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## Assumption of Risk and Liability Release Agreement

THE SITE: \_\_\_\_\_

- I,....., am aware of, and understand there are inherent hazards associated with mine and cave diving which have the potential to result in serious injury and possible death.
- I expressly assume the risk of said injuries.
- I understand and agree that the 'Release' encompasses and applies to the access of a former mine, which I choose to enter, of my own free will and under the guidance of the Ian France Technical / UKMC.
- I understand that the former mine is inspected for safety periodically, but is not maintained, and has not been maintained in any significant way since mining ceased, and that its condition may have changed significantly in the time which has passed since the last inspection was carried out. I understand that the mine potentially consists of uneven floors and walkways, loose rocks and potentially unstable walls and roofs. I am aware that the mine may contain machinery and tools which remain from its use as a mine, and that these may not be obviously apparent and may be dangerous. I am aware that the flow of 'fresh' air within the mine is not guaranteed and that areas of 'stale' air may be present.
- I understand that, whilst within the mine, mobile phone and radio communication will not be possible and that I will, at times, be a considerable distance, and therefore time, from the external entrances/exit to the mine.
- I declare that I understand the abovementioned risks. I further declare, that at no point has any person implicitly or expressly stated that these risks are NOT present in this location, or made any declaration as to the safety of accessing the mine.
- I understand and agree that THE SITE, may not be held liable or responsible in any way for any injury, death or damages to any party. Whether passive or active.
- I further release and hold harmless said activity and THE SITE from any claim or lawsuit by myself, my family, or my estate.
- I understand and agree that this release is divisible, and any portion herein held to be in violation of any applicable statutes, regulations or any governmental agency having jurisdiction, shall affect only that portion held to be invalid or inoperative and the remaining portions of the Release shall remain in full force and effect.
- I further state that I am of lawful age, of sound mind, and that I am legally competent to authorise the Assumption of Risk and Liability Release Agreement.
- I understand that the terms herein are contractual and not a mere recital and that I have signed this Release of my own free act.

I, ....., BY THIS INSTRUMENT, DO EXEMPT AND RELEASE THE SITE WHERE I AM CONDUCTING THE ACTIVITY FROM ALL LIABILITY OR RESPONSIBILITY WHATSOEVER FOR PERSONAL INJURY, PROPERTY DAMAGE, OR WRONGFUL DEATH, HOWEVER CAUSED, INCLUDING, BUT NOT LIMITED TO THE NEGLIGENCE OF THE LANDOWNER, WHETHER PASSIVE OF ACTIVE.

I HAVE FULLY INFORMED MYSELF OF THE CONTENTS OF THIS ASSUMPTION OF RISK AND LIABILITY RELEASE AGREEMENT BY READING IT BEFORE SIGNING IT ON BEHALF OF MYSELF, AND MY HEIRS.

SIGN HERE \_\_\_\_\_

DATE \_\_\_\_\_

## **Disclosure Of Risk**

**Please read the following carefully and sign in the appropriate places:**

- Rugged underground terrain - Caves and Mines can be hazardous places. They are dark, contain loose rock, and unstable slopes made slippery by water, mud or ice. They also contain vertical drops & deep running water. Rescue from caves and mines, is notoriously difficult.
- Rugged Mountain Terrain - Reaching the Cave may require walking in a rugged up land area. Hazards include steep ascents on un-even ground, bad weather and riverbeds that may be subject to flooding.

*I have read and understood the above, and I am aware of the risks in the DISCLOSURE OF RISK section.*

SIGN HERE \_\_\_\_\_

### **Acknowledgement**

- I am aware caving has, in addition to the usual dangers and risks inherent to mountain environments, certain additional dangers and risks to those listed above.
- I acknowledge that the strenuous nature of the activities involved in caving may aggravate any medical condition I may have. And in undertaking this activity I take full responsibility for my health.
- I accept all of the dangers and risks of caving and the possibility of damage and loss of my property, and of personal injury up to and including death.
- I acknowledge that the enjoyment and excitement of adventure caving is derived in part from the undeveloped, wild nature of caves, and the physically demanding and possibly unstable nature of mines. The inherent risks of adventure caving contribute to such enjoyment and excitement.

*I have read and understood the above and am aware of the risks in the ACKNOWLEDGEMENT section.*

SIGN HERE \_\_\_\_\_

### **Personal Indemnity**

- I am over the age of 18 years, and I know that there are serious risks involved in entering caves and mines. I accept these risks.
- I agree that I will fully and effectually compensate for any damage that I may cause within the Cave or Mine System I may enter or on the adjoining land.
- The leader of the party, land owner, cave owner, mine owner, nor owner of mineral rights will not be under any liability whatsoever to me, my dependants, or my personal representatives for any injury (including death or the effects of radon gas), inconvenience, damage or loss that I may suffer in the visited Cave or Mine System or whilst on adjoining land however caused.
- While I am taking part in the Cave or Mine exploration, I will obey immediately and without question any instruction I may receive from the leader of the party or accompanying designated assistant.
- If instructed to leave the Cave or Mine System or adjoining land, I will leave by the route and in the manner directed.
- I confirm that I am over 18 years old and have read and understood the whole document before signing it. The above terms I accept are reasonable, given the serious risks, particularly of personal injury to myself. I have voluntarily chosen to enter the Cave System or Mine system under the guidance of the instructors from Ian France Technical and his designated assistants.

SIGN HERE \_\_\_\_\_

DATE \_\_\_\_\_