



*Saint-Malo*  *Guadeloupe*

# **ROUTE DU RHUM LA BANQUE POSTALE 2010**

## **9th edition**

**STARTS OCTOBER 31st, 2010**

## **Notice of race**

Organised by Pen Duick  
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## **1- ORGANISERS**

The **ROUTE DU RHUM - LA BANQUE POSTALE** is an event organised by “SA Promovoile”, a subsidiary of “Pen Duick S.A.S” with the participation of the city of Saint-Malo for the start arrangements and Guadeloupe region for the arrival arrangements with the support of their relevant sporting clubs.

### **1.1 Organising Committee**

Pierre Bojic: Managing Director  
Mathieu Sarrot: operations manager

The mission of the Organising Committee is to oversee the overall organisation of the event, including coordination with the public organizations as well as the start and finish cities, communication, receptions and official prize givings.

The organisers retain the right to communicate freely during the course of the race. It commits to be in touch with each boat’s communication officer to coordinate crisis communication when the competitor’s security is at stake.

### **1.2 Race Direction Team**

Jean Maurel: Race Director  
Claire Renou: Assistant Race Director

The Race Direction’s objective is to manage all sporting matters related to the event. It will work in conjunction with the Race Committee, the Medical Commission, the person in charge of technical aspects of the ranking, and the International Jury.

**All incidents/accidents must be reported immediately, first and foremost to The Race Direction.**

### **1.3 Race Committee:**

The mission of the Race Committee is defined by FFV (French Sailing Federation) race rules (RCV 89.1) « Mission of the Race committee in offshore races ».

### **1.4 International Jury**

It comprises an International Jury whose decisions are final in accordance with Appendix N of RRS, which is in charge of the event’s compliance with the sporting rules

When judges are not physically present, but can be contacted by telephone, Skype, e-mail, VHF or any other means of communication, then Appendix N 1.5 of the RRS shall be considered as having been complied with and claims can be heard and decided upon in this way.

### **1.5 Medical Commission**

A medical assistance commission will be formed with the provisions of article 21 of the ISAF rules.

## **2- NAME**

The official name, and the only authorised name is « **La Route du Rhum – La Banque Postale** ». Promovoile, the subsidiary of Pen Duick SAS are the sole proprietors of the name and the logo of **ROUTE DU RHUM** and its use in France and overseas. With regard to the relationship to the company PEN Duick S.A.S., the use and denomination PEN DUICK is retained in communications, but the legal contracts and engagements are signed by PROMOVOILE S.A.

### 3- OBJET

The Route du Rhum – La Banque Postale is a high level competitive sailing event, raced solo, every four years.

It has the role of publicising the town of Saint-Malo and the Guadeloupe area as well as its principal sponsoring partners and the other private partners who together ensure the financing and promotion of the event.

This event is published in the following race calendars:

:

- IMOCA and, as such, points are awarded counting towards the IMOCA Monohull championship.
- Multi 50

