

# PRE-NOTICE OF RACE

**18 SEPTEMBER 2018**



**CAPE HORN RACE®**

**2019 - 2020**

## **RACE NAME**

1. The official race name and the only one authorised is: “Cape Horn Race” ®. The Race name: Cape Horn Race ® and logo are the unique property of Alec Honey, and are registered in France and abroad in his own name.

## **INTELLECTUAL PROPERTY**

2. The intellectual property and official race name are registered, since the Race’s foundation in 2006, as a semi-figurative trademark “Cape Horn Race” ®. This semi-figurative trademark must not be modified, neither the colours, nor the graphics, and the words “Cape Horn Race” ® must not be exchanged or inter-disposed by other words. In the same way, the semi-figurative logo must not be shortened to less than 3 words or substituted by other words or graphics, without written authority.

3. The race name, Cape Horn Race ® registered trademark may not be added to, substituted or replaced, without written authority.

4. The intellectual property of « Cape Horn Race » ® the concept, audiovisual rights, texts, images, photos, tabulations, provided in its documentation are protected par author rights, and associated rights, are the unique property of its author, Alec Honey.

5. Consequently, as far as the Facebook or website are concerned, all activities carried out without written authorisation, with the intention of creating a race documentation using Alec Honey’s intellectual property, constitutes a violation of author’s rights. In addition, the semi-figurative trademarks, logos, Facebook and website contents, and Cape Horn Race Game ® (virtual online ocean race) are registered. In no circumstance, does the race documentation and its concept constitute a transfer of intellectual property rights, either moral or patrimonial, or of whatever nature, without written authority. It is incontestable that the race concept, and its original form, have been developed exclusively by Alec Honey, who is therefore rights holder and author with reference to the said concept. To avoid all difficulty, the precise description of the event is registered by a “huissier de justice”. Trademarks are registered, which have a declination of the nomination Cape Horn Race ® and thereby preserve intellectual property rights.

## **AIM**

6. Cape Horn Race ® is the first race round Cape Horn Island. This IRC handicap race consists of 4 legs during 4 months of passion and emotion. Its aim is to promote, organise and develop a high-level sporting challenge, original, international, and at an accessible price, which takes place every 4 years.

## **RULES**

7. The event is governed by the latest sailing authority regulations as shown below, in addition to, or modified by, Race Instructions, which will be available by 1 October 2019.

- a. World Sailing (ISAF) sailing regulations, referred to hereafter as RRS, with the exception of those that are modified by the Pre-Notice of Race.
- b. SOR rules (Special Offshore Regulations, World Sailing), category 1, mono-hulls.
- c. IRC Rules.
- d. Part B, Steering and Sailing Rules, International Regulations for Preventing Collisions at Sea, 1972, with amendments.
- e. National Sailing Regulations.
- f. Special security regulations promulgated by national maritime authorities, including the Maritime Authorities of Argentina and Chile, particularly in Cape Horn zone and the southern-tip of South America.
- g. The Pre-Notice of Race, the Notice of Race and its eventual official modifications.
- h. Race Instructions and its official modifications.

8. The following RRS are modified:

- a. RRS, chapter 2 (when yachts meet-at sea) applies to the start of each leg and up to 20 nautical miles from the start-line, and again on arrival from a distance of 20 nautical miles from the finishing-line for those periods of the race from sunrise to sunset. For those parts of the race between sunset and sunrise, RRS are replaced by part B, International Regulations for Preventing Collisions at Sea.
- b. RRS 41 (external assistance) and RRS 45 (onshore, made-fast or on mooring): modified by the Pre-Notice of Race.
- c. RRS 42.3 h): a yacht may use its motor, or be towed, in order to return to the port of departure or into another port as agreed with the Race Director, to repair, and restart the race after receiving the Race Director's authorisation (see Pre-Notice of Race).
- d. RRS 52 (manual energy): modified by the Pre-Notice of Race.

9. Only the documents mentioned in notes and abrogation, written and signed by the Race Direction, the President of the Race Committee and/or the Protest Committee are officially validated.

## **ENERGY SOURCES**

10. No other means of propulsion other than the force of the wind may be used throughout the race (RRS 42. 1). Modification of RRS 52: yachts are authorised to other energy sources, other than manual energy, in order to use their automatic pilot. If appropriate, yachts may use other energy sources to activate their water-ballast system, and/or inclining their keel.

11. The organiser reserves the right to seal the engine (propeller shaft, or other appropriate means, depending on engine installation) throughout legs 1, 2, and 4. Nevertheless, it is mandatory for the skipper to complete a statement that he has not used the engine for propelling the yacht, signed by each crew-member, and each leg-visitor for leg 3.

## **YACHT INSPECTIONS**

### **12. At port of departure.**

- a. All yachts will undergo an inspection. Skippers and 3 crew-members shall be present to assist.
- b. A yacht which does not conform with race regulations may not start the race.

### **13. At each port of call**

- a. The Race Director may verify or request that yacht equipment is checked, without notice, either on his own initiative, or at the request of the Race Committee and/or the Protest Committee.
- b. A yacht which does not conform with race regulations may, at the discretion of the Protest Committee, be penalised or disqualified.
- c. Yachts, prior to competing in their first leg of the race, will undergo a complete inspection.
- d. The skipper and 3 crew-members shall be present to assist. A yacht which does not conform with race regulations may not start the race.

### **14. Number of sails authorized**

Each yacht is limited to a maximum of 10 sails for the total duration of the race, including a brightly-colored storm-sail and tri-sail. The sails, and number of sails onboard, shall be verified by the Race Committee on the day of departure of each leg.

## **ADDITIONAL SAFETY EQUIPMENT**

15. The entire safety equipment required by SOR (cat.1, mono-hulls) and in the Pre-Notice of Race must remain onboard throughout the complete race. Under no circumstances, may any equipment be omitted, even during the shortest legs, whether the yacht be racing or not, and in particular for navigation in Cape Horn waters, including Port Williams, Ushuaia, and Punta Arenas.

