

Exclusion of Certain Rights to Sue

Section 97A Goods Act 1958 and Goods (Recreational Services) Regulations 2003

About this form

Under sections 91 and 92 of the Goods Act 1958, several conditions are implied into contracts for the sale of certain goods and services. These conditions mean that the seller named below is required to ensure that the recreational services it sells 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 seller.

If you sign this form, you waive your rights under sections 91 and 92 of the Goods Act 1958 to sue the seller for losses relating to death or personal injury if the seller's breach of these requirements results in your death or your personal injury. Signing this form does not affect any rights that you may have under other sections of the Goods Act 1958 or any other Acts or laws.

You should be aware that signing this form may have an effect on any insurance policy that covers you for death or personal injury. If you have any concerns about the effect of signing this form you should discuss this with your insurer or legal adviser.

Name and address of seller

Liz Mitchell, trading as Snowy River Cycling
185 Forest Rd, Orbost, Victoria 3888, Australia

Description of recreational services sold

Recreational Cycle tour including meals, accommodation, guide and on route support.

Steps taken by the seller to avoid the danger of death or personal injury

(for example, hourly/daily/weekly/monthly equipment inspections; only qualified staff used; certain staff/participant ratio; compliance with an industry standard, code of practice, code of conduct or accreditation scheme etc).

If no steps have been taken, seller must insert the word 'none' in this section.

Compliance with "Mountain Biking Adventure Activity Standard"

Declaration and signature of person about to use these services

- I understand that the recreational services about to be sold as set out in this form may cause my death or my personal injury.
- By signing this form I understand I **waive my rights to sue** the seller for losses relating to my death or my personal injury that result from a breach of a condition specified in sections 91 and 92 of the Goods Act 1958.
- I understand that if the seller has not complied with any law about the proper completion of this form and how my signature is obtained (for example, if the seller has made a false or misleading statement in relation to the steps taken by the seller to avoid the danger of death or personal injury), or has acted recklessly, the seller cannot enforce this waiver.

Signature

X

Printed name

Date

Address

Postcode