

## Port Kembla Sailing Club Co-op Limited (“Club”) Notice to Participants

Your participation in sailing / yachting and other events (“Club Events”) officially or unofficially, held by the Club is at your own risk. The Club takes no responsibility for your safety or health during any Club Event in which you participate. By participating in any Club Event you agree to the conditions in this Notice and waive all claims and demands whatsoever of any action you may have against the Club, its committees, officers, officials, organisers, and members in relation to any injury, loss, or damage suffered as a consequence of your participation in any of the Club events. Club Events are intended to be good fun, promoting well-being and comradeship whilst promoting the sport of sailing. Participants should enjoy themselves, but not at the expense of other participants in Club Events. This **RISK WARNING** is issued jointly by the Port Kembla Sailing Club (PKSC) Cooperative Ltd. and the NSW Roads & Maritime Services, pursuant to the **Civil Liability Act 2002** to all persons wishing to participate in the sailing and associated activities conducted by the Port Kembla Sailing Club Cooperative Ltd. Participants are warned that, regardless of the precautions, which might be taken by reasonable and experienced persons, sailing can be a dangerous pursuit and participants are exposed to significant risk of property damage, physical harm and possibly death. As an indication, these risks may include, but are not limited to:

1. The extremes of weather and sea conditions.
2. The potential that control of vessels may be lost, resulting in collision with objects and other vessels.
3. The sudden movement of the vessel at any time and the possibility that participants may fall or be thrown overboard, resulting in drowning.
4. The possibility that participants may be injured by equipment on the vessel.
5. The absence of immediate medical care and the likelihood that significant delays may occur before medical care is available.
6. Exposure to the elements for extended periods.

Port Kembla Sailing Club Cooperative Ltd. and the NSW Roads & Maritime Services also warn participants that regardless of their best intentions, they may be unable to render assistance to participants who are in distress. Participants are warned to consider the above risks and all other risks before deciding to participate in any sailing event with Port Kembla Sailing Club. ***Participants are also advised that although Port Kembla Sailing Club Cooperative Ltd. is covered by third party liability insurance; this cover DOES NOT extend to participants. It is a requirement of racing membership that boat owners have current comprehensive insurance, including public liability. A personal accident insurance policy is available with subscription to membership of Sailing Australia.***

### Declarations

- My yacht complies to the Australian Yachting 2017 to 2020 Racing Rules of Sailing
- I agree to be bound by the Racing Rules of Sailing and all other Rules that govern these events.
- I agree to be bound by the following: The organising authority is not responsible for the seaworthiness of a yacht or the sufficiency or adequacy of its design or equipment. Attention is drawn to the fundamental rule which states "It shall be the sole responsibility of each yacht to decide whether to start or to continue a race."
- I agree to comply with the sailing instructions and any directions of the PKSC committee / members.
- My vessel(s) have current comprehensive and public liability insurance which I will keep current during the sailing season.
- **I acknowledge that I have read and understood the above Risk Warning.**

**Australian Sailing INFORMATION**

All members will be registered with and are members of Yachting Australia which includes personal accident insurance whilst participating in club events. To enable YA to offer this cover and other services it must collect some personal information of club members, indicated as mandatory fields on this application for membership.



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**Port Kembla**  
s a i l i n g c l u b

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