### 4- RULES

- 4.1** The race is governed by the texts in force in the following documents, completed and/or modified by the Sailing Instructions, which will be available no later than Friday 22nd October 2010 in Saint Malo.
- 4.1.1** The International Sailing Federation (ISAF) Racing Rules of Sailing 2009/2012, referred to hereinafter as the RRS, except as amended in § 4.2.
- 4.1.2.1** IMOCA class rules and safety rules are in force for IMOCA monohulls as well as the rules of the IMOCA championship, unless explicitly modified in this Notice of Race.
- 4.1.2.2** Multi 50 class rules and safety rules are in force for 50 ‘multihulls unless explicitly modified in this Notice of Race.
- 4.1.2.3** Class 40’ Monohulls rules for the 40’ Monohulls, unless explicitly modified in this notice of race.
- 4.1.2.4** ORC Special Regulations 2010/2011 in force for the class 1Mo for monohulls, unless explicitly modified according to each class rules in this Notice of Race (IMOCA, Class 40)  
ORC Special Regulations 2010/2011 in force for the class 1 Mu for multihulls, unless explicitly modified according to each class rules in this Notice of Race (Multi 50’).
- 4.1.3** Part B of the International Rules for the prevention of collision at sea (COLREGS) when it applies
- .
- 4.1.4** The present Notice of Race and any amendments.
- 4.1.5** The Sailing Instructions and any amendments
- 4.2** The following ISAF rules are modified:
- **Rules in Chapter 2 (*When Yachts meet*)** : shall apply from the start line up to 20 nautical miles from the start, and again at the finish from the entrance to the passage in the north of the “La Tête à L’Anglais” to the finish line, during daylight hours. For these parts of the course covered at night and for the rest of the route, these rules are replaced by part B (helm and route rules) of the COLREGS (steering and sailing rules).
  - **Rule 41 (*Outside Assistance*) and 45 (*Lifting/Drying out, mooring, and anchoring*)** modified in paragraph 16 of Notice of Race.
  - **Rule 42.3 h** : A boat’s engine can be used, or the boat can be towed to return to Saint-Malo or to another convenient port with the agreement of the Race Direction to repair and return to racing the course after the authorisation of the Race Director. (see art 16.3 of notice of race)

- **Rule 44.1** (*Penalties for breaking rules of chapter 2*): modified in Sailing Instructions.
- **Rule 47.1** (*Limitations of equipment*): replaced by "Yachts will be able to take replacement equipment on board during the race provided they receive written permission from the race director."
- **Rule 50.2** (*Spinnaker poles and whisker poles*): does not apply.
- **Rule 51** (*Movement of ballast*): remove the first 2 sentences and replace with "All movement of weight with the objective of modifying the tuning or the stability of the Yacht is allowed in the following limits: inside the Yacht all heavy items that could damage the Yacht or injury the crew, must be solidly and permanently fixed in place. Food, water and fuel canisters and spares may be organised in boxes, and moved if they are solidly fixed to the Yacht. Safety equipment (including liferafts and/or sealed items) must not be moved. Sails may be moved freely. Sail bags shall not absorb water.
- **Rule 52** (*Manual power*): modified in paragraph 11.2 of notice of race.
- **Rule 54** (*Forestays and headsail tacks*): does not apply.
- **Rule 61** (*Protest requirements*): modified in Sailing Instructions.
- **Rule 62** (*Redress*): modified in Sailing Instructions.
- **Rule 63** (*Instructions*): modified in Sailing Instructions.
- **Rule 64** (*Instructions*): modified in Sailing Instructions.

**4.3** Only the documents listed in paragraph 4.1, as well as notes and prescriptions, written and signed by the President of the Race Committee and/or the International Jury are officially valid.

## 5- DATES

- Friday 22 October 2010**      **12H00:** Yachts must be at the disposal of the organisation, in St-Malo harbour, failing which they run the risk of being excluded from the race. However, the organisers may amend this clause on a case by case basis, subject to the reason put forward for such delay, applying a financial penalty being of no less than 1,000 euros for each 24 hour period of delay.  
The Race Organiser will put in place a mooring plan that Skippers must respect.
- 18H00:** Welcome Briefing
- Saturday 27 October e 2010**      **9H00:** Beginning of inspections. Skipper must be present for the first inspection of the boat.
- 10H /12H:** Safety and Sailing Instructions briefing.  
**14H / 20H:** Safety seminars
- Wednesday 27 October 2010**      **School's day**
- Thursday 28 October 2010**      **18H00:** Yachts shall not be allowed to leave the harbour except with express written and exceptional written consent from the Race Director.
- Friday 29 October 2010**      **18h00:** End of Inspections: Any Yacht that has failed to meet the requirements of inspection process by this date will not be allowed to start the race. Time limit for depositing the departure form.
- Saturday 30 October 2010**      Last Briefing (Time to be determined)  
First boats leave the harbour (schedule to be determined according to berthing plan)
- Sunday 31 October 2010**      Latest boats leave the harbour (schedule to be determined according to berthing plans)
- 13H02:** Start of the race

## **6- ENTRY LIMITS**

**6.1** The number of Yachts invited to take part in the race is limited to 75.

Ultimes : 10  
Multi 50 : 10  
IMOCA : 20  
Class 40 : 25  
Rhum category : 10

Nevertheless, the organiser reserves the right:

- to invite additional Yachts to participate in this race,
- to reject an entry.

