



The Boat Owners Association of NSW Inc

Consumer Action in Boating

BOA Alert

Good afternoon,

Where did summer go? Still, there's a lot of good boating weather left - especially as some of the heat goes out of the days.

Some interesting items in this issue:

New bridge for Batemans Bay - a bridge too low?



Member Peter Johnson contacted us about a new bridge being planned for Batemans Bay, to replace the existing opening bridge (pic). Unfortunately, the new bridge is several metres lower than the old one and will impede a significant amount of water traffic. The BOA has made representations to RMS and is in further contact with local and state management groups. We'll let you know how it evolves.

RMS Maritime activity having positive effect

The latest edition of Maritimes (from RMS Maritime Division) gives some very good news - I'll quote it verbatim:

It's almost the end of the peak boating season on NSW waters and I am happy to report that a concerted focus on safety and responsible boating has delivered dividends. This season has seen almost a halving of incidents reported on our waterways when compared to last year - encouragingly, this has occurred at the same time as we've seen an increase in activity.

Contrast that result with the disastrous increase in the state road toll and I think that our BSOs, Water Police and Marine Rescue people have a lot to be proud

of.

And if you'd like to read about some of the head-shaking experiences our waterways custodians have to deal with have a look

at <http://www.rms.nsw.gov.au/maritime/safety-rules/incidents-emergencies/investigations/index.html>

Who's responsibility is the warranty?

A member contacted us with a somewhat convoluted question. In summary: He bought a new boat from an Australian builder about 12 months ago. Shortly thereafter, the builder sold to a Chinese shipyard, but then took up business as the importer of the now Chinese-built boats.

Not long after that, the now-importer sold to another company which now holds the agency for the Chinese builder.

The member has a number of warranty matters outstanding but the current agent is denying liability, insisting that the member go back to the original builder/agent.

Where does this leave our member?

Expert maritime lawyer and BOA life member, Michael Chapman, came to our assistance with some advice. Broadly, our member may have a right of action against the current agent through the Fair Trading protections. It isn't quite cut-and-dried, but there does seem to be some light at the end of the tunnel. We have passed on the advice to our member and have asked if he would keep us informed.

Life Jacket recall

Two very important safety recalls - Jarvis Walker Adult PFDs and The Cause Kids PFD - more information on these links

<https://www.productsafety.gov.au/recall/jarvis-walker-pty-ltd-adult-personal-flotation-device-pfd-type-1>

<https://www.productsafety.gov.au/recall/jetpilot-australia-pty-ltd-the-cause-kids-neo-vest-personal-flotation-device-pfd>

And remember - the BOA is here to assist - please let us know if we can be of

service.

Regards

Andrew McKinnon

President
