

## **STATUORY DECLARATION EXCLUSION OF LIABILITY AND INDEMNITY RIDE DAY PROMOTION WARNING**

### **ROUTE & RULES**

- Route will be led by FCFA Limited
  - Ride departs Monkey Tree Brewing at 0815hrs sharp
  - Arrive at Monkey Tree Brewing at approx. 1230hrs for lunch
  - Ride is open to all Riders & Pillions who are NOT involved in illegal motorcycle activity
  - On arrival at 0730 Breakfast will be on for all participants with all funds raised going towards the FCFA Limited supporting fire fighters with Cancer
- Ride will be roughly 2 hours & 170km  
Morning Tea to be provided at Canungra  
Ride is open to all makes and models of Motorcycles

This is an important document. It affects your legal rights & obligations, particularly any right you may otherwise have to claim compensation if you suffer injury. Read it carefully & do not sign it unless you are satisfied that you understand & agree to it

### **SCHEDULE**

**LOCATION:** MONKEY TREE BREWING 3/30 COMPTON RD UNDERWOOD **DATE:** 11<sup>th</sup> April 2021

**NAME:** \_\_\_\_\_ **DOB:** \_\_\_\_\_

**LICENCE No:** \_\_\_\_\_ **EXPIRY:** \_\_\_\_\_

I understand that it is a condition of my attendance at a Ride Day Promotion conducted by FCFA Limited or any of its volunteers, agents or contractors that I (and, if I am under 18 years, my parent or legal guardian) acknowledge & agree to the following terms & conditions.

### **ACKNOWLEDGEMENTS:**

I acknowledge that;

My use of a motorcycle is potentially hazardous & can lead to injury, damage & loss (to person and/or property), including from incidents caused by me, by another person or the nature of riding a motorcycle. I use the motorcycle entirely at my own risk.

I will not use a motorcycle on any road, highway or in any other public place, unless I hold an appropriate licence & permit

### **CONDITIONS OF USE OF MOTORCYCLES, FACILITIES & OTHER EQUIPMENT**

I shall at all times while using a motorcycle act in a safe manner generally & wear appropriate safety clothing in accordance with any requirement of laws or direction given.

FCFA Limited will not be liable for or in respect of any proceeding claim, loss, damage, cost, penalty or fine arising from any death or personal injury occurring or suffered at any time as a result of or in connection with my use of the motorcycle or attendance at, or participation in a ride day promotion or any other similar promotional activity conducted by FCFA Limited whether caused or contributed to, directly or indirectly, by any act or omission (including negligence) on the part of FCFA Limited. So far as this clause operates to exclude conditions that would otherwise be implied in the agreement by the Fair-Trading Act 1999, the following particulars are applicable:

### **WARNING UNDER THE FAIR-TRADING ACT 1999**

Under the provisions of the Fair-Trading Act 1999 several conditions are implied into contracts for the supply of certain goods & services. These conditions mean that the supplier named on this form is required to ensure that the recreational services it supplies to you are:

Rendered with due care & skill; and

As fit for the purpose for which they are commonly bought as it is reasonable to expect in the circumstance and

Reasonably fit for any particular purpose or might reasonably be expected to achieve any results you have made known to the supplier.

Under section 32N of the Fair Trading Act 1999 if you were killed or injured because the services were not rendered with due care & skill or they were not reasonably fit for the purpose, are excluded, restricted or modified in the way set out in this form

**NOTE:** The change to your rights, as set out in this form, does not apply if your death or injury is due to gross negligence on the supplier's part. "Gross Negligence" is defined in the Fair Trading (Recreational Service) Regulations 2004. Except to the extent that the Trade Practices Act 1974 or the Fair Trading Act 1999 (Oth) or the Fair Trading Act 1999 applies such that liability cannot be excluded or limited. FCFA Limited will not be liable for or in respect of proceeding claim, loss, damage, cost, penalty or fine suffered, incurred or arising at any time by me or in my favour as a result of or in connection with my use of a motorcycle or attendance at, or participate in, a FCFA Limited event whether caused or contributed to, directly or indirectly, by any act or omission (including negligence) on the part of FCFA Limited

**SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

Please email the signed form to [treasurer@fcfa.org.au](mailto:treasurer@fcfa.org.au) Attention Janice Sinclair OR Provide at Checkin on the morning of the ride at Monkey Tree Brewing