**6.2** This race is open to invited multihulls and monohulls split into several classes according to their overall length:

### **6.2.1 Multihulls**

- Category ULTIME Overall length  $\geq$  60 feet without size limitation
- Multi 50 as defined by Class 50 Rules

### **6.2.2 Monohulls**

- IMOCA Class as defined by IMOCA handicap rules
- Class 40 as defined by Class 40 rules
- Category RHUM Overall length between 39' and 59', provided that at least 5 yachts be registered in this class on **May 31<sup>st</sup>, 2010** the latest

**6.3** 1<sup>st</sup> june 2010, the organiser will confirm the classes participating in the race according to the number of boat registered.

## **7- SKIPPER**

**7.1** The Race is singlehanded. Every yacht must have the same one person on board during the whole race, without prejudice of ISAF rule 1.1 and 41.

**7.2** Any Skipper who has embarked one or more persons for assistance within the frame of ISAF rule 1.1 or 41 will have to disembark them within the shortest time and must follow the Race Director's instructions.

### **7.3 Each skipper must supply the following documents to the Organisation**

- ISAF Survival Training course certificate dated less than 4 or 5 years before 1st November 2010
- **A certificate or evidence of having completed recent first aid training, the skipper knowing the management of a medical emergency which can happen at sea, including hypothermia, and the relevant communication procedures to obtain medical help by radio (are accepted the AFPS dated less than 5 years ago and the PSC1) RSO 4.08.4.**
- A medical certificate containing obligatory results of a test of medical fitness dated less than 4 years ago including a cardica ECG.
- A signed copy of the medical questionnaire supplied by the organisation, completed and signed by the skipper and his/her medical doctor.

**7.5** Minimum Age: 18 years on October 23rd 2010.

**7.6** By 18:00 on October 30<sup>th</sup> 2010 at the latest: the skipper must hand in his/her departure form duly completed in full and signed. The departure form will be attached to the Sailing Instructions.

## **8- ENTRY PROCEDURE**

- 8.1** Entry is upon invitation of a pair skipper/boat.
- 8.2** Entry requests will be registered according to their reception date provided a duly completed information form and cheque or certificate of bank transfer for 2,000 euros are included to go towards entry costs. These fees are non refundable and count towards the right of entry. Once the limit of quotas by class has been met, as defined in article 6.1, any further entries will be put onto a waiting list.
- 8.3** The final Entry Form must be sent no later than **may 31<sup>st</sup> 2010** with a cheque or certificate of bank transfer covering the outstanding balance for entry fees, to:

PEN DUICK SAS  
43bis, Rue de Cronstadt – 75015 Paris – France  
Tél : +33/(0)1.48.42.54.90  
Fax : +33/(0)1 48 42 52 96  
E-mail : penduick@penduick.com

- 8.4** Entry fees are as follows:
- Category Ultime : 20 000 exc. Tax + VAT if applicable
  - Multi 50: 8 000 exc. Tax + VAT if applicable
  - IMOCA: 12 000 exc. Tax + VAT if applicable
  - Class 40: 6 000 exc. Tax + VAT if applicable
  - Category RHUM : 4 000 exc. Tax + VAT if applicable

These fees include the **2000 €TTC (all taxes) non refundable admin/entry costs.**

These fees will be:

- Retained in the event of the competitor withdrawal
- Reimbursed to 50% if the boat is rejected because it does not meet the safety controls requirements.
- Reimbursed if the entry is cancelled or if the Organising Committee refuses the entry.

