



## Risk Notice

### Civil Liability Act 2002 (WA)

Sailing is a sport that involves interacting with the uncontrollable and difficult to predict elements of nature, and therefore involves a degree of risk. Many of the risks inherent in the sport are intuitive. Without seeking to list all possibilities the following are brought to your attention:

- ✚ There is a significant risk of bruises, cuts, scratches and other injuries resulting from contact with the boat or collision with other boats. Flapping sails or unanticipated changes in wind direction or in the direction of the boat can cause a spar to bump the head or other part of the body or cause a rope flick injury. These injuries can occur both afloat or while near a boat on land.
- ✚ When launching or coming ashore, hard surfaces below the high tide line can become slippery, resulting in slip and fall injuries. Oysters and other sharp marine creatures can also grow on these surfaces. Stinging jelly fish or other marine stingers may be present in the water. Sharp objects can be hidden in sand or weed below the water which can cut or pierce feet or other parts of the body. Proximity to the elements makes it more likely for nails or splinters to be raised in wooden decks and floors and these can also cause foot injuries and trip hazards. The wet feet of sailors can make surfaces slippery.
- ✚ Because of reflected glare, sunburn will occur more rapidly than normal on unprotected skin. Dehydration or hypothermia can occur in those who do not heed and prepare for the conditions.
- ✚ Most injuries are relatively minor. However on occasions the injury can be more significant.
- ✚ When sailing dinghies on inshore waters, really serious injuries of the type that can cause permanent disablement or even death are statistically very rare but can and do occur. As with any water sport, the possibility of drowning is also present. While for many sailing activities a patrol boat might be present, the boat cannot be everywhere at once, cannot observe every incident that occurs and may not always recognise an observed incident as being a serious one requiring immediate response. First aid or medical assistance is not available.

I understand that I or the minor for whom I am responsible, may be photographed while participating in activities conducted by the Club and I hereby give permission for the use of my name or the name of the minor for whom I am responsible, to be used in all forms of media for the promotion of the Club.

I have read and understood the above risk warning and I agree that I participate in the sport of sailing at my own risk and I acknowledge that neither East Fremantle Yacht Club ("Club") nor any official, volunteer or member shall be under any liability whatsoever for the death or bodily injury, loss or damage which may be suffered or incurred by me or the minors for whom I am responsible. I also acknowledge that neither East Fremantle Yacht Club nor any official volunteer or member shall be under any liability for any loss or damage to personal property which may be suffered or incurred by me or the minors for whom I am responsible.

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*Signature of Participant*  
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*Full Name of Participant*  
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*Date*

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*Signature of Responsible Parent/Guardian of Minor*  
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*Full Name of Adult*  
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*Date*

### Reducing Risk

You can help reduce risk to yourself by always following these guidelines:

- ✚ Always wear footwear while sailing or on the Club premises;
- ✚ Always wear a life vest and adequate sun protection and carrying drinking water while sailing;
- ✚ Always examine launching ramps before using them to see how slippery they are;
- ✚ Always check the weather forecast before going sailing. Always follow the directions of your Instructors.
- ✚ Do not run or skylark when around the Club, especially on the car park, marinas and on launching ramps;
- ✚ Beware of flapping sails;
- ✚ The Club is not responsible for supervising minors while ashore. This is the responsibility of their parents or delegated adult.

### Refund Policy

Cancellation and refund for any course booking fourteen (14) days prior to the commencement of the course will attract a 10% administration fee. Cancellation and refund between seven (7) and fourteen (14) days prior to the commencement of the course will be 50% of the course fee unless another applicant can be found to fill the position, in which case an administration fee of 10% will apply. Cancellation less than seven (7) days prior to the commencement of the course will result in no refund unless another applicant can be found to fill the position, in which case a 10% administration fee will apply. Providing another applicant can be found to fill the position a booking may be deferred to the next available course in which case a 10% administration fee will apply.

September 2019