

SWAN VALLEY SPEEDHUMPS – WAIVER

In consideration of us providing the Activities (as defined below), this Waiver of Liability (**Waiver**) is made by the individual undertaking the Activities (**Participant, you or your**), or the Participant's legal guardian, where the Participant is under 18 years old or a dependent, with SWAN VALLEY SPEEDHUMPS (ABN 14810174588) (**we, us or our**).

Participant	Name:
	Address:
Guardian (if applicable)	Name:
	Address:

Acceptance

By signing this Waiver, you agree that you have read, accepted and will comply with this Waiver, and that you are 18 years or older. If you are accepting this Waiver as a parent or legal guardian of the Participant, you warrant and agree that you have the required authority to consent on behalf of the Participant.

You agree that this Waiver is governed by the laws of Western Australia and you submit to the exclusive jurisdiction of the courts of Western Australia.

Risk

The Participant will be participating in animal experiences and other related activities (**Activities**).

Participating in the Activities may expose the Participant to the risk of death, physical harm, personal injury, psychological and emotional harm, physical exertion, disease, illness and/or loss or damage to property which may arise from:

- animal behaviour including but not limited to biting, kicking, stepping on feet, pushing, or other unpredictable behaviour;
- the inherent risks associated with interacting with animals, even when handled with care and experience by trained individuals;
- activities taking place on uneven ground, in outdoor environments, and within fenced paddock areas, which may present tripping hazards or other environmental risks;
- third party participants;
- the Participant's physical fitness level, tiredness or overexertion;
- the Participant's training technique or failure to follow instructions;
- pre-existing health conditions, allergies, or medical concerns;
- equipment supplied by us to carry out the Activities; or
- any failure to comply with our instructions or directions.

You have read this risk warning and you are aware of and voluntarily accept any risk that may arise from the Participant's participation in the Activities.

Medical Conditions

In the event that you become aware of any medical, physical or psychological condition, injury or impairment that may be detrimental to the Participant's health, a risk to the Participant's safety or affect the Participant's proper and safe participation in the Activities, the Participant must stop participating and you should contact a medical provider. You agree to notify us of any pre-existing conditions that may affect the Participant prior to participating in the Activities and to immediately notify us of any injuries that occur while participating in the Activities. You warrant to us that:

- the Participant has the required physical health and fitness needed to participate in the Activities;
- you have disclosed any relevant medical conditions, allergies, or concerns; and
- you know of no medical or other reason why the Participant cannot or should not participate in the Activities.

Exclusion of Liability

Under the *Australian Consumer Law* (Cth) (**ACL**), statutory guarantees apply to the supply of services. As the Activities are recreational services, under the ACL, we may ask you to agree to exclude your rights in relation to these statutory guarantees.

To the maximum extent permitted by law, we will not be liable for, and you waive and release us from and against any loss or liability arising from or in connection with any personal injury or death caused or contributed to by the Participant's participation in the Activities, except where caused by our reckless conduct.

Statutory Waiver

In this section, we are the “**supplier**” and “**this form**” means the Waiver.

For any questions or notices, please contact us at:

SWAN VALLEY SPEEDHUMPS (ABN 14810174588)

Email: hello@swanvalleyspeedhumps.com.au

EXECUTION

PARTICIPANT

Signed by the Participant:

Signature of Participant

Date