**16. The following onboard security equipment is mandatory throughout the competition:**

- a. A portable waterproof GPS or in a water-proof container shall be onboard each life-raft.
- b. An active AIS transmitter and AIS target display programme.
- c. A survival suit for each person onboard, minima norms prEN 1913, with thermic isolation without polar under-wear which shall be superior to 0.75 clo when submerged.
- d. A portable distress beacon Sarsat-Cospas bi-frequency 121.5 Mhz and 406 MHz, classified long-duration with an autonomy of 48h minimum.
- e. A survival container as required by SOR paragraph.

**A terminal INMARSAT C:**

17. This equipment must be in perfect working order, installed in such a manner that does not provoke any deterioration and in accordance with the technical instructions provided with the product.

18. Each skipper shall give the organiser his authority to track his yacht by this system throughout the qualification passage and the race itself.

**Yachts shall be equipped with a strong anchoring tackle.**

19. The minimum specification to be carried throughout the entire race is tabulated below, as it is a requirement to anchor in Cape Horn waters, as an integral part of the race programme.

<b>Length overall</b> <b>Minimum specifications</b>	~40ft to 52 <sup>ft</sup>	53 <sup>ft</sup> to 65 <sup>ft</sup>	66 <sup>ft</sup> to ~78 <sup>ft</sup>
<b>Minimum anchor weight</b>  <b>Anchor LEWMAR</b> <b>« Claw » is strongly recommended</b>	20 kilos	30 kilos	30 kilos
<b>Diameter of chain</b>	10mm	12mm	12mm
<b>Minimum length of chain</b>	20m	30m	40m
<b>Plus length of anchor rope</b>	30m	30m	30m
<b>Diameter of anchor rope</b> (nylon or multiplait nylon only)	20mm	24mm	24mm
© Cape Horn Race ® 2018.			

In addition, yachts may be required to anchor at ports of call, during racing or in passage through the Beagle Channel, the Patagonia fjords, and the Magellan Strait. All persons who wish to take-part in Cape Horn Race, whether as a competitor or otherwise, must under-take to anchor or moor at their own risk wherever or whatsoever the circumstances in the knowledge that such participation may cause damage or loss.

20. Minimum specifications are tabulated: Lewmar “Claw” 20/30 kilos anchor is recommended, but neither the organisers, nor their associates, accept the slightest responsibility for such anchoring advice or information, which they may communicate (RRS Fundamental N°: 4).

21. The second kedge-anchor specification remains at the skipper’s discretion.

## **POSITION-FIXING**

### **Position-fixing system**

22. At the race start, the organiser reserves the right to install a position-fixing beacon on each yacht in order to track its position. Yachts joining the race at other ports of call shall also be equipped with tracking-beacons.

23. A cautionary cheque for 2,000 euros is required to be paid by the skipper. This cheque will be returned, or destroyed, when the position-fixing beacon is returned in its original packing to the address given on delivery.

24. The Race Director must be informed of any other onboard satellite position-fixing or reporting system, and he must have access 24 h/24 h, including the name and address of the recipient receiving information.

## **COMMUNICATION SYSTEMS**

25. All yachts shall be equipped with the following communication systems: these items of equipment must be in perfect working order and installed in such a manner as to prevent deterioration at sea.

26. A satellite telephone system with a fixed external aerial, installed in accordance with the product’s technical notice of instructions. All installation, which does not conform, will be refused.

27. A VHF radio, 56 channels, and minima 25 watts.

## **EXTERNAL ASSISTANCE**

**All external navigation routing systems are prohibited** (modification of RRS 41)

28. «Routing» shall be interpreted as any personalized means of providing external

indications, especially prepared or individualized for a crew or a group of crews, consisting of any source of information, other than those authorized, and containing an understanding of weather situations and the choice of course, or courses to steer, or to avoid.

29. A declaration by each crew-member, the skipper and the head of the shore-team on behalf of the entire support team ashore, by the sponsors of participants (if applicable), certifying that this regulation has been complied with from the beginning to the end of each leg.

30. Yachts must carry out the complete race independently and shall not, deliberately, navigate to maintain or make arrangements with the intention of an escort of any nature. Throughout the race, yachts shall not have material contact with another vessel or sea-plane, and may not receive any supplies by whatever means whatsoever.

**During the race a yacht may call-in to port or moor in order to receive assistance, provided that:**

31. The skipper must request permission from the Race Director (VHF, Inmarsat C, M, telephone). After the Race Director has agreed to a stop location to repair and replace material, the yacht may be towed or start its engine to enter and/or leave a port, or mooring, for a distance agreed with the Race Director on condition that it can be proved that the overall result of such a tow, or use of engine, has not given any advantage to the yacht in its progress to the finishing line.

32. When the yacht has been taken in tow or has started its engine, and only at this time, may people be embarked onboard.

33. When the yacht is on at anchor, made fast to a mooring buoy, alongside a ship underway, made fast to a quay in port or a shelter agreed with the Race Director, repairs may be carried out, supplies and materials may be embarked as agreed by the Race Director.

34. The crew may disembark, when the yacht has finished its repairs in order to restart the race, she may be towed or leave under motor for a distance agreed in advance with the Race Director on condition that it can be proved that the overall result of such a tow, or use of engine, has not given any advantage to the yacht in its progress to the finishing line. Finally, when the yacht restarts the race, only the original crew may be onboard.

## **CLASSIFICATION**

35. IRC Yacht categories will be defined in the Race Instructions (racing yachts, production yachts, charter-yachts racing, owner-skipper yacht, youth crew yacht, ladies crew yacht, and other special awards).

36. Each yacht will be classified by compensated time according to IRC rating.

**37. There will be a classification by yacht category : prizes for each leg (1st, 2nd, 3rd.) as follows :**

- a. IRC racing-yachts (defined by opposition to production yacht).



- b. IRC production-yachts.
- c. IRC charter-yachts racing (defined by opposition to owner-skippers yachts).
- d. IRC owner-skipper yachts.
- e. IRC yachts with a minimum of 4 crew-members on each leg having less than twenty-five years of age on 1 November 2019 : the **Cape Horn Race Youth Prize** for each leg.
- f. IRC yachts with a minimum of 4 lady crew-members on each leg : the **Cape Horn Race Ladies Prize** for each leg.