Cheques should be made out to **PROMOVOILE**; bank transfers can be made to the following account:

Account Holder:	PROMOVOILE
Bank	BCME
Bank Code:	18829
Agency Code:	29411
Account No:	039 852 260 40
RIB Key:	20
IBAN:	FR76 1882 9294 1103 9852 2604 020
Adress SWIFT:	CMBRFR2BCME

- 8.5** Late entries (after May 31<sup>st</sup> 2010) will be considered by the organisers. In the event of such an entry being accepted, the entry fees will be increased by 25%.
- 8.6** Entry fee includes a positioning beacon supplied by the organisers to each competitor. (A deposit in the form of a cheque for 2,000 euros will be requested.)
- 8.7** Every Yacht and **registered Skipper in the race** will have to do an observed qualifying passage the details of which will have to be discussed in due time with the Race Direction. The route, length, date and time of departure will have to be agreed at least one week before the planned departure agreed with the Race Direction.



This qualifying passage will have to be done on board the Yacht entered in the race, in the same minimum conditions as those planned for the ROUTE DU RHUM – LA BANQUE POSTALE, **with Inmarsat C** tracking. This passage will have to be done before October 1<sup>st</sup> 2010 unless a special dispensation has been received. The Skipper will do everything possible to display all the race marks supplied by the organiser (logos on mainsail and race flag) during his or her qualifying passage and during all sailing undertaken while pictures are being taken for the image bank.

In the instance of important modifications made to the boat after the Qualifying Passage, the Race Direction may ask the skipper to complete another qualifying passage.

- 8.8** The final list of Yachts admitted to present themselves for final checks before the ROUTE DU RHUM - LA BANQUE POSTALE from October 23rd 2010 in Saint-Malo will be published on October 1<sup>st</sup> 2010 the latest..
- 8.9** Entry in the race becomes final when the Yacht and the skipper have completed and cleared all the requirement / inspection routine in the port of St-Malo during the week prior to the start.

## **9- RACE BRANDING**

- 9.1 Race number:** All Yachts must have a distinctive number visible at all times on the deck, on the hulls and on the sails. The dimensions are detailed in each Class Rules (IMOCA, Class40 and Multi 50).

For the ULTIME category, dimensions are the same as for IMOCA.

For the RHUM category, dimensions of numbers on the sails and on the deck are specified in the RRS G.1.2. The dimensions on each side of the hull are the one mentioned in RRS G.1.2 multiplied per 2.

**The race number must be displayed on the front of the hull as follow: for multihulls on the outside of each floats and for monohulls on each side of the hull.**

Numbers (in accordance with Class rules) must be given to the organizer by 1<sup>st</sup> July 2010 at the latest.

- 9.2 Yacht Name:** The registered Yacht name may be marked on each side of the hull or floats and once on the stern or on the aft beam(s) of multihulls.

Pen Duick reserves the right to refuse any name which it considers to be in poor taste, shocking, abusive or in contradiction to the objectives of the race.

- 9.3 Race Flag:** All Yachts registered in the race will receive **two race flags** upon their arrival in Saint-Malo which will have to be hoisted on each side of the boat from Friday October 22<sup>nd</sup> 2010 until the prize-giving Ceremony in Pointe à Pitre. Any infraction to this rule will be considered by the Race Committee as a retirement from the race.

- 9.4 Flags or Pennants:** At the quayside, the hoist of pennants in the forestay and flags of any size with the name of the Yacht, the logo or the registered trademark is allowed, with the exception of slogans which are forbidden.

Furthermore, Skipper must hoist in the rigging the flags supplied in St Malo by the organisers and its partners.

These **must be hoisted** in the port of Saint-Malo from Friday 22 October 2010 until the departure and after crossing the finish line in Pointe à Pitre until the prize-giving ceremony.

- 9.5 Name of Race:** All entered Yachts must have the race branding in their mainsail. This branding includes the race logo and the race official and private partner logo. This logo will be contained in a circle of 3-metre diameter for Ultimes and IMOCA, in a circle of 2-metre diameter for Multis 50 and in a circle of 1,5 metre diameter for class 40 and RHUM.

