

Taupo Wake Park

Participation Waiver

In agreeing to ride with Taupo Wake Park each participant, and each party who signs this participation waiver agrees:

1. *That you will be bound by the terms and conditions set out in the Schedule below; and*
2. *That you are in good physical health and are not subject to any medical conditions which may be affected by riding and have not been disclosed to us; and*
3. *You consent to the administration of appropriate medical treatment which is deemed necessary by Taupo Wake Park staff in the case of accident, injury or illness, and you indemnify us against any claims in respect of that treatment; and*
4. *You are over the age of 16 years (or are a parent or legal guardian of a participant under 16 and you agree on their behalf); and*
5. *You are a competent swimmer. This means that you certify that you can swim in the event that you are needed to; and*
6. *You consent to Taupo Wake Park making photographic, audio and video recordings ("recordings") of participants and acknowledge and agree that such recordings shall be the sole property of Taupo Wake Park and may be used by Taupo Wake Park as they see fit, including in promotional material for use outside of the park; and*
7. *You ride at your own risk and to the fullest extent permitted by law you agree that Taupo Wake Park and its officers, employees or agents does not have any liability to you (or any other party) for any costs, claims, expenses or damages that may be incurred by you (or any other party) as a result of your participation in what is an activity with inherent risks.*
8. *You agree to indemnify Taupo Wake Park and its officers, employees or agents, and the owner of the property on which the activity is conducted from all costs, claims, expenses or damages which Taupo Wake Park may incur as a result of your participation in the activity.*

PARTICIPATION WAIVER

I,.....,(Participant's name, or if under 16 years name of parent/guardian) hereby acknowledge that undertaking activities provided by Taupo Wake Park carries with it a degree of risk. This has been explained to me fully. In signing this participation waiver I agree to the terms and conditions set out in the schedule and agree to the terms of the participation waiver set out above.

Signed:

Dated:

SCHEDULE (Terms and conditions)

Returning Customers

If you are a returning customer then you may not be required to sign this participation waiver again. You are, however, bound by these terms and conditions irrespective of the initial signing date or circumstances. If your circumstances have changed and you wish to request a new waiver of participation please advise our staff of this.

Degree of Risk

Taupo Water Ballz advises that all activities undertaken do carry a degree of risk, and that in participating in the activity provided by the Operator you are expressly assuming those risks personally, and are releasing the Operator and its officers and employees from any liability, losses, damages, or expenses caused by any event including, but not limited to:

- Personal injury or death;
- Property loss or damage;
- Acts which may be construed as negligent or accidental;
- Any other loss, damage, suffering, emotional or nervous disorder.

Unavailability of Rides

You agree that on occasions for reasons beyond our control the ride(s) may not be operational. You agree that in such a case a refund of any fees paid is entirely at Taupo Wake Park discretion. If you have paid for multiple day and/or season pass rides you agree that it is a condition of such a pass that the rides may be unavailable, and that you will have the ability to return on another day to ride again.

Jurisdiction for Determination of Disputes

Any dispute or litigation arising out of any of Taupo Wake Park activities, or participation on any of Taupo Wake Park rides shall be governed and determined in accordance with New Zealand law. Each participant agrees the courts of New Zealand shall have exclusive jurisdiction with respect to any dispute or litigation to do with Taupo Wake Park or Taupo Wake Park rides or activities.