### **OVERALL WINNING YACHT : TROPHY (1st, 2nd, 3rd)**

38. Fastest yacht on overall compensated time : being the total of compensated time for each individual leg, whatever yacht category. Yachts must have completed every race leg to qualify, including the prologue and epilogue to the “Round Cape Horn Island Race” ® “Cape Horn Cup” ® Chile.

### **OVERALL YACHT WINNER BY CATEGORY : TROPHIES (1st, 2nd, 3rd.)**

39. Fastest yacht on overall compensated time : being the total of compensated time for each individual leg, for each yacht category, including the **Cape Horn Race Youth Trophy**, and the **Cape Horn Race Ladies Trophy**. Yachts must have completed every race leg to qualify, including the prologue and epilogue to the “Round Cape Horn Island Race” ® “Cape Horn Cup” ® Chile.

**40. Other prizes and trophies, including a production yacht class (if 5 or more are racing), and other special awards may be added and will be listed by 1 October 2019 in the Notice of Race or by amendment.**

### **THE MYTHIC SKIPPER AWARD**

41. “The Mythic Skipper Award” shall be presented to the Cape Horn Race ® skipper, who has already participated in a different official race round Cape Horn prior to 1 October 2019 before competing in the Cape Horn Race ® 19/20, and who has achieved the fastest yacht performance on overall compensated time during the Cape Horn Race ® 19/20 : being the total of compensated time for each individual leg, whatever yacht category. The yacht shall have completed every race leg to qualify, including the prologue and epilogue to the “Round Cape Horn Island Race” ® “Cape Horn Cup” ® Chile.

### **ORGANISER’S, PARTNERS’ AND PARTICIPANTS’ RESPONSIBILITIES**

42. Sailing is a high-risk sport and an activity which is potentially dangerous. All persons who wishing to take part in Cape Horn Race, whether as a competitor, or otherwise, must under-take

to do so at their own risk in the knowledge that such participation may cause damage or loss.

43. The organiser's responsibility, as well as his partners, is limited to ensuring the application of sporting regulations for the event.

44. The only other responsibility that the organiser may accept shall be contractual and explicit.

45. Verifications by the Race Director, either at his initiative, or at the request of the Protest Committee, or for any other reason, shall be made with the only aim of assuring that the race regulations, the Race Instructions, and their amendments, are respected.

46. Surveillance, and particularly by radio, and/or by position-fixing beacons and/or Inmarsat C, that the organiser, and Race Director, might carry out, must be considered by participants as optional and non-systematical, and under no circumstances as an additional security on which skippers shall not place any assurance.

47. All requests made to a member of the organisation shall not engage the organiser to any civil responsibility, unless he explicitly accepts such responsibility, either himself directly, or by a person in situation, who is officially accredited to intervene. This applies in particular to all diverse requests for assistance, such as assistance at sea.

48. The event is a sporting competition. All sporting appeals shall be judged in accordance with RRS. The action of engagement in a sporting event implies the competitor and his followers must renounce all legal action other than those which are strictly sporting claims and appeals. No request for damage or interest shall be justifiable (RRS fundamental N° : 3). Consequently, the organisers do not accept any responsibility for breach of contract implied by common law, written or otherwise, nor for negligence, and shall not be responsible for any loss or injury (whatever the cause or the occasion), violation of duty, deformation or any other neglect.

49. Whatever the legal relationships between owner(s), agent and skipper, only the skipper, officially nominated by written engagement, shall be interlocutor responsible with regard to the organisation.

50. Each skipper shall participate in the race at his own risk and peril, and shall recognize that the decision to participate in the race was taken on his own free will and his own responsibility. It shall be the sole responsibility of each participant to decide to take part in the race in function with his own competence, and that of the crew and skipper, the state of the yacht and its rigging, the foreseen weather conditions, or those subjected to during the race, his own physical and medical condition, and those of his crew-members and skipper, and so on.

51. All advice or information provided by the organisers, for example, a weather forecast or advice following an yacht inspection, is given as an indication only, and it is the participant's sole responsibility to check probable weather conditions and his equipment. Neither the organisers, nor their associates, accept the slightest responsibility for such advice or information, which they may supply (RRS Fundamental N° : 4).

52. Owners, agents, and skippers are each personally responsible for all material or human accidents, which they might incur, to the yachts, or that they might inflict on a third-party, or to the property of a third-party. Further, they are obliged to contact the appropriate assurances necessary, whether it might be for injury received, loss, damage or whatsoever. In addition,

each participant shall provide the organisers with a certificate of assurance, and its given exclusion clauses, and indemnities to a third-party with whom he might engage throughout the race or associated inshore and onshore events.

53. In particular, skippers are responsible towards the organiser for contracting all necessary assurances to cover civil responsibilities to a minimum sum of 3 million euros. Skippers must provide the Race Director with a certificate of assurance at the latest by 1 October 2019, or before arrival in the departure port for the race first leg. Failure to do so, a yacht shall not be authorized to start the race, and inscription payments will be retained by the organiser.

54. Absence of third-party assurance shall not engage the responsibility of the organiser or his partners.

55. As an essential condition of participation, the agent, owner and/or skipper must hand-in to the organiser the format given in annex 2a and 2b, duly signed to the effect that they renounce all claims against the organiser, mandates, and agents, as well as renouncing any claims from their assurance companies.

56. The organiser may not be held responsible for any loss, indirect, real or alleged, whatever the occasion, whoever it might be, participant, agent, patron or whoever, and this total absence of responsibility is not limited just to unique loss of benefits, opportunities, business, publicity, reputation (or lack of reputation enhancement), but of any financial loss however incurred.

57. The organiser shall not be held responsible, whatever the circumstances, with regard to the participants in the race, or otherwise for all loss, damage, or real or estimated expenses, resulting from unforeseen circumstances, including (non-exhaustive list) all natural disasters, war, military intervention, accident, break-down of material, riot, abnormally bad weather, earthquake, tidal wave, fire, flooding, hurricane, tornado, draught, explosion, lightning, industrial strike, or social conflict, as well as all ignorance or refusal of permission on behalf of the government, national and international sailing authorities, public-work administration, telecommunications, late delivery, production or delivery by a third party, of information, goods and services.