The centre of the block will be placed at a height corresponding to one third of the mast height from the deck. Stickers will be supplied by the Race Organisation and it will be the Skipper's responsibility to ensure they are stay in place until the end of the race. Any infraction to this rule will be penalized financially by the International Jury upon request of the Race Committee.

## **10- SKIPPERS' OBLIGATIONS**

10.1 The presence of the skipper is **compulsory at the following date/events:**

**10.1.1 In Paris:** for the race presentation press conference (in September or October 2010).

**10.1.2 In Saint-Malo:**

- For each briefing: see article 5 of present Notice of Race.
- During the first security inspection of the yacht.
- From Wednesday 27 October 2010 (Schools day) until the start of the race.
- **During the entire duration** of the official evening ceremony previous to the start in Saint-Malo.
- At the prize-giving ceremony in Saint-Malo, **failing to attend this event will result in no prizes being awarded.**

**10.1.3 In Guadeloupe :**

- At the arrival press conference ,
- At the prize-giving ceremonies **failing to attend will result in no prizes being awarded.**

**10.2 Person in charge of the technical aspects of the Yacht:**

**10.2.1 In Saint Malo:** A person in charge of the technical aspects of the Yacht will have to be **permanently present** from the time the Yacht arrives in St Malo to the departure of the race. His or Her details will have to be provided to the organizers and Race Direction when he or she arrives.

**10.2.2 In Guadeloupe:** A person in charge of the technical aspects of the Yacht will have to be **permanently present** from the moment the Yacht arrives in Guadeloupe until the prize giving ceremony. His or Her details will have to be provided to the organizers and Race Direction when he or she arrives.

**10.3** In the event of infractions to this rule, penalties may be imposed at the discretion of the International Jury

## **11- ENERGY SOURCE**

**11.1** No other means of propulsion other than that of the wind may be used whilst racing (ISAF, rule 42.1).

**11.2** Modification to ISAF rule 52: An energy source other than manual force may be used for the automatic pilot. For monohulls this energy may be used to manoeuvre the ballast system and/or keel system.

## **12- YACHT INSPECTION**

**12.1 In Saint Malo**

Each boat will be submitted to an inspection in Saint Malo. Skipper must present during his/her yacht inspection. Any Yacht that does not meet the requirements will not be able to take part in the race.

**12.2 In Guadeloupe**

After the finish, the Race Director could decide to check Yachts without giving prior notice, either upon their own initiative, or following a request from the International Jury.  
Any Yacht that does not conform to the rules may be, at the discretion of the International Jury, penalized or disqualified.

## **13- ADDITIONAL SAFETY EQUIPMENT**

**13.1** The following safety equipments are mandatory on board throughout the duration of the race:

- 13.1.1 Radar with alarm.
- 13.1.2 A portable Iridium telephone (waterproof or in a waterproof container) in the survival canister
- 13.1.3 A portable GPS (waterproof or in a waterproof container) in the survival canister
- 13.1.4 An active AIS transceiver and software to view AIS targets.
- 13.1.5 A survival suit for all persons on board, to the minimum norm prEN 1913 and with the thermal insulation –without polar clothing- greater than 0.75 clo immersed.
- 13.1.6 A portable distress beacon Sarsat-Cospas dual frequency 121.5 Mhz et 406 Mhz, long duration, autonomy of 48 hours minimum, (2 beacons on IMOCA)
- 13.1.7. **Hull markings fluorescent** : according to rules OSR 4.02.1 b), 4.02.2 et 4.02.3 are obligatory for Class 40, Category Rhum, IMOCA, Multi 50 and Category ULTIME.
- 13.1.8 A mini ‘Spare Air’ type (or similar) diving bottle with an integrated regulator.
- 13.1.9 Mandatory life jackets must be self-inflating via a Hammer or equivalent system and have CE certification. At least one spare kit must be on board. A flashlight with a minimum battery life of 8 hours must be attached to each jacket.
- 13.1.10 An autonomous active radar transponder

