

## RISK WARNING

This **RISK WARNING** is issued jointly by the Newcastle Cruising Yacht Club (herein known as NCYC) and NSW maritime, pursuant to the **Civil Liability Act 2002** to all persons wishing to participate in the sailing activities conducted by NCYC.

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:

- The extremes of weather and sea conditions.
- The potential that control of vessels may be lost, resulting in collision with objects and 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.

Refer to NCYC Sailing Handbook p.8, "NCYC Emergency Contact Points" and SI 1.3.

NCYC and NSW Maritime also warns 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 risk and other risks before deciding to participate in any sailing event with NCYC. RRS 2009-2012 Rule 4, Decision to Race, The responsibility for a boat's decision to participate in a race or to continue racing is hers alone.

Participants are also advised that although NCYC is covered by Third Party liability insurance, this cover DOES NOT extend to participants. Any participant who considers that 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 Australia. RRS 2009- 2012, Rule 55 Crew Eligibility, states Yachting Australia prescribes that except in an International event, any crew member that sails in more than 3 races in any one sailing season, shall be a member of a club affiliated to an MYA and a Yachting Australia cardholder. It shall be the responsibility of the person in charge of any boat to ensure that all crew members on board for each race comply with this prescription.