58. The race organiser has no obligation whatsoever to organise rescue, whether at sea or on land. In addition, participants are reminded of their obligation to assist other yachts or vessels in distress (RRS Fundamental 1.1), where possible, and in accordance with International Conventions for rescue and assistance at sea.

59. The organiser shall maintain control and management of priority operational information relating to incidents or accidents, appertaining to vessels and the race. An obligatory reunion will take place before the start of the first leg with those responsible for each participating yacht in order to confirm monitoring and communication procedures imposed by the organiser in the event of incident or accident.

60. It shall be considered that all participants, and persons involved in the race, have acknowledged their acceptance of all race exclusions and indemnities. No depart shall be authorised unless the participant, agent (if different), and all participants' partners, have signed and submitted a declaration, by written format provided at annex 2, to the organisers at the latest by the day before the leg start, specifying the following :

61. Participants shall acknowledge that they have read and understood the dispositions given in the Notice of Race, and all the official documents, including any risks and dangers involved in the event. They shall state that they are aware of the necessity of life assurance, and other assurance related to their obligations (whether it be to persons in charge or otherwise), and that all participants possess an adequate assurance cover for accidents/death throughout the entire race.

62. Participants shall acknowledge that they have an adequate assurance policy, that they will keep, up to one month after they have finished the race (or abandoned the race), including an all risks policy and responsibilities towards third parties, for a minimum legal amount at least equal to international conventions in force.

63. Participants, agents (if different) and participants' partners, shall acknowledge that it is reasonable that the race organisers (Cape Horn Race Management ®), as well as all those involved in the organisation, refuse all responsibility up to the maximum permitted by law, and that they are protected from any reclamations, whatever their nature.

64. The time limit for arrival on each leg for all competitors is fixed at 15 full days (of 24 hours) after the arrival of the first yacht. After more than 15 days, the Protest Committee may add penalty/bonus time to a yacht's compensated leg time. The time limit may be extended, if necessary, at the discretion of the Race Director.

65. All timings given in the Notice of Race and in Race Instructions are in local time.

## INSCRIPTION

66. Inscription applications will be registered in date-order of receipt on condition that the inscription proforma are duly completed (annex 2a & 2b), and accompanied by cheque or a banker's order for 300 euros, non-returnable deposit (see exceptions below) in order to reserve a place in the race. This is **essential** as yachts from South America will also be registering, especially for the race round Cape Horn Island. Yachts have the option of registering for the whole race, or one or more legs. Skippers should pay in by installments for the number of legs in which they wish to compete.

67. When the limited number of entries has been received (30), including applications from South America, any additional applications will be held on a waiting-list.

68. The organiser reserves the right to refuse any application for inscription, according to RRS 76.1.

69. Final inscription payment should be deposited by 1 September 2019 at the latest either by cheque or notification of banker's order, representing the balance of inscription rights (yacht, skipper and all crew-members or replacement crew. 1 Celebrity-Crew and 1 Media-Master for the 3rd leg at Cape Horn Island are offered free of charge to the skipper) payable to Cape Horn Race Association, law 1901, SIREN 533 812 053, addressed to : Cape Horn Race Association BP 4, CASSIS, cedex, 13714, France.

## YACHT

**Inscription rights in accordance with Pre-Notice of Race regulations are as follows :**

**70. Yacht inscription is for €1 000 euros per leg or event, and €4 000 euros for 4 legs : 4 months, or the entire race.**

71. Publicity is accepted onboard by a yacht-sponsor as authorised by the race rules on publicity on all race yachts, including title-sponsor and race sponsor publicity, block-marks, flags, and all race publicity as authorised by race rules, and amended, if necessary, in the Notice of Race.

72. The number of yachts that are invited to participate in the event is limited to 30. Nevertheless, the organiser reserves the right :

- a. To invite additional yachts to participate in the race.
- b. To refuse any yacht-inscription.

**73. The competition is open to mono-hull yachts IRC of length overall (LOA) of between 12 meters (39.37 ft) and 24 meters (78.74 ft). Each yacht shall be in possession of a measurement certificate IRC before 1 October 2019.**

74. Stability : yachts shall be classified ISO category A. For yachts which do not possess a ISO classification, the value of IRC STIX (stability index) shall be equal or superior to 32.

75. The yacht's nationality shall be determined by its national ensign, as well as the town, the port, and the yacht club declared on the official inscription format.

76. Yachts shall be insured for the duration of the race : see article of the present Pre-Notice of Race.

77. All yacht logistic and administrative costs are the responsibility of the skipper, including the cost of transporting spare-parts or other services for the yacht and its crew.

78. Containers are only accepted in specific ports and entirely at the skipper's cost on condition that Race Direction has authorised such transportation at least 1 year in advance.

## **YACHT SPONSOR**

79. A yacht-sponsor shall contribute 10% of his sponsorship budget for Race services, media promotion, television services, visibility branding on yachts and at stop-overs, and all other race benefits : in addition to a free choice of trophies, cups, presentational cheques or team prizes in the name or product of the sponsor, or not; and a social or sporting race event, or yacht-sponsor's race reception, if requested, at 1 or more ports of call, although a sponsor reception is not a race obligation and remains entirely at the sponsor's initiative.

80. A yacht sponsor shall pay the cost of any guests onboard the spectator ship, flights, and other forms of transport or transfer costs, including hotels and meals. However, these costs shall be assimilated in the 10% contribution and finalised by contract, according to the sponsor's precise objectives and requirements.

## CREW

**81. Crew Race fee is €290 euros per leg, paid in total by skipper 1 month before the Race start and 1 week before subsequent leg-starts : leg 2, 3, and 4.**

82. Yachts shall have a celebrity-crew and media-master onboard for the entire “Round Cape Horn Island Race ®, including a media evening at anchor prior to the “Round Cape Horn Island Race ®. Yachts shall return to Puerto Williams for prize-giving and anniversary celebrations.

