

FALLS CREEK RESORT MANAGEMENT

RELEASE, WAIVER & CONDITIONS OF ENTRY

Each competitor must sign separate release, waiver & conditions of entry.

Falls Creek Mile High Dragon Boat Championships & Associated Activities (the "Event")

We, the undersigned competitors, hereby agree that we have entered the above Event and paid the entry fee, subject to the following conditions:

Suppliers:

Falls Creek Resort Management, its employees and contractors, Parks Victoria & Gail Elizabeth Williams, & Jonathan Mayne, & Jenny Mayne, & Paul Boucher & Shirley Boucher & Serghi Cucusa, Joe Alia & Victorian Dragon Boat Association Inc (also known as Dragon Boats Victoria) & Victorian Dragon Boat Association Inc Committee Members & Docklands Authority/ Vic Urban Victorian Dragon Boat Association Inc Operations Team and its members and coaches and instructors and administrators and helpers appointed by Victorian Dragon Boat Association Inc (whether or not employed or engaged for remuneration by the Victorian Dragon Boat Association Inc).

Waiver:

We the undersigned intend participating in various dragon boating and related social activities organized by or under the control of the Victorian Dragon Boat Association Inc and/or Falls Creek Resort Management and we understand and acknowledge that we do so entirely at our own risk. We understand and acknowledge that dragon boating is an activity that may cause illness or injury. By signing this form overleaf, we release, exempt and indemnify the suppliers listed above and their staff, agents and sponsors against all liability however caused, whether by negligence or otherwise, which may arise in connection with my participation in any training, regatta, event or associated activity organized by or under the control of the Victorian Dragon Boat Association Inc or Falls Creek Resort Management and agree that any conditions implied by the Fair Trading Act 1999 are excluded.

WARNING UNDER THE FAIR TRADING ACT 1999

Under the provisions of the Fair Trading Act 1999 several conditions are implied into contracts for the supply of certain goods and services. These conditions mean that the supplier named on this form is required to ensure that the recreational services it supplies to you are—

- rendered with due care and skill; and
- as fit for the purpose for which they are commonly bought as it is reasonable to expect in the circumstances; and
- reasonably fit for any particular purpose or might reasonably be expected to achieve any result you have made known to the supplier.

Under section 32N of the Fair Trading Act 1999, the supplier is entitled to ask you to agree that these conditions do not apply to you. If you sign this form, you will be agreeing that your rights to sue the supplier under the Fair Trading Act 1999 if you are killed or injured because the services were not rendered with due care and skill or they were not reasonably fit for their purpose, are excluded, restricted or modified in the way set out in this form.

NOTE: The change to your rights, as set out in this form, does not apply if your death or injury is due to gross negligence on the supplier's part. "Gross negligence" is defined in the Fair Trading (Recreational Services) Regulations 2004.

Acknowledgement & Agreement by each of the signatories overleaf:

1. I acknowledge and agree that I have received instruction from a person duly sanctioned by the Victorian Dragon Boat Association Inc in regard to safety matters and including capsize procedures and I acknowledge and agree that I am not to enter a dragon boat under any circumstances whatsoever until I am satisfied that I have received and understood such instruction AND
2. I further acknowledge that I shall not, under any circumstances whatsoever, enter a dragon boat without wearing an appropriate personal floatation device (and that if one is not available I shall not under any circumstances whatsoever enter a dragon boat) AND
3. I will conduct myself in accordance with and comply with all of the obligations and expectations set out in the Members Protection Policy (as published on www.dragonboatsvictoria.com.au) AND
4. I have read and I understand these Conditions of Entry and agree to be bound by them.

