

**THE BALMORAL BEACH CLUB LIMITED (“CLUB”)
ABN 79 000 016 633**

Visitor

ADULT WAIVER FORM

I.....(*full name please*)

of.....(*home address please*) (known as the “**Participant**”) am desirous of participating in one or more swimming, beach and/or athletic events (each an “**Event**”) conducted, sponsored or endorsed (whether officially or unofficially) by the Club wherever held.

I have read and accept the conditions set out in the **Notice to Swimmers and Athletes** (*a copy of which is printed over page*) and I acknowledge that each Event involves a range of risks (not limited to the risks identified by the Club), including the risk of serious personal injury to me and that each Event could not be held unless all participants are willing to accept full responsibility for the consequences of these risks.

Therefore, and in consideration of the Club accepting me as a participant in any such Event, for myself, my heirs, successors, executors and administrators, I hereby:

- (a) acknowledge that my participation in any Event is entirely at my own risk;
- (b) waive, release and discharge the Club, its Committees, officers, officials, organisers, members and all other participants (or any one or more of them and their respective heirs, successors, executors and administrators) (collectively “**the Releasees**”) from all claims and demands whatsoever, including any claim for loss or damages caused by negligence of any of them arising out of the conduct or otherwise of any Event (including failure to warn of any particular risk), or arising from any act or omission before, during or after an Event, including any claim for reimbursement of any costs or expenses (including, but not limited to, legal, medical, hospital, and rehabilitation expenses) that may be incurred by me or anybody on my behalf (collectively “**Claims**”);
- (c) agree to indemnify and hold harmless the Releasees and each of them against all Claims that I or anybody on my behalf may make against the Releasees or any of them; and
- (d) accept full responsibility for my personal possessions before, during and after an Event.
- (e) agree that the Club may publish or use any photographs of me or any member of my family taken at any Event in any of the Club’s publications, promotions or records, on the Club’s website or in such other manner as the Club may from time to time decide without my prior approval or consultation with me.
- (f) acknowledge that this Waiver will remain in force until either written notice of revocation is received by the Club or it is superseded by a subsequent Waiver.

Signed by:

Next of kin details

.....(**Participant**)

Name

Dated

Home Contact Number.....

Mobile Contact Number.....

See Notice to Swimmers and Athletes on back

THE BALMORAL BEACH CLUB LIMITED (“CLUB”)

ABN 79 000 016 633

NOTICE TO SWIMMERS AND ATHLETES
PARTICIPATE AT YOUR OWN RISK

1. YOUR PARTICIPATION IN ANY SWIMMING, BEACH AND ATHLETIC EVENTS (EACH “AN EVENT”), OFFICIALLY OR UNOFFICIALLY CONDUCTED, SPONSORED OR ENDORSED BY THE CLUB IS AT YOUR OWN RISK. THE CLUB TAKES NO RESPONSIBILITY FOR YOUR SAFETY OR HEALTH DURING ANY EVENT IN WHICH YOU PARTICIPATE.
2. YOU MUST BE A COMPETENT SWIMMER AND/OR ATHLETE, IN REASONABLE HEALTH AND FITNESS, IN ORDER TO PARTICIPATE IN ANY EVENT. ANY PERSON SUFFERING FROM ANY MEDICAL CONDITION MUST CONSULT HIS/HER MEDICAL ADVISER AND FOLLOW SUCH ADVICE REGARDING PARTICIPATING IN ANY EVENT. ANY PERSON UNDER THE INFLUENCE OF OR AFFECTED BY ALCOHOL, DRUGS, MEDICATION OR OTHER SUBSTANCES MUST NOT PARTICIPATE IN ANY EVENT.
3. NO LIFESAVER, MEDICAL ATTENDANT, PATROL BOAT, EMERGENCY ASSISTANCE, FIRST AID OR OTHER FACILITIES IS OR MAY BE PRESENT OR AVAILABLE TO ASSIST PARTICIPANTS IN ANY SUCH EVENT.
4. COMPETITIVE OPEN WATER SWIMMING, BEACH AND ROAD RUNNING AND ROAD CYCLING EACH CAN BE A DANGEROUS RECREATIONAL ACTIVITY. EACH SUCH ACTIVITY HAS OBVIOUS RISKS AND PARTICULAR RISKS OF HARM, INCLUDING BUT NOT LIMITED TO:
 - DROWNING;
 - SHARK ATTACK OR INJURY FROM OTHER DANGEROUS MARINE LIFE;
 - YOU MAY BE ALLERGIC TO STINGERS, BLUEBOTTLES, ETC;
 - POLLUTED OR CONTAMINATED WATER CAN CAUSE SICKNESS/INFECTION;
 - HEAVY SEAS AND DANGEROUS WATER CONDITIONS CAN CAUSE INJURY/LOSS OF LIFE;
 - COLLISION OR PHYSICAL CONTACT WITH OTHER SWIMMERS, BOUYS OR OTHER OBJECTS CAN CAUSE INJURY;
 - YOU COULD SUFFER A HEART ATTACK, EPILEPTIC FIT, COLLAPSE, SEVERE CRAMP, ETC;
 - LIGHTNING MIGHT STRIKE DURING AN EVENT;
 - SUBMERGED ROCKS OR OTHER HIDDEN OBJECTS CAN CAUSE INJURY;
 - BARE FEET CAN BE INJURED WHILST RUNNING ON THE SAND, ROCKS OR ROADS;
 - COLLISION CAN OCCUR WITH MOTOR VEHICLES, PEDESTRIANS AND OTHER OBJECTS WHILST RUNNING OR CYCLING ON ROADS AND IN PUBLIC PLACES;
 - WHERE AN EVENT INVOLVES THE USE OF A BOAT, THIS COULD INVOLVE ADDITIONAL RISK OF INJURY.
5. WHILST ALL PARTICIPANTS PARTICIPATE IN EVENTS AT THEIR OWN RISK, NEVERTHELESS EVERY PARTICIPANT SHOULD EXERCISE CARE AND COURTESY TO AVOID ACCIDENTS, COLLISIONS WITH OR INJURY TO OTHER PARTICIPANTS.
6. EVENTS ARE INTENDED TO BE GOOD FUN, PROMOTE WELLBEING AND FITNESS, AND COMRADERSHIP. PARTICIPANTS SHOULD ENJOY THEMSELVES, BUT NOT AT THE EXPENSE OF OTHER PARTICIPANTS.
7. TO PARTICIPATE IN ANY EVENT, A PARTICIPANT MUST BE 18 YEARS OF AGE OR MORE AND HAVE SIGNED AN ADULT WAIVER FORM. IF A PARTICIPANT IS UNDER THE AGE OF 18, BEFORE PARTICIPATING IN AN EVENT, THE PARTICIPANT’S PARENT OR GUARDIAN TOGETHER WITH THE PARTICIPANT, MUST SIGN A CONSENT AND WAIVER FORM FOR A MINOR.

Martin Quin
Club Captain
November 2015

Updated 21 November 2015