**83. The crew shall consist of a minimum number of 4 persons onboard, and a maximum of 12 persons onboard, except for celebrity-crew and media-master.**

The maximum number of crew-members must not exceed the number of berths (application of article, SOR), except by derogation for onboard visitors for a short duration at sea, such as 1 celebrity-crew and 1 media-master, on condition that these additional persons onboard receive the authorisation of the Race Director and the appropriate skippers ; and on condition as well that the security equipment onboard is adjusted and verified for the extra number of persons onboard, in particular life-raft capacity, number of life-jackets, safety-harnesses, and survival suits...

84. The skipper shall be responsible for insuring that all embarked-persons have personal medical insurance covering all medical and dental expenses.

**85. At least, 30% of the crew including the skipper shall provide the organisation with the following documents :**

- a. World Sailing (ISAF) sea-survival course certificate dated less than 5 years before 1 October 2019.
- b. A recent first-aid certificate or equivalent including the treatment of medical emergencies at sea, including hypothermia, and communication procedure for obtaining medical advice at sea by radio (AFPS less than 5 years old may be accepted and PSC1) OSR 4.08.4.
- c. Minimum age limit for a skipper : 18 years on 1 November 2019. Minor crew-members must provide the organisation with written parental consent.
- d. Each crew-member must conform to its national sailing authority with respect to personal assurance. French crew-members, or crew-members permanently resident in France, must have a license issued by the French Sailing Federation and valid until 2020 inclusive. This assurance for French licensees is only valid up to 200 nautical miles from the European coastline and French overseas territories, and the skipper or yacht owner must take out a complementary assurance for the crew beyond this limit in order to cover the complete race routing.
- e. At the latest, the day before each race start, the skipper must hand-in a course departure-declaration duly completed and signed. The course departure-declaration form may be found in annex to Race Instructions.

## **PAYMENT BY INSTALLEMENTS**

86. Yacht skippers may subscribe for the complete Race of 4 legs, 4 stop-over ports, and 4 months of adventure, or for any individual legs, as required.

87. These subscription-rights include the 300 euros of non-returnable rights-of-inscription deposit :

88. Inscription rights shall be :

- a. Retained if the participant subsequently withdraws from the event.
- b. Retained if the yacht is not accepted following security inspections.
- c. Reimbursed if the event is cancelled or if the organisation refuses an application.
- d. The organisation reserves the right to refuse any application without reserve and without giving reasons for refusal of an application.

- i. Account Title : CAPE HORN RACE ASS
- ii. French Bank : BANQUE POPULAIRE
- iii. MÉDITERRANÉE
- iv. Bank Code :14607
- v. Sort Code : 00064
- vi. Account N° : 96013657056
- vii. RIB key : 66
- viii. IBAN : FR76 1460 7000 6496 0136 5705 666
- ix. SWIFT-Code : CCBPFRPPMAR
- x. SIREN 533 812 053

89. A late subscription (after 1 October 2019) may be examined by the organizers, and if accepted, the balance of inscription rights shall be increased by 25%.

90. Cheques should be made out to Cape Horn Race Association and banker's orders should be addressed as above. The organiser reserves the right to update the above bank details, if necessary.

91. Inscription includes a position-fixing beacon supplied by the organisation to each yacht. A cautionary cheque of 2,000 euros will be required at a later date.

## **PUBLICITY**

92. Yachts are authorised to carry publicity in accordance with ISAF publicity, code 20.

93. Yachts shall display the following race flags and publicity, as specified below:

- ▲ **National Flags on the mainsail:** all race yachts must display their national flag each side of the mainsail (back to back) in a rectangle of 1 m 20 by 50 cm centered 50 cm below the yacht's sail-number. Art-work will be supplied by the organiser: the fixing and repair of National Flags until the final arrival, shall be the skipper's responsibility.
- ▲ **Race block-marks on the mainsail:** all race yachts must display a race block-mark each side of the mainsail (back to back) in a circle of 1 m 50 in diameter. The centre of the circle shall be situated at a height corresponding to a third of the mast height above the deck, and may be positioned so that the nearest edge of the circle is at the same distance from the mast as the National Flag Art-work will be supplied by the organiser: the fixing and repair of race block-marks on the mainsail, until the final arrival, shall be the skipper's responsibility.
- ▲ **Race block-marks on the hull:** all race yachts must display a race block-mark on each side of the hull-stem of a size of approximately  $\frac{1}{2}$  m<sup>2</sup> in proportion the yacht's length overall, and for the duration of the entire race. These self-adhesive stickers will be provided by the organiser: the fixing and repair of race block-marks on the hull, until the final arrival, shall be the skipper's responsibility.
- ▲ **Race Flag:** All race yachts will receive a race flag on arrival, which must be fixed to the back-stay in territorial waters, and especially for the start and finish of each leg, as well as the entire 3<sup>rd</sup> leg racing round Cape Horn Island, including its prologue and epilogue. The race flag will be provided by the organiser.
- ▲ **Two Race block-marks on each hull quarter** (two each side) of all yachts in the race of a size of  $\frac{1}{3}$  m<sup>2</sup> each of 2 block-marks in proportion to the overall length of the yacht for the complete duration of the race. The block-marks stickers will be supplied by the organization: their fixation and maintenance in place throughout the race until the final arrival shall be the skipper's responsibility.
- ▲ **National ensign** course (minimum 50cm x 75cm) shall be hoisted between sunrise and sunset, when in port, at anchor, or when not racing. Nevertheless, yachts are requested to not fly their ensign during the prologue and epilogue at Cape Horn, except when in port or at anchor, in order that photographers and television crew may film in preparation for the Cape Horn Island Race diffusion (media start from Puerto Williams, photo-calls, onboard filming in close proximity to other yachts).
- ▲ **A courtesy Flag** (minimum 50 cm x 75 cm) shall be flown at each port of call (unique flag on the lowest starboard cross-tree) both in port and when at sea within a radius of 20nm from port or the nearest point of land observation, and especially for the start and finish of each leg, as well as the entire 3<sup>rd</sup> leg Cape Horn Island Race, including its prologue and epilogue. If there is a requirement to fly other national flags, pennants or burgees, then they should be flown from the port cross-tree (or mast-head). Courtesy flags should be changed when crossing the national frontier in the middle of the Beagle Channel separating Argentina and Chile.
- ▲ **The name of the town and yacht club** (as declared on inscription) should be clearly visible on the transom.
- ▲ **International flags** for dressing yachts for National Celebrations, consisting of 40 flags



of minimum dimension of 40cm x 60cm.

