

# DECLARATION OF UNDERSTANDING & WAIVER OF LIABILITY

I, *(name of participant)* \_\_\_\_\_ the undersigned, knowingly and without duress, do voluntarily participate in the 2007 Australian National Kung-fu, Wushu & Tai Chi Titles.

I understand and acknowledge that the Championship event involves some degree of risk of personal injury. I warrant that I am medically sound and hereby assume all risk of physical and mental injuries, disabilities and losses that may result from or in connection with my participation in the 2007 Australian National Kung-fu, Wushu & Tai Chi Titles.

Acting for myself, heirs, personal officers, agents, representatives and assignees, I do hereby release the Australian Kung Fu (Wushu) Federation Inc., the 2007 Australian National Kung-fu, Wushu & Tai Chi Titles, its officers, agents, representatives, volunteers, and other related members from all claims, actions, suits, and demands of every kind in of or resulting from any accident, injury or damage (including but not limited to the participant's person, whether fatal or otherwise, property and personal belongings) that I may sustain while participating in the 2007 Australian National Kung-fu, Wushu & Tai Chi Titles.

I fully understand that all medical attention or treatment afforded to me by the Australian Kung Fu (Wushu) Federation Inc., 2007 Australian National Kung-fu, Wushu & Tai Chi Titles, its officers, representatives, volunteers, and all other related members will be of the first aid only, and hereby release the Australian Kung Fu (Wushu) Federation Inc., the 2007 Australian National Kung-fu, Wushu & Tai Chi Titles, its officers, representatives, volunteers, and all other related members from any liability for administering such aid.

I agree to abide by and follow the Championship Rules and Regulations established by the AKWF and the 2007 Australian National Kung-fu, Wushu & Tai Chi Titles Organising Committee.

I agree that my performance, attendance, and participation at the 2007 Australian National Kung-fu, Wushu & Tai Chi Titles may be filmed or otherwise recorded or released. I consent to the use by the Australian Kung Fu (Wushu) Federation Inc and Australian Kung-fu (Wushu) Federation ACT Branch of my name, address, voices, poses, pictures and biographical data in full or in part, in any form or language, with or without other material, throughout the world, without limitation, for television, radio, video, theatrical medium picture, or any other medium by any devices now known or hereafter devised and I do hereby Waive any compensation in regard thereof as well as any future rights to the aforementioned.

I have read and fully understand the declaration listed above.

**Participant**

**Signature:** \_\_\_\_\_

**Parent/Legal Guardian**

**Signature:** \_\_\_\_\_

*(Parent/Legal Guardian to sign if under 18 yrs)*

**Dated this** \_\_\_\_\_ **day of** \_\_\_\_\_ **20** \_\_\_\_\_

## **WAIVER/INDEMNITY**

### **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 provider named below is required to ensure that the recreational services it engages in with you are:

- rendered with due care and skill; and
- as fit for the purpose for which they are commonly provided 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 provider.

If you sign this form, you waive your rights under sections 91 and 92 of the Goods Act 1958 to sue the provider for losses relating to death or personal injury if the provider'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.

**TO The Australian Kung Fu (Wu Shu) Federation Inc. of P O Box 134, Kenthurst, NSW, 2156 (known as the Provider).**

In consideration of my acceptance to participate in the 2007 Australian National Kung-fu, Wushu & Tai Chi Titles

On the understanding that all steps have been taken by the Australian Kung Fu (Wushu) Federation Inc and Australian Kung-fu (Wushu) Federation ACT Branch to avoid the danger of death or personal injury by complying with the Risk Management Policy of the MAIA, Code of Practice for Martial Arts Event Promoters and Tournament Organisers of the MAIA and the Wushu Competition/Event Sanctioning Prerequisites formulated by the AKWF, I hereby for myself, my executors or my administrators acknowledge that there is risk involved in taking part in the 2007 Australian National Kung-fu, Wushu & Tai Chi Titles and I waive any right which I may otherwise in the future acquire to recover from Australian Kung Fu (Wushu) Federation Inc. and Australian Kung-fu (Wushu) Federation ACT Branch, its servants or agents damages for death or injury to my person or property occasioned in the course of my participation in the Championships.

AND I UNDERTAKE that I will at all times in the future indemnify the Australian Kung Fu (Wushu) Federation Inc., and Australian Kung-fu (Wushu) Federation ACT Branch, its servants and agents and keep each of them indemnified against all suits actions and causes of action and other claims and proceedings of whatsoever nature which might be taken against any of them by me or any persons claiming through me or on my behalf in respect of or arising out of any death or injury to my person or property as is aforesaid.

Further, by signing this form I understand I waive my rights to sue the Australian Kung Fu (Wushu) Federation Inc., and Australian Kung-fu (Wushu) Federation ACT Branch for losses relating to my death or my personal injury that results from a breach of a condition specified in sections 91 and 92 of the Goods Act 1958.

I understand that if the Australian Kung Fu (Wushu) Federation Inc., and Australian Kung-fu (Wushu) Federation ACT Branch has not complied with any law about the proper completion of this form and how my signature is obtained (for example, if the Australian Kung Fu (Wushu) Federation Inc., and Australian Kung-fu (Wushu) Federation ACT Branch has made a false or misleading statement in relation to the steps taken by the Australian Kung Fu (Wushu) Federation Inc., and Australian Kung-fu (Wushu) Federation ACT Branch to avoid the danger of death or personal injury), or has acted recklessly, the Australian Kung Fu (Wushu) Federation Inc., and Australian Kung-fu (Wushu) Federation ACT Branch cannot enforce this waiver.

{ **Signature of Participant:** \_\_\_\_\_ **Dated:** \_\_\_\_\_

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{ **Full Name of Participant :** \_\_\_\_\_

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{ **Address of Participant:** \_\_\_\_\_

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{ **Signature of Parent or Guardian :** \_\_\_\_\_ **Dated:** \_\_\_\_\_

{ (If Participant is under 18 years)

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{ **Full Name of Parent or Guardian:** \_\_\_\_\_

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{ **Address of Parent or Guardian:** \_\_\_\_\_

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{ **Witnessed By (signature):** \_\_\_\_\_ **Dated:** \_\_\_\_\_

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{ **Full Name of Witness :** \_\_\_\_\_

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{ **Address of Witness :** \_\_\_\_\_