## **14- POSITIONING**

### **14.1 INMARSAT System**

- 14.1.1 La ROUTE DU RHUM - LA BANQUE POSTALE will make use of the INMARSAT C system for the transmission of messages and for tracking the progress of Yachts and in case of the break down of the positioning beacon system.
- 14.1.2 Each Yacht must be equipped with an Inmarsat C terminal. This terminal must have a GPS card and a software package which allows polling and data reporting (programmable and automatic transmission of longitude and latitude positions towards a land-based terminal). **This device must be in perfect working order and installed in such a way as to avoid any possible deterioration and according to the instructions for use.**
- 14.1.3 Each competitor must give his permission to the Race Organiser to follow the progress of their Yacht via this system during the qualifying and the race. Tests will have to be carried out once the Yacht has been equipped, at least one month before the start of the race.

### **14.2 Positioning system**

In Saint-Malo, the organisers will install a positioning beacon on each Yacht which will allow the Yacht to be tracked.

A refundable deposit of 2,000 euros will be requested from the Skipper. The cheque will be returned or destroyed once the Skipper has sent the positioning beacon to the address given before the start, in its original packaging.

- 14.3 The race director must be informed of all forms of satellite positioning used, must have 24 hour access to this information and must know the name and address of the organisation to whom this information is transmitted.

## **15- RADIO**

All Yachts shall be equipped with:

- A satellite telephone with a fixed external antenna. The external antenna must be installed in accordance with the instructions for use of the product. All non-conforming installations will be refused.
- A 56 channel VHF radio with a minimum power rating of 25 watts.

These devices must be in perfect working order and installed in such a way as to avoid any possible deterioration

## **16- OUTSIDE ASSISTANCE (amendment to ISAF rule 41)**

- 16.1 All forms of navigational assistance are permitted, notably routing (modification to ISAF rule 41)

## **The organisation reserve the right to study all particular demands of a class concerning routing**

- 16.2** Yachts must complete the whole route independently and must not deliberately sail in convoy or seek to obtain accompaniment in any way whatsoever. During the event Yachts may have no physical contact with other vessels or aircraft. They may not be restocked in any way whatsoever.
- 16.3** During the race, a Yacht may stop, drop anchor or receive assistance in the following conditions:
- The Skipper must place a request to the Race Committee (VHF, Inmarsat C or M, telephone).
  - Following the agreement of the Race Director concerning the place where a stop is to be made, the compensation it may involved and the equipment to be changed, the Yacht may be towed or start its engine to enter or exit harbours or moorings over a distance agreed with the Race Director on the condition that it can be proved that the result of such towing or use of the engine did not cause the Yacht to progress towards the finishing line.
  - When a Yacht is being towed or using its engine, and only then, people may step on board.
  - When moored, tied up to a buoy, attached to another moored Yacht, at a berth in the harbour or a place agreed with the Race Committee, repair work may be carried out and the Yacht may be restocked. Spare parts agreed with the Race director may be taken on board. The Skipper may disembark.
  - When repair work to the Yacht has been completed, to restart the race it may be towed or leave using its engine over a distance to be agreed in advance with the Race Director provided it can be proved that the result of such towing or use of engine does not cause the Yacht to progress any closer to the finish line.
- As soon as the Yacht starts to be on her route again only the skipper must be onboard.
- **This does not apply to the port of Saint-Malo** or area of where any means is authorized to return the port or to leave up to a point clarified in the Race Instructions.

## **17- COURSE**

<b>Starting Line:</b>	In front of the "Pointe du Grouin."
<b>Cap Fréhel Buoy</b>	<b>To be left on starboard</b>
<b>Guadeloupe</b>	<b>round leaving to port</b>
<b>Ilôt de la Tête à l'Anglais</b>	<b>To be left on port</b>
<b>Basse Terre Buoy</b>	<b>To be left on starboard</b>
<b>Arrival line:</b>	Close to Pointe à Pitre (refer to the Sailing Instruction)

## **18- CLASSIFICATION**

- 18.1 Classification by Class**  
a classification table in elapsed time will be established for each class defined in paragraph 6.2 in order of arrival for the Yachts finishing the race
- 18.2** The organisation retain the right to establish other classifications and results.

