



Government of **Western Australia**  
Department of **Transport**

**Marine Safety**

Our ref: A9308648  
Enquiries: Chris Mather

Gerry O'Dea  
General Manager  
Yachting WA  
Gerry.odea@wa.yachting.org.au

Dear Mr O'Dea

### **YWA Equipment Exemption**

I refer to your request on 15 June 2017 to extend the exemption dated 9 December 2015 for bona fide craft participating in Yachting WA events and associated organised training from certain provisions of the *Navigable Waters Regulations 1958*.

I am pleased to advise that subject to conditions, your request has been approved for certain vessels to be exempt from carrying the following equipment:

- bilge pumps;
- lifejackets (subject to conditions);
- distress signals;
- marine transceivers;
- EPIRBs; and
- anchors and lines.

In addition, certain sailboards are exempt from the requirement to carry distress signals and emergency beacons, as specified.

Please note all conditions need to be met in order for the exemptions to apply. In relation to Condition 7(a), please forward copies of the latest safety management plan/s to Department of Transport as soon as possible, if you have not already done so. The exemptions only apply to the provisions stated within, and participants must still comply with all other applicable laws.

Should you wish to discuss these matters further, please contact Chris Mather, Team Leader Navigational Safety on 9431 1006.

Yours sincerely

**Raymond Buchholz**  
General Manager Marine Safety

5 / 7 / 2017



**Western Australian Marine Act 1982  
Navigable Waters Regulations 1958**

**Exemption from compliance with certain provisions of the *Navigable Waters Regulations 1958* for certain vessels participating in Yachting Western Australia events and associated training**

**(WAMA – 2017 – 201992)**

I, **Raymond Buchholz**, Marine Safety General Manager, Department of Transport, and delegate of the Chief Executive Officer, acting pursuant to the powers in section 115A of the *Western Australian Marine Act 1982* ("the Act") and regulation 52CA of the *Navigable Waters Regulations 1958* ("the Regulations"), **hereby make the exemptions with conditions set out in the paragraphs below:**

**General**

1. In this instrument, ***Off the Beach Boats*** means unballasted open boats including centreboard dinghies, sailboards, skiffs and multihulls launched and recovered from a shoreline.

**Exemptions**

2. Pursuant to section 115A(1) of the Act, Off the Beach Boats **are exempt** from compliance with regulations 51D, 52BAA and 52BAB of the Regulations.
3. Pursuant to regulation 52CA of the Regulations, Off the Beach Boats **are exempt** from compliance with regulations 52A, 52B, and 52C of the Regulations.
4. Pursuant to regulation 52CA of the Regulations, kiteboard riders **are exempt** from compliance with regulations 52BAC(3),(4) and (5) of the Regulations.

**Conditions**

5. The exemptions at paragraphs 2 and 3 above apply if the vessel is:
  - a. under the control of a bona fide member or employee of Yachting Western Australia (Inc) ("YWA") or an affiliated club; and
  - b. participating in:
    - i. a YWA event; or
    - ii. organised training for such an event; or
    - iii. organised training for an international or national event;  
which is listed on YWA's Calendar of Events, including reasonable travel to and from such events or training.
6. The exemption at paragraph 4 above applies if the kiteboard rider is participating in:
  - i. a YWA 'Olympic style' windward and leeward race as defined by YWA; or
  - ii. organised training for such an event;  
which is listed on YWA's Calendar of Events, including reasonable travel to and from such events or training.
7. The exemptions at paragraphs 2, 3 and 4 will only apply if:
  - a. Department of Transport is in receipt of a Safety Management Plan/s which covers all events listed on the YWA Calendar of Events and all vessels involved in these events.

- b. People subject to any of the exemptions wear lifejackets conforming to, as a minimum, the following, whilst participating in and travelling to events and training –
  - i. AS 4758 Level 50 lifejacket;
  - ii. AS 4758 Level 50S lifejacket;
  - iii. ISO 12402 Level 50 buoyancy aid;
  - iv. ISO 12402 Level 50 special purpose buoyancy aid;
  - v. PFD Type 2; or
  - vi. PFD Type 3;
- c. The events and training commence after sunrise and are completed before sunset;
- d. The organiser ensures a sufficient number of suitable safety craft are available throughout the duration of the events and training;
- e. The organiser ensures that a suitable medical response, including evacuation and communication plans, are in place throughout the duration of the events and training;
- f. All aspects of the Yachting Australia Regulations, YWA risk management plans and safety management systems are adhered to; and
- g. A copy of this exemption is produced to Department of Transport within 72 hours upon request.

This instrument remains in force until 1 August 2019, unless revoked sooner.



**Raymond Buchholz**  
*General Manager Marine Safety*

5 / 7 / 2017