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CAIRNS – AUSTRALIA

Acknowledgement of Risk and Release of Liability

This acknowledgement of risk and release of liability is executed by in favour of CYMCA Pty Limited (ACN 073318260) trading as Cape York Motorcycle Adventures (the Operator) in consideration of the Operator providing the motorcycle tour which I have booked (the Tour).

I have carefully read this document and I acknowledge that (the Operator) agrees to allow me to participate in (the Tour) in express reliance on my execution of this document.

I acknowledge that (the Tour) is a motorcycle adventure tour which by its nature is subject to risks both foreseeable and unforeseeable. I understand the risks associated with the use of off road motorcycles in rough terrain in remote locations inhabited by dangerous wildlife and used by other vehicles. I have considered the nature of (the Tour) carefully. I accept all risks of (the Tour) voluntarily. I understand that the support vehicle on (the Tour) will travel by routes different from those taken by the motorcyclists and will not be accessible during the day. I further understand that no emergency or first aid materials or spare parts are carried other than on the support vehicle.

I agree that none of (the Operator) or its employees, officers and agents shall be liable for any injury to me or any other person or to any property, or loss or damage of any kind whatsoever in connection with the Tour or any services, facilities, equipment or accommodation associated with (the Tour), whether such injury, loss or damage is direct, indirect or consequential and whether or not arising from any accident whatsoever or from any omission, act, neglect or wilful default of (the Operator) and whether or not (the Operator) had knowledge that injury, loss or damage was probable. I hereby release (the Operator), its servants and agents from any liability loss or claim which I may have had at any future time in connection with (the Tour) but for this release.

Without limiting any other provision of this document, I expressly agree that its terms may be pleaded in bar to any proceedings by me in respect of any injury, loss or damage whatsoever I may incur or suffer in connection with (the Tour).

I acknowledge that I have carefully inspected the equipment including, without limitation, the motorcycle that will be used by me on (the Tour). I have satisfied myself that all such equipment is in good order and fit for (the Tour). I further acknowledge that equipment may have been used by others and I accept the risk that equipment may suffer from defects which are not apparent to me or the Operator.

I warrant that I am in good health, do not suffer from any disability, illness or medical condition other than disclosed in writing to (the Operator) and that I am reasonably fit for the Tour. I further warrant that I am an experienced off road motorcycle rider.

I acknowledge that (the Operator) holds a security deposit of \$1,600.00 on the condition that the motorcycle being ridden by me is returned undamaged. I also acknowledge that I will be liable to pay for any damage, to this motorcycle, caused by me up to this amount.

Date:

Name:

Signed:

Address:

Motorcycle Riders License Number:

Witness Signature:



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