## **19- TROPHIES AND PRIZES**

- 19.1** Only the Yachts which finish the ROUTE DU RHUM - LA BANQUE POSTALE are taken into consideration for trophies and prizes.
- 19.2** The distribution of prize funds will not be less than 210,000 Euros

## **20- RESPONSIBILITY OF ORGANISERS, PARTNERS AND PARTICIPANTS**

- 20.1** Sailing is a hazardous and potentially dangerous activity and anyone intending to become involved in the race, whether as a participant or otherwise, does so on the basis that they accept that it is at

their own risk and that they could suffer loss, damage or injury as a consequence of such participation.

The race organisers and their partners' responsibility is limited to assuring the sporting order of the event.

Any other responsibility assumed by the organiser can only be explicit and contractual.

In Particular:

- The checks made by the Race Committee or the Control Commission, either of its own initiative or following the request of the international jury, or by any other body, will be for the sole purpose to ensure the rules and sailing instructions for the event have been followed.
- The watch, and especially which the radio and/or Inmarsat C watch, which the organiser may keep, must be considered by Skippers as optional and random and should in no way be considered to be an additional safety measure on which they can count.
- All requests made to a member of the organisation will not legally engage the responsibility of the organisation in general unless the latter accepts the responsibility explicitly either itself or by one of the staff officially accredited to do so. This point particularly applies to various requests for assistance and assistance / rescue at sea.

**20.2** The race is a sporting event. Any sporting dispute shall be judged according to ISAF rules. The fact of entering this race dictates that the competitor and other interested parties renounce to all non-sporting jurisdictions for sporting disputes. No damage claim shall be taken under consideration (ISAF fundamental rule n° 3). Consequently, the organisers will have no liability for breach of any contractual term implied by common law, statute or otherwise or for negligence and will not be responsible for any loss, damage or injury (howsoever caused and howsoever arising), breach of duty, misrepresentation or otherwise.

**20.3** Regardless of the links between the owner of the Yacht(s), the sponsor and the Skipper, only the Skippers officially registered on the entry form will be considered as the valid representative in all connections with the organisers.

**20.4** Each competitor enters the race at his own risk and fully accepts the responsibility in deciding to participate. It is the sole responsibility of each competitor to decide whether to participate in the race having regard to the individual's competence, the Yacht and its associated equipment, the weather conditions anticipated or encountered during the race, his or her level of fitness and medical condition and so forth.

Any advice or information that may be provided by the organizers (Pen Duick), such as in relation to weather forecasting, or arising from the checks made to the Yacht, is for information purposes only and it is the sole responsibility of each competitor to ascertain this information eg. what the weather conditions are likely to be... . Neither the organizers nor those associated with them accept any responsibility in relation to such advice or information that they may provide (**ISAF Fundamental Rule 4**).

**20.5** The owners, sponsors or skipper of the Yachts are personally responsible for all accidents or material damage and/or human that may occur either to themselves, the Yachts or to a third party or to the property of a third party. It is their responsibility to obtain the necessary insurance to cover all possible injuries, damage, loss of life, property or other. Further, competitors undertake to furnish a document certifying that they have indeed taken out such insurance cover, and setting out any exclusion clauses and third party indemnity with whom he may come into contact within the context of the race or any associated event.

**In particular, the skipper is responsible to the organisation and must take out all the necessary insurance policies for a minimum amount of 3 million euros. Written confirmation must be lodged to this effect to the Race Director at the latest on 22 October 2010. Failing which the skipper will not be allowed to take part in the race and any entry fees already paid for the Yacht will be retained by the organisers.**

The absence of third party insurance will in no way engage the responsibility of the organiser and/or its partners.

