

NOTICE OF EXEMPTION

Harbors and Navigation Act 1993

Exemption issued to: DragonBoat SA
President: John Holland
Address: PO Box 71, Findon SA 5025

I, Brian E Hemming, Director, Transport Safety Regulation, Department for Transport, Energy and Infrastructure, in accordance with the delegation granted to me by the Chief Executive Officer, Department for Transport, Energy and Infrastructure and pursuant to section 83 of the *Harbors and Navigation Act 1993*, do hereby exempt financial members of DragonBoat SA and its affiliated Sports Teams (as defined in DBSA's "New Team Manual") from the safety equipment carriage requirements of Schedule 9, Part 1, Clause 6(2) of the Harbors and Navigation Regulations 1994 which are as follows:

Vessels 8 metres or more in length are required to carry the following equipment when operating in protected waters:

- (i) one life-jacket or personal flotation device for each person who may be carried on the vessel;
- (ii) one bailing bucket with line attached;
- (iii) one manually operated bilge pump;
- (iv) one suitable anchor with cable;
- (vi) one life-buoy with line.

subject to the conditions and exclusions set out below.

Conditions

1. This exemption is only valid for training sessions and competitions held on West Lakes, defined as the lakes system contained in Allotment 80 in DP 13555 and Allotment 210 in DP 14674.
2. This exemption only applies between sunrise and sunset.
3. In order for a paddler or passenger to operate under this exemption, they must:
 - a. be at least 16 years of age;
 - b. be able to swim at least 50 metres while clothed;
 - c. be covered by an appropriate public liability insurance policy;
 - d. be a financial member of DragonBoat SA or a Sports Team that is member of the Association; and
 - e. have participated in a capsizing drill during the previous twelve months.

If a person does not meet all the criteria of 3 above then that person(s) is to wear an approved personal flotation device at all times while on the vessel.

4. Dragon boats must stay within 50 metres of the shore unless taking necessary action to avoid the potential collision with another vessel (and in keeping with the rules of navigation).
5. A mobile phone must be carried in a water tight container in the Dragon Boat.
6. DragonBoat SA provides a written acknowledgement that it releases, indemnifies and discharges the Minister for Transport and the Crown in the right of the State of South Australia and their employees and agents (those indemnified) from and against any loss (including legal costs and expenses) or liability incurred or suffered by any of those indemnified as a result of any suit, demand, action, claim or proceeding brought by any person against those indemnified

indemnified arising from the issue of this exemption or the above event.

7. DragonBoat SA complies with all other requirements under the *Harbors and Navigation Act 1993* and the *Harbors and Navigation Regulations 1994*.
8. DragonBoat SA displays this exemption on its website and advises members of affiliated DragonBoat clubs of the contents of this exemption.

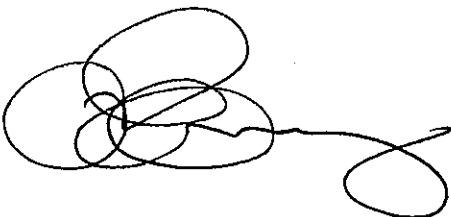
A breach of any of the conditions will result in the exemption being revoked and safety equipment carriage requirements applied.

Exclusions

1. This exemption does not apply between the hours of sunset and sunrise.
2. During periods where turbidity or other factors reduces the visibility of people/objects below the water, all paddlers and passengers must wear an approved PFD
3. Persons unable to swim at least 50 metres fully clothed (including those permanently or temporarily impaired by a medical condition) must wear an approved personal flotation device (PFD).
4. The coach, as the person in charge of the boat, must wear an approved PFD.
5. In the absence of a coach on board the boat, the sweep is in charge of the boat and must wear an approved PFD.
6. School teams, social teams and corporate teams must wear approved PFDs.
7. Persons under the age of 16 must wear an approved PFD.
8. This exemption does not apply when a new sweep is being trained.

This Notice of Exemption is valid from January 2009 to January 2010.

This exemption may be revoked or amended at any time prior to the expiry date.



BRIAN E HEMMING
DIRECTOR
TRANSPORT SAFETY REGULATION
CEO Delegate, Harbors and Navigation Act 1993

30 January 2009