

## APPENDIX 4 – NSW RMS REQUIREMENTS

### NSW RMS REQUIREMENTS IN CASE OF ACCIDENT (Marine Safety Act 1998 - Part 8, Division 2, Section 98)

Requirements of masters in case of accident involving vessels

- (1) The master of a vessel involved in a marine accident involving 2 or more vessels or the death of or injury to any person:
  - (a) must stop the vessel, and
  - (b) must give any necessary assistance that the master is able to give to any person injured or vessel damaged in the accident.
  
- (2) The master of a vessel involved in a marine accident, if required to do so by any person having reasonable grounds for so requiring:
  - (a) must produce any marine safety licence required under this Act to be held by the master, and
  - (b) must give particulars of his or her name and place of residence, the name and address of the owner of the vessel, the name of the vessel and any distinguishing number that is, or is required to be, displayed on the vessel by law.
  
- (3) The master of a vessel involved in a marine accident, if required so to do by any authorised officer, must give such particulars of the marine accident as the officer requires and the master is able to give.

### POLICY FOR HANDLING INCIDENTS OCCURRING UNDER AQUATIC LICENCES

1. NSW RMS requires the organising Club to investigate incidents between vessels racing in licensed events on the basis of the applicable rules under which the vessels were competing or racing.
2. The Marine Legislation will always prevail where racing and non-racing vessels interact and when vessels are racing under different governing body regulations.
3. The Organiser (Club) of an approved aquatic activity must report all incidents involving a fatality, serious injury and/or significant damage where such is considered significant having regard to the types of vessels involved, to NSW RMS within 48 hours of occurrence. The Organiser must then report, in writing, the results of findings of an inquiry to NSW RMS within 28 days of the incident.
4. NSW RMS reserves the right to investigate any Marine incident at any time and will ALWAYS investigate when there is an apparent significant disregard of the Marine Legislation.

#### Note:

1. “Serious injury” is defined as requiring hospitalisation other than for treatment of minor injury or for observation only.
2. “Significant damage” is determined having regard to the types of vessels involved and would generally be in excess of a \$ value which is appropriate to the overall value of the vessel (eg \$500.00 quantum could be appropriate for small boats- Sabots, skiffs etc but is insignificant for a “Maxi”), or in excess of \$5,000.00 in all cases.