## **LEVEL OF SKIPPER COMPETENCE**

94. Each skipper engaged in the race, must justify a level of competence as Skipper 200, including sail-endorsement, or RYA Yacht-master Ocean with commercial endorsement ; or an equivalent experience as ocean skipper. In addition, there shall be 2 other crew-members onboard, who have experience and competence to act as co-skipper, watch-leader or navigator consisting of Skipper 200 with sail-endorsement, or RYA Yacht-master Ocean without necessarily commercial endorsement ; or an equivalent experience as offshore skipper. Skippers must undertake a voyage onboard their race-yacht with his race-crew on an observed routing. The routing, date and hour of departure shall be at the latest one week before the race start, and agreed by the Race Director.

95. An observed-routing shall be uniquely onboard the yacht registered for the race, with the same specific conditions, as for the competition : Cape Horn Race ® with immarsat tracking.

96. An observed-routing must be affected at least one month before a leg start date for which the yacht is registered.

97. A crew which is judged by the race organiser to have sufficient offshore experience may be dispensed from sailing an observed-routing.

98. The definitive list of yachts eligible for Cape Horn Race ® and for final inspections in the departure port will be published by 1 October 2019.

99. Final acceptance for the race will be given only after the yacht and crew have satisfied all final security and race inspections during the week prior to each leg start.

## **CELEBRITY-CREW AND MEDIA-MASTERS**

100. Yacht “celebrity-crew” © and “media-masters” © are an obligation for every racing yacht for the « Round Cape Horn Island Race » ® for the race and yacht promotion, as well as corporate relations.

101. The yacht celebrity-crew and media-masters shall be chosen from an official list managed by the Race Director, with the contribution of skippers, in order to achieve a balanced mix of celebrity-crew and media-masters in the interest of political protocol and sponsor promotion. At the same time, the special crew will also be selected by the skipper for their fitness and aptitude to be onboard for such a challenge.

102. One celebrity-crew and 1 media-master shall race round Cape Horn Island for the first time on every racing yacht, whether sponsored or not, for the duration of the “Round Cape Horn Island Race” ®, Chile. These special crew will travel from Puerto Williams, Chile, to Cape Horn by spectator-ship (and not by yacht) and be transferred by zodiac from the ship to a yacht ; race round Cape Horn Island, and then continue their voyage by passenger-ship (and not by yacht) to Punta Arenas, Magellan Strait. For safety reasons, all celebrity-crew and media-masters shall travel together from Puerto Williams to Cape Horn zone and subsequently to the

port of Punta Arenas by spectator-ship. Punta Arenas has flight connections and maritime ferries to Puerto Williams or Ushuaia for those that require to return to Puerto Williams or Ushuaia (details to be confirmed at a later date).

## **NAVIGATION RESTRICTIONS IN THE BEAGLE CHANNEL**

103. For security reasons, no yacht-racing is permitted in the Beagle Channel, without the Race Director's authorisation, because restricted conditions make racing treacherous in these waters, especially at night. No navigation, even non-racing or cruising, is permitted without the Race Director's authorisation (and authorisation of the Argentinean and Chilean Navy authorities, whilst at the stop-over ports of Ushuaia and Puerto Williams, because these waters are in a military control zone).

104. For security reasons, no reconnaissance of Cape Horn is permitted during the period of stop-over at Ushuaia or Puerto Williams. Sailing activity, such as training, hospitality sailing with sponsors and press or visits to topical locations, whilst at Ushuaia, shall be confined to Argentinean waters, with the exception of logistic reconnaissance visits to Puerto Williams, Chile, which must first be authorised by the Race Director in agreement with the Chilean Navy. All local sailing programmes, whilst at Ushuaia, shall be authorised the Race Director in agreement with the Argentinian Prefecture. Respect of this ruling is also important for political reasons, as both Ushuaia and Puerto Williams are sensitive military areas under different national jurisdiction.

105. Safety, control and communication are paramount in the extreme weather conditions often witnessed at Cape Horn. The prologue and epilogue, proceeding and following the "Round Cape Horn Island Race" ® (Chile) are compulsory for all participating yachts, including anchoring North of Cape Horn Island, thus regrouping all yachts and crews for the entire event. This enhances yacht and crew safety, control and communication in a notoriously dangerous zone.

## **SPECIAL REGULATIONS FOR YACHTS IN CHILEAN WATERS**

106. For reasons of safety, skippers shall be required to liaise closely ; submit an exact crew-list at all times ; confirm material safety onboard, and always obtain the authorisation of the Race Director.

107. The maximum number of persons onboard remains at 12 persons, except when the two additional invitation-crew are onboard, in order to conform with special safety regulations for yachts in Chilean waters, and skippers shall ensure that there is adequate safety equipment, safety-harnesses, life-jackets, survival suits, and life-raft capacity for the number of persons onboard. There shall be a derogation for the invitation-crew of the race rule invoked from category zero of 1 berth for each person onboard, because all racing in "Cape Horn Cup" ®, Chile, shall take place in daylight hours only.

108. Throughout all yacht-navigation in Cape Horn waters all crew-members shall wear a safety harness and a life-jacket. Skippers shall ensure that visiting crew for the Cape Horn Cup ® : Round Cape Horn Island Race ® are supplied with all necessary safety equipment, including safety-harness, life-jacket, and survival suit. These additional crew shall embark onboard a

yacht from the spectator-ship wearing a numbered lifejacket to conform with the ship's safety identification log-out and log-in procedure ; and shall wear a life-jacket and attach their safety-harness at all times before going on-deck ; and return by zodiac to the mother-ship wearing the same numbered life-jacket, so that the ship's captain may confirm that everyone is safely returned.

