



Narrabeen Lakes Sailing Club

PO Box 86
Dee Why 2099

10th November 2020

Club Boat Leasing

NLSC owns a small number of club sailing dinghies, which it makes available to members and prospective members. All of these classes of boats are sailed by members in club events.

Heron and Laser

A club Heron and Laser are usually available to allow prospective members to see whether dinghy sailing is for them.

In the case of the Heron, they will usually be parents wishing to sail with a child or perhaps two teenagers planning to sail together. The Laser is most suited to older teenagers or adults.

These boats, which are stored at the club, may be used on up to three occasions without charge. Eligibility will be determined by a relevant NLSC Committee member's judgment of the prospective user's skills in the conditions prevailing on the day. All Leasers must sign the attached agreement and disclaimer before sailing.

On subsequent occasions a daily rental fee of \$30 will apply to make a modest contribution to the boat's ongoing maintenance. By this stage, Leasers will be required to be members of the club. Most potential members will have taken a decision to buy a boat of their own. Club members can advise on potential sources of second hand boats.

Sabot

The club owns a small number of Sabot dinghies, which are generally made available to junior sailors who have completed the NLSC Learn to Sail and Intermediary Squad programs, but whose families have not yet purchased their own boat. These boats are made available to families on a short to medium term basis, with the expectation that they will generally buy a boat of their own. A parent or guardian must sign the attached Leasing agreement and disclaimer before these boats are made available.

Junior members using these boats are expected to be regular participants in the Sunday morning Development Squad and, when appropriate, Junior Racing.

The club does not have the capacity to store these Sabots, so families leasing them are required to store them safely and to transport them to the club. Leasers are also expected maintain the Sabots and to return them to the club in the same condition as when they took them on. Club members are happy to give advice on maintenance.

These boats are available free of charge, generally for half a season at a time, with renewal dependent on demand from other member families.

Damage

All our boats are insured for use at club events under a club policy which requires an excess to be paid in the event of damage. Other than fair wear and tear, all damage caused to club boats, which is the responsibility of the skipper, is to be repaired at the cost of the Leaser of the boat either directly or by payment of the insurance excess. However, experience shows that these boats are very hardy and that substantial damage is very rare.

NLSC Club Boat Leaser Agreement and Risk Warning Consent

Class of Boat.....

Name

Address.....

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Email address.....

Mobile phone.....

Home or work phone.....

Date of Birth.....

Status: 1 club visitor 2 Prospective member 3 Parent/guardian of Junior member

Australian Sailing no:.....

Emergency telephone contact

Name.....Phone.....

Name.....Phone.....

Names of other adult/child participants

1.DOB:

2..... DOB:

3DOB:

Please list any pre-existing medical conditions or allergies of participants that NLSC should know about:

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CONSENT BY BOAT LEASER

I have read and understood the attached Risk Warning and Disclaimer and agree to be bound by the rules, acknowledgements and indemnity of Narrabeen Lakes Sailing Club.

In the event of an emergency, I authorise a senior Club Official to seek immediate medical assistance.

Signed..... Date..... Committee Member.....

Risk Warning and Disclaimer

This Risk Warning is issued jointly by Narrabeen Lakes Sailing Club (NLSC) and the NSW RMS, pursuant to the Civil Liability Act 2002 to all persons wishing to participate in sailing activities conducted by NLSC.

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 potential that the vessel will run aground or hit a floating object;
- 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;
- sunburn and the possibility of skin cancer from sun exposure to unprotected skin; and
- injury or infection from standing on sharp objects in the sand.

NLSC and the NSW RMS 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 NLSC or which take place from the NLSC clubhouse.

Participants are also advised that although NLSC is covered by third party liability insurance, this cover **DOES NOT** extend to participants. Any participant who considers they have a need for insurance must make their own private arrangements with an insurer. Membership of a sailing club affiliated with Australian Sailing entitles you to personal accident insurance cover.

Disclaimer

Each NLSC Boat Leaser acknowledges that he or she:

- participates in sailing activities conducted by NLSC or from its clubhouse at his or her own risk and responsibility;
- excludes NLSC from all liability, including but not limited to liability for negligence;
- indemnifies NLSC for all claims arising from an act or omission of the participant.

Notice is given to all members or visitors who use or crew on any NLSC boat whether for the purpose of participating in NLSC races, or undertaking sailing lessons, instructions, or who operates, crews or is a guest on any rescue boat, the NLSC being an amateur sailing club:

- does not accept any responsibility whatsoever for any loss, damage or injury which may be sustained by any person as a result of the authorised or unauthorised use of any NLSC Boats, or any of the equipment made available by NLSC;
- NLSC does not accept any responsibility for any loss, damage or injury which may be sustained by any person caused either directly or indirectly by any failure of any of the equipment provided with NLSC boats and rescue boats, including for example but not limited to its spars, ropes, sails, hull, rudder, tiller or tiller extension, centre board, blocks, anchors, outboard engines or any parts thereof;
- every person who operates, uses or crews on any sailing or safety boat does so at his or her own risk; and
- in consideration for the use of a NLSC sailing boat or safety boat any member or guest who sustains any loss, damage or injury operating or crewing on such boats releases and discharges the NLSC, the members of its committee and members of the NLSC (jointly and severally) from all and any suits, actions or claims he or she may assert or have arising at law or otherwise and he or she acknowledges and agrees that this release may be relied upon as a complete defence thereto.

All members, visitors and guests acknowledge and agree that:

- the provision of the safety facility operated by the NLSC through a Safety Boat is a voluntary facility provided by the NLSC;
- the exclusions from liability and releases provided above shall be applicable to, and binding on all members, visitors and guests in the event that any of them sustain any loss, damage or injury while being rescued, or seeking to be rescued, or in need of being rescued: and
- all Junior Members will be accompanied by a responsible adult member, and that parents or Adult Members responsible for Junior Members complete the Member Registration and read and agree to this Risk Warning.

Reducing Risk

I am aware that at all times while participating in NLSC-organised water events, that I am required to wear appropriate and safe sailing gear.