Challenger of Record wish to dispute a Nationality Declaration it shall also notify the other in the same manner within the same Time Limit.
6. In accordance with Article 10.5 of the Protocol, COR/D shall first seek to resolve the dispute between them and shall immediately notify all Competitors of their decision, If however a dispute is not resolved by COR/D agreement being reached within 10 working days of the expiry of the Time Limit, then such dispute shall be immediately referred to the Arbitration Panel for determination. The costs of the Panel on such a referral and where they lie shall be as determined by the Panel.
7. Once the Time Limit has expired without any notice of a dispute being received, the Nationality Declaration for a particular Crew member will be accepted as being final, and the concerned Crew member will be eligible to race in the Prada Cup and/or the Match. In the event of a dispute, then the particular Crew member will not be eligible to race until COR/D either notifies its agreement or, if required, a favourable decision is issued by the Arbitration Panel. For avoidance of doubt, the nationality of a Crew member cannot be the subject of a dispute unless the required notice is received prior to the expiration of the Time Limit.

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