109. For safety reasons, in Cape Horn waters the radius of action of the ship's zodiacs is limited to 200 m. The ship's Captain may authorise, subject to weather conditions, the use of the ship's zodiacs for transfers, photography, and television filming within a distance of 200m. There shall be a professional zodiac skipper from the ship's crew onboard a ship's zodiac at all times. All zodiac activity shall be coordinated by the ship's company, who is responsible for a detailed briefing before boarding any zodiacs. The ship's Captain's decision shall be respected without appeal.

110. The above descriptions may be subject to more detailed security regulations promulgated in the Notice of Race, 2019.

111. The Cape Horn Race organisation reserve the right to amend the route, stop-overs, dates and timings, even after the race start, for reasons of political protocol, maritime port agreements, risk and route management, bad weather, and general safety.

112. Conditions in Cape Horn zone are often extreme, and the start and arrival dates given above may be modified without notice due to severe weather conditions, or any other unforeseen circumstances. The organisation may not be held responsible for any financial or other consequences, which might result from any unscheduled changes to the programme or any estimation of sailing distances and duration at sea. In addition, the repair facilities at ports in Cape Horn zone are extremely limited, or even non-existent. Skippers are responsible for managing their own repairs without outside assistance, and within the scheduled repair-period. This applies particularly to a 4-day period at Puerto Williams, which must be regarded as a "pit-stop", as the port has no yacht-repair facilities. The organisation cannot be held responsible for any yacht that is not ready on time to re-start the race, wherever or whatever the circumstances.

113. The organiser reserves the right to impose navigational restrictions for the safety of the racing fleet « Round Cape Horn Island Race » ® in the event of extreme conditions, such as : « no spinakers » allowed, « only storm-sails », « only tri-sails », « minimum 2-reefs », « no gybing », « no-mainsail », or other restrictions to navigation judged by the Race Committee to be essential for the safety of the fleet : or to shorten course ; or to stop all racing.

**This list is not exhaustive, and is intended to outline the most important conditions only.**

## **ACCEPTATION OF INSCRIPTION OBLIGATIONS**

114. All participants, inscribed to the race, must totally accept, without any reserve whatsoever, all dispositions defined above in the Pre-Notice of Race.

## **AUDIO-VISUAL RIGHTS**

115. The owner, charterer, and skipper, by the fact that they are participating in Cape Horn Race, accept that the organiser, or rights-holder, uses any promotional or other opportunities, which are relative to their participation in the event, in the form of text, photo, or video or other means of diffusion by means of press, television, or internet (subject to concessional contract).

#### **ENGLISH LANGUAGE FOR JURISDICTION**

116. For the Notice of Race, the Race Instructions, IRC Measurement, SOR Regulations, World Sailing (ISAF) Regulations, the text in English language is to be taken as definitive in the event of any jurisdiction or dispute of whatever nature. Translation into French, Spanish, or any other language, is facultative.

## Annex 1.

### BENEFITS AND CONDITIONS

1. The organisers reserve the right to modify the Race route, programme and dates.
2. Participants may use Cape Horn Race logo and flag once they have paid their initial deposit for a place in the race, and this is authorised until 31 December 2020, provided that such use is for non-commercial reasons only. The skipper, yacht, crew and the yacht sponsor may feature on the Facebook or website, once yacht inscription reservation has been paid.
3. Sponsors, yacht-sponsors, skippers, partners, suppliers, as well as audiovisual, publicity, media services, onshore sail-clothing, may contract a licence for publicity, trade-mark promotion, derived products sales, yacht-sales, and other benefits. The rights-holder, Cape Horn Race ®, shall concede a transfer of intellectual property rights by concessional contract for the duration of the first edition of the race until 31 December 2020.
4. Publicity is accepted onboard by a yacht-sponsor as authorised by the race rules on publicity on all race yachts, including title-sponsor and race sponsor publicity, block-marks, flags, and all race publicity as authorised by race rules, and amended, if necessary, in the Notice of Race.
5. Skippers and crew may apply for associate or full membership to the Chilean Cape Horners Association, as appropriate. This privilege is reserved uniquely for those who have crossed the meridian South of Cape Horn. These requests are the responsibility of individuals and should be submitted directly to the President of the Chilean Association during the stop-over at Port Williams, Chile. The organiser accepts no responsibility for refusal by the Chilean Association.
6. Skippers and crew that have crossed the Southern meridian of Cape Horn may also apply for full membership of the Cape Horn Racing Club ®. Other skippers, crew, sponsors, media, partners and friends may apply for social membership of the Cape Horn Racing Club ®, and wear the club regalia.
7. The « Round Cape Horn Island Race » ® is « a race within a race », with its own prologue and its epilogue to Puerto Williams. This is an integral event : “Round Cape Horn Island Race,” ® Chile. Participation in the entire event from Puerto Williams, Chile, is mandatory, and a return for all yachts to Puerto Williams, where there will be a reception and prize-giving.
8. Skippers may change crew-members at each planned stop-over, if she/he wishes, on condition that the qualification and experience of the crew (and if applicable, the skipper) are respected. Nevertheless, the number of persons onboard shall not exceed the number of berths, with the exception of Cape Horn Island Race, ® Chile, when all racing shall be in daylight hours only.
9. The organiser will provide all participants with official information published by the race direction, such as yacht-tracking, classification of yachts and official weather forecasts, where applicable.
10. A place in port or a mooring (with the exception of the Tierra del Fuego and Patagonia fjords where yachts will be at anchor at their own discretion : advice will be given on suitable

anchorage. Moorings or anchorage shall be provided free of charge at each port of call for the duration specified in the programme. Skippers shall accept all port limitations, and accept the advice of the Race Director, especially concerning all mooring agreements with the local authorities.

11. The reception programme shall include 1 prize-giving event and 1 celebration-evening for each stop-over : normally a prize-giving event in the first few days, and a race special-evening before the race departure. Celebration-evenings shall vary according to the different situation offered by each stop-over port. A race social programme will be provided by 1 October 2019, including excursions and any compulsory attendance or dress-code, if any.

12. Security briefing, detailed weather forecast and race briefings will be provided before each start.

13. Position-fixing beacons for tracking yachts will be provided by the race direction, in addition to yacht tracking (cartography) on internet on each race leg.

