



Vacluse Amateur 12ft Sailing Club
P.O. Box 6 Vacluse NSW 2030

R I S K W A R N I N G

This risk warning is issued jointly by the Vacluse Amateur 12ft. Sailing Club and the NSW Maritime Authority, pursuant to the Civil Liability Act 2002 to all persons wishing to participate in the sailing activities conducted by the VASC. 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.

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

VASC and the NSW Maritime Authority 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 events with the VASC. Participants are also advised that although the VASC is covered by third party liability insurance that this insurance does not extend to participants. Any participant who considers they have a need for insurance must make their own private arrangements with an insurer.

A personal accident insurance policy is available with subscription to membership of Yachting NSW.

Liability

The attention of all participants in activities of the VASC is drawn to the above risk warning in addition to the 2005-2008 Rules promulgated by the International Sailing Federation (ISAF), (specifically Part 1, *Fundamental Rule* and Rule 4 which covers the decision to race.)

Each participants acknowledges that he or she

- has read the Risk Warning
- participates in activities conducted by the VASC at his or her own risk and responsibility
- excludes the VASC from all liability, included but not limited to liability for negligence
- accepts that the VASC is not responsible for the seaworthiness of any boat whose entry is accepted or adequacy of its equipment but that the VASC reserves the right to refuse any entry, and
- indemnifies the VASC for any claims arising from an act or omission of the participant.