- 20.6** As an essential condition to his/her participation, the sponsor and/or the owner and their insurers must lodge the necessary signed renunciation forms to any claim against the organisers, their representatives and agents and their insurers, as per that which is noted in the appendix. The organizers will not be liable for any actual or alleged indirect or consequential loss, howsoever arising, suffered by anyone whether it be a competitor, owner or sponsor or otherwise and such exclusion of liability will not be limited to loss of profits, opportunity, business, publicity, reputation (or an opportunity to enhance reputation) or in relation to any sort of economic loss.
- 20.7** The organizers shall have no liability whether it be to any participant in the race or otherwise for any actual or construed loss or damage, costs, expenses or other claims for compensation arising as a direct or indirect result of any cause beyond their reasonable control including (without limitation) any Act of God, war, military operations, accident, breakdown of plant or machinery, riot, abnormally inclement weather, earthquake, tidal waves, fire, flood, hurricane, tornado, drought, explosion, lightning strike, lockout, trade dispute or labour disturbance, the act or omission of or refusal of any licence or permit by any government, national or international sailing authority, highway authority, telecommunications operator or difficulty delay or failure in the provision, manufacture, production or supply by third parties of any information, goods or services.
- 20.8** The organizers of the race will not be required to mount any rescue operation whether it be from land or sea and competitors are reminded of the obligation to offer all possible assistance to any other Yacht or person in danger insofar as they are able so to do. (ISAF Fundamental Rule 1.1). The safety and assistance at sea is regulated by international conventions.
- 20.9** The organiser retains all control and priority management of the factual communication of the incidents or accidents which take place on the boats and the race.  
An obligatory meeting with each boat's person who is responsible for their procedures and communication in the event of accident or incident will be organized on the day of the press conference
- 20.10** Competitors and others involved with the race will be deemed to have notice of the exclusions and indemnities. No entrant will be permitted to start the race unless that competitor, as well as the Yacht's owner (if different) and any sponsors of that competitor have signed and delivered the Declaration Form provided by the organizers declaring:
- That the competitors have read and understood the provisions of this Notice of Race and all other official documents, including the risk and dangers associated with the event and that proper consideration has been given to that competitor's life and other insurance requirements in the light of that individual's obligations (whether it be to dependants or otherwise) and that the competitor will maintain appropriate additional life and accident insurance cover for the duration of the race.
  - That the competitors have, and will maintain, until one month following his completion of the race (or retirement from the race), adequate and suitable insurance, including third party liability, for not less than the international conventions in force.
  - That the competitors, the Yacht's owner (if different), and the sponsors of that entrant acknowledge that it is reasonable for the race organizers (Pen Duick) and anyone else involved in the organization of the race to exclude to the maximum permitted by law their liability in relation to the race and for them to be indemnified by the individual competitor, owner and sponsors in relation to claims brought by any of them against anyone involved in the organization of the race.

## **21- FINISH**

The time limit for the arrival is **10 full days** after the arrival of the first monohull. After these 10 days, any time bonus given to a Yacht by the international jury may be added to the 10 day limit.

The time limit may be extended, if necessary, at the discretion of the Race Committee.

## **22- ISAF INTERNATIONAL JURY**

With the authorisation of the French Sailing Federation (FFV), an ISAF International Jury will be constituted whose decisions will be final.

The composition of the Jury will be published in the Sailing Instructions.

## **23- TIME ZONES**

All times given in the Notice of Race and in the Sailing Instructions are given in local time: GMT +1 in St Malo France; GMT -4 in Guadeloupe.

## **24- TEXT**

For the Notice of Race, Sailing Instructions, IMOCA rules, Multi 50 rules, Class 40 rules the French text prevails; the English text prevails for ORC special regulations and for ISAF rules.

## **25- AGREEMENT**

Entry implies total unconditional acceptance of all of the above articles.

## **26- USE OF AUDIO-VISUAL RIGHTS**

An audio-visual appendix will be published by 1<sup>st</sup> July 2010 at the latest.

Paris, 22 November 2009

The organisers reserve the right to amend this Notice of Race should amendments be deemed desirable for the safety and/or sporting interest of the race.

**The legal text for this Notice of Race is the text in French  
from which this translation is issued.**