14. Press will follow progress and events during race legs together with press conferences before, during and after each leg.

15. A race village (or equivalent welcome for short-stops), a social programme and excursions will be available to participants.

16. Arrangements will be made with a local ship-yard or maritime facility at ports of call for the slipping of yachts for anti-fouling and repair, within the limitation of local facilities, if and when available. Participants are reminded that there are no yacht repair facilities at Puerto Williams. In addition, there are no repair facilities in the Patagonia region and yachts should be self-sufficient at all times.

17. The cruise onboard the spectator-ship is reserved for “paying-passengers”, including yacht-sponsors, sponsors, skippers, and their guests.

18. The organisation will invite all celebrity-crew or media-masters onboard the spectator-ship, including all meals and wine for the duration of the voyage from Puerto Williams on 17 January 2020 ; all activities at Cape Horn Island, and until the arrival at Punta Arenas on 21 January 2020. This is a small price to pay for a race spectacle racing round Cape Horn Island with live television diffusion against the backdrop of green environment and human achievement, and a cruise on a spectator-ship through the Patagonia fjords, glaciers with excursion onland by zodiac, ideal for high-level networking and photography.

19. Live worldwide television diffusion.

20. Cape Horn Race Game ® : virtual race with more than 100 000 players, because it is free-of-charge to players. The Game simulates the real race in terms of route and maritime conditions, yacht branding and visibility. It is an effective communication platform for a Game title-sponsor or partner for sponsor promotion, publicity and online sales. There will be live Game activity at the Düsseldorf Boat Show (Boot 2020) in January 2020 to coincide with real-time “Round Cape Horn Island Race” ® on a big screen. The Game players on a promotional stand will play on small screens, at the same time as the live giant-screen depicting Cape Horn

Island, with the same simulated weather conditions and environmental backdrop. In this way, Game skippers play against real skippers in real time at a major Boat Show venue !

21. Cost of voyaging onboard the Spectator-Ship (except celebrity-crew and media-masters); air-flights, ferry services, and other travelling costs, transfer transport, and hotels, including excursions, are not included in the yacht inscription.

**This list is not exhaustive, and is intended only as an extract of the most important benefits only.**





**Yacht characteristics**

11. I.R.C. handicap rating (if known) :      I.R.C. class :
12. Production yacht : Racing yacht :      Charter-yacht racing :
13. Architect :      Year of construction :
14. Name of ship-yard :
15. Construction material :

It is important for the organiser to know by how, by whom, or by what means of communication the participant was attracted to Cape Horn Race, giving where possible, the name or title of the publicity, press, poster, website, congress, event, place or name of a specific person by title, name and organisation.

« I was attracted to Cape Horn Race by      ...      »

Signature      Name

« I have read, understand, and fully agree to abide by the Pre-Notice of Race » [1] The organiser reserves the right to amend and to complete the present Pre-Notice of Race 2019-2020. The text in English language is to be taken as definitive in the event of any jurisdiction or dispute of whatever nature. To avoid all difficulties, the Pre-Notice of Race has been legally deposited by Alec Honey. Organised by Cape Horn Race Management ® Copyright. All rights reserved 2018.

**Annex 2b****AGREEMENT CERTIFICATE**

16. I sign my name .....as yacht owner or yacht skipper, and certify that the information given on the inscription form (attached) is correct and given in good faith, and that I request to register for Cape Horn Race ® 2019-2020.

17. I declare that I accept and assume entire responsibility for all damage and accident which my yacht may suffer, or any material onboard, and that the yacht fulfills all security requirements demanded in the Pre-Notice of Race, in addition to any governmental or sporting authorities.

18. I declare that I have read and understood the Pre-Notice of Race, Cape Horn Race ® 2019-2020, which I accept without reserve, and that I have noted specifically the paragraph concerning participant responsibilities, and that I possess appropriate qualifications, competence, and navigation experience necessary, in addition to my crew, and that are ready to replace me, as skipper, should it be necessary for whatever reason.

Mr/Mrs .....

and/or

Mr/Mrs .....

19. By way of this declaration, I discharge all responsibility from the organiser, Cape Horn Race Management, yacht clubs and organisers, sailing federations, and those responsible for staging the event, as well as Cape Horn Race, Organisation Committee, Race Committees, their Presidents and Race Director, and all other persons physic or moral, who have participated in the race organisation, in whatever capacity, and I assume, by myself alone, the responsibility for all accident, which may occur during the period of my participation in Cape Horn Race 2019-2020.

20.If for any reason or circumstance, Cape Horn Race 2019-2020 does not take place, the Society Cape Horn Race and/or its associates and contractors shall not be held responsible for any subsequent damage or loss suffered.

21. I authorise the organiser to down-load the DNID on my inmarsat C terminal with the aim of tracking my yacht positions throughout the race.

22. I attach a cheque corresponding to my yacht inscription rights for the entire race, or chosen legs, in accordance with the amount and conditions of entry see paragraph 8, Pre-Notice of Race.

Place .....Date .....

Signatures : preceded by the mention « read, understood and agreed »." [2]

The organiser reserves the right to amend and to complete the present Pre-Notice of Race 2019-2020. The text in English language is to be taken as definitive in the event of any jurisdiction or dispute of whatever nature. To avoid all difficulties, the Pre-Notice of Race has been legally deposited by Alec Honey. Organised by Cape Horn Race Management ®. Author copyright 2018. All rights reserved 2018. The Cape Horn Race ®was founded in 2006.

[1] & [2] To be completed and returned to : Cape Horn Race Association ® - Address: BP 4, CASSIS cedex, 13714, France..

## **THE CAPE HORN RACE TEAM**

**Christina Rüttimann**, International Communication : [christina@capehornrace.org](mailto:christina@capehornrace.org)

**Dr Alec Honey, MA. Ph.D.** Chairman and Race Founder : [alec@capehornrace.org](mailto:alec@capehornrace.org)

**Marta Pont Geis**, Team Welfare : [marta@capehornrace.org](mailto:marta@capehornrace.org)

**The Cape Horn Race 19/20** or click : <https://www.facebook.